

REVIEW ARTICLE

HOAX AND FAKE NEWS DURING COVID-19: IS THE LAW EFFECTIVE IN OVERCOMING IT?

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The world is currently experiencing a pandemic due to a new virus. This virus, called Corona, attacks the respiratory system in humans. Symptoms experienced if infected with the Corona virus (COVID-19) in the form of flu, dry cough, high fever, and shortness of breath. A bad result of contracting the corona virus is that it can cause death. Corona virus can affect anyone, especially in people who have weak body immunity. In matters of emergency like this, it turns out that it is still a person who exploits it by spreading false or fake news. The elements, making lies and then spread through social media, such as Facebook, Instagram, Twitter and the like. They spread hoaxes with a fad. Resulting in people becoming panicked and worried about the corona virus. Hoax news is news that is not necessarily true and its source is not necessarily valid. In this event, the role of government is needed for the community. Persons who spread false news will be charged with Law Number 11 Year 2008 regarding Information and Electronic Transactions as Sanctions imposed on them.

Keywords: *Corona Virus; Hoax News; Government's Role*

I. INTRODUCTION

In modern times like today, all technology has become increasingly sophisticated. The information system that can be obtained by the public

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is getting better. To find out various information, people tend to use social media. Social media itself is very effective and efficient in its use. From young people to old people, everyone can access it because the use of social media is very easy. The variety of information used is very diverse. Starting from information about the culinary world, the world of tourism, news about government, even about information about health we can get from social media. In the past few years, the use of social media has been interspersed with news that smells of lies or in slang called the Hoax news. This hoax news, is consumed by various groups of people, thus causing the community to be divided. Hoax information or news without filtering can threaten the security and comfort of a country. Therefore the need for government to handle cases of hoax news.

At this time, the world is incessant about the corona virus pandemic. This corona virus, makes many people not only in Indonesia, even the world community in a state of worry. Because this virus is so fast in its spread that it makes people panic. The need for a variety of good information so that the panic does not make the body's immune power decrease by each individual. Decreased body immune power makes it easy for a human to be attacked by various diseases. Not only is the body's immune power decreasing, the adverse effects obtained from hoax news are numerous. In the community environment, it is very susceptible to intolerant attitudes towards fellow community members due to the news they receive.

II. FACTS OF COVID-19: LEGAL INSTRUMENTS AND DEVELOPMENT OF HOAX AND FAKE NEWS

Corona virus is a new type of coronavirus that is transmitted in humans. This corona virus, can attack for anyone. Starting from infants, children, adults, pregnant women, nursing mothers and the elderly. This virus is very easy to spread and attack for people who have a history of diabetes, heart disease, lungs and people who have weak immune systems.

This corona virus was first discovered in the city of Wuhan, China, in December 2019. In its spread, the virus is classified as very fast, because from the city of Wuhan and then spread to other cities in China. Even this corona virus has also spread in various countries, including Indonesia. So there is a lockdown and large-scale social restrictions (PSBB) are applied in Indonesia.

Corona virus is a virus that attacks the respiratory system. This virus also causes infections in the lungs (pneumonia), MERS, and SARS if the infection is severe. The initial symptoms of a corona virus infection include high fever, dry cough, runny nose, sore throat, shortness of

breath, joint pain and chest pain. And it can appear for 14 days after exposure to coronavirus or COVID-19. This virus is transmitted from human to human. Transmission is by way of, first, a person can be infected with COVID-19 by inhaling saliva or sneezing and coughing from someone infected with coronavirus. Secondly, touching your face or rather touching your mouth, nose, and eyes without washing your hands first after handling objects that are exposed to sparks from someone affected by COVID-19. Third, the distance is too close to people with COVID-19 or by shaking hands. The diagnosis is done to find out the corona virus that is seen from the symptoms experienced by a person and whether the person has ever traveled in an area exposed to the corona virus or COVID-19.¹

Until now there has not been a vaccine available for COVID-19 yet. So that the cure is with treatment at a designated hospital as a referral hospital, then given drugs according to doctor's directions, and multiply drinking water and always maintain the body's immune to recover quickly and recover. Corona virus cannot be underestimated because it spreads very quickly and if it is too late to handle it, the bad consequences can cause death. Not only that, it can also cause severe illness in the form of pneumonia, kidney failure and infection in other organs. This is what causes people to become worried and panicked. The emergence of this virus, causing various media to inform about developments that occur in this corona virus.

Since the advent of coronavirus, all media have been left with information related to coronavirus. In various media, appears related to the number of people who are positive COVID-19. So that there are various terms ODP (People in Oversight), PDP (Patients in Care), as well as the recent emergence of the term OTG (People without Symptoms). Various media also informed about the number of patients who were positive for COVID-19, patients who were cured and patients who died. From the government itself, various appeals are always intensified so that people do not panic about the existence of coronavirus / COVID-19. The government always gives an appeal in the form of the community must wash their hands frequently, do not touch the face if the hands are dirty or after handling objects, always maintain good hygiene, personal hygiene, and wear a mask for those who are sick. This initial effort, in order to protect one's health, starts with oneself. Then, the longer the coronavirus spread even more rapidly until the government imposed a policy regarding learning, working and worshipping from home. Learning from home is applied to students ranging from PAUD, elementary, junior high, high school students to students to reduce the spread of coronavirus because the virus is moving very fast. Then the enactment of working from home, for people who work such as office employees, factory

¹ *Virus Corona (COVID-19), Gejala Penyebab dan Alodokter*, accessed www.alodokter.com, on April 15, 2020, at 19:01 WIB.

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employees and others, it is recommended to work from home so that not many are leaving. Then, the call to worship at home. It is also intended that the community is not too many and often leave the house in order to prevent the spread of corona virus / COVID-19. For example, Muslims who worship at the mosque, then other religions who usually worship also at their respective places of worship, for the time being to worship in their homes.

III. COMMUNICATION DURING COVID-19: BETWEEN FACTS AND FAKE

From a number of policies such as studying, working, and worshipping at home, this activity really requires communication tools so that the continuity of activities can continue to run well and effectively. Communication itself can be divided into two, which are seen in general and paradigmatically. In his book *Onong Uchjana Effendy* argues that communication in general is still subdivided into two aspects, namely the understanding of communication etymologically and the understanding of communication terminologically. Definition of communication etymologically, namely communication originating from the Latin language communication which comes from the word *communis* which has the same meaning. The same that is meant in this case is having the same meaning or the same in its meaning. In this case, the understanding can be described that is communication takes place if the people involved in it know and understand what is being communicated. In other words between these people there is a communicative relationship if between them understand what they are communicating. Vice versa, if among one of them who does not understand what they are communicating then, communication will not work and the relationship between them is not communicative.²

Then, understanding communication terminologically, communication is the process of delivering a person's statement to another person. We can understand that this understanding of communication involves a number of people or people, so that it can be referred to as Human Communication (human communication). Furthermore, paradigmatic understanding can be concluded that communication is the process of delivering a message by someone to someone else to tell or change attitudes, opinions, and behavior, either directly by face to face or indirectly through the media. In terms of

² ZF Nurhadi, et.al, *JURNAL KOMUNIKASI HASIL PEMIKIRAN DAN PENELITIAN* ISSN: 2461-0836, *Jurnal Komunikasi Volume. 3 No. 1, April 2017*, accessed at journal.uniga.ac.id, on April 16, 2020, at 22:13 WIB.

paradigm, the purpose of communication itself is to have a certain effect on communication.³

As we know, many people think that communicating is easy because we have done so since we are called communication. The conditions that need to be met in order for communication to occur, that is, we communicate in order to get the reciprocal effect or influence from the communicant we are communicating with. And if there is no response from someone we are communicating with, then the communication cannot work properly. In this case, there is reciprocity or feedback. Feedback is divided into two, namely direct feedback and indirect feedback. Direct feedback has the understanding that communication that occurs by meeting or face to face between two or more people can be said to be communicator with the communicant and then immediately get a response right away. While indirect feedback is communication that occurs through the media, such as newspapers, television, radio, social media and others, where a communicator gets a response from the communicant after the information is received by the communicant. This indirect feedback, sometimes by the communicator gets a response or response from the communicant within a period of days. With this feedback, a communication can be measured success or failure.

We need to know, in a communication there are four factors that can affect a communication can work well or not, the following factors:

1. *Strategic Factors in Communication*

In this factor, a communicant is required to be clever to make tactics so that the communication goals that he does can be achieved in accordance with his expectations. In this case there are five components in communication, namely, communicators, messages, media, communicants, and the effects arising from communication that occurs.

2. *Affordability factors*

There are two affordability factors, namely in terms of technology and affordability in terms of people's purchasing power. In terms of technology, it is necessary to consider how many listeners will be given a message and its existence. With this, we can determine what media can be used to spread the message. The use of this media must also be determined in the delivery in person or group. As an example of the Whatsapp media, in personal delivery it can convey a message by contacting the intended audience. Whereas a large number of listeners can use Group media.

Then in terms of people's purchasing power, the dissemination of communication messages must take into account the socio-economic conditions of an area's community. In this case, the dissemination of information and messages must be accessible to all regions or all levels of society, especially from the lower classes. In areas where

³ *Ibid*, ZF Nurhadi.

the media channel is classified as difficult, it is necessary to have a leader who can convey information to the people in the area, especially among the people who are less knowledgeable about the media. Usually the delivery of this message is done by word of mouth. Obtained from traditional leaders, religious leaders, and community leaders.

3. *Planning Factors*

In communication there is a need for planning, planning in this case is emphasized in the communication message. Given the purpose of communication is to change knowledge, attitudes, behavior, and social so in planning an effective communication message should refer to the purpose of the communication. Message planning must be adjusted to the purpose of communication.

4. *Support Factors*

A message can be received by the communicant if the communicator behaves politely, because the behavior can be assessed or measured as a form of appreciation for someone we give a message (communicant). In addition, messages will be accepted if they have the same psychological factors between these people.⁴

Regarding communication that can be established properly if several supporters are met, both direct and indirect communication, in this case we will describe the indirect communication. Indirect communication as mentioned in the types above, this communication through social media. Social media can usually be obtained from a mobile phone (device) which contains such as Facebook, Twitter, Instagram, and so on by using an individual account from someone who uses the application. This condition is influenced by the development of the age, the more advanced the technology. So, if in the past when they met exchanging addresses, now people can change their social media accounts. The existence of various applications, supported by the internet. The internet itself is a global computer network connection that connects all computers in the world despite different machines and operating systems.⁵ So the internet can be concluded that a combination of so many big networks around the world. And its use without any time limit.⁶

With the internet, various media, such as social media can be used. Social media itself, has the meaning that social media itself consists of two words, from the words "*media*" and "*social*". The word media is interpreted as a communication tool (Laughey, 2007; McQuail, 2003). Whereas the word "*social*" is defined as a social reality that every

⁴ *Ibid*, ZF Nurhadi.

⁵ Melwin, Syafrizal, 2005. *Pengantar Jaringan Komputer*, Yogyakarta: ANDI OFFSET, pp. 205-206

⁶ Herlina Latipa S., et.al, *Jurnal Media Infotama*, Vol.9, No.1, Februari 2013, hlm.174, accessed journal.unived.ac.id, on 17 April 2020, at 20:07 WIB.

individual takes action that contributes to society. This statement confirms in fact, media and all software are "social" or in the sense that both are products of social processes (Durkheim in Fuchs, 2014).⁷ From the explanation of these two words, we can interpret social media as a communication tool used by each individual or media user, to provide information related to social or social activities.

In social media there are forms such as pictures, writing consisting of words and there are also numbers, sounds and so forth. Social media has changed the world a lot, from what was once unreachable now it is very easy to reach it. In social media, everyone is free to express their opinions, but that needs to be accompanied by a good attitude and morals in expressing their opinions and providing correct information. If the attitude and morale is not good or negative then it will be a boomerang for himself, it can even cause harm to yourself.

Lack of attention and awareness of individuals to continue to behave properly in social media, often causes many problems that arise that occur in social networks. This is triggered by the self-desire of an individual who wants to be known and known by people. One of them is by spreading hoax news.

IV. HOAX NEWS AND LEGAL INSTRUMENT DURING COVID-19

At this time, it is very easy for us to obtain any kind of information that we want. We just have to access it via the internet. In its form, we can through from Google, Facebook, Twitter, Instagram, and so forth. Quite often we can also get information and news from television and radio too. However, this time we will discuss the news that we can get from social media.

First we need to know what fake news is. Fake news is news articles that are deliberately created and presented to mislead readers. There are two main motivations that cause the circulation of fake news. The first is related to money. News articles appear to be videos on social media that can attract significant ad revenue when users click on the original site. This seems to be the main motivation for most fake news producers whose identities have been revealed. Then the second motivation is ideological. Some fake news providers try to advance the candidates they like (Allcott and Gentzkow).⁸

⁷ Mulawarman dan Aldila Dyas N., *Perilaku Pengguna Media Sosial beserta Implikasinya*, hlm. 37, accessed journal.ugm.ac.id, on April 16, 2020, at 18:13 WIB.

⁸ Riki Firmansyah, *Web Klarifikasi Berita Untuk Meminimalisir Penyebaran Berita Hoax*, *Jurnal Informatika*, Vol.4, No. 2 Septembar 2017, hlm.231, accessed ejournal.bsi.ac.id, on April 16, 2020, at 19:31 WIB.

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According to the Big Indonesian Dictionary, fake news is that Hoax contains false news, no source news. According to Silverman hoax is a series of information that was deliberately made to be misled, but sold as truth. We can interpret hoax news as news that has no basis or clear evidence so that it can be misleading.⁹

Law enforcement needs to be done to overcome the rampant fake news that is spreading and entrenched in Indonesia if left alone. In law enforcement is the task of the executive agency. Which is then carried out by a law enforcement bureaucracy. Therefore, in the context of advancing computer technology and advancing information technology law enforcement issues must receive priority. Law enforcement is a series of steps taken by law enforcement officers in carrying out legal actions against each violation that occurs. According to experts, law enforcement has several definitions, the first being according to Satjipto Rahardjo which states that the dynamics of the law follow a pattern of "*challenges and answers*".

The law was designed based on certain assumptions that we call normal conditions. Normalization is what is used as material to compile the completeness of a nation in law, such as the composition of legal institutions, authorities, procedures, and so forth. So, if there is no normal circumstances, the law can no longer last longer with the old legal means. In addition, he also believes that the general public is still fixated on conventional law enforcement, has a liberal culture and benefits only a small number of people above the suffering of many people. To overcome this, decisive action is needed, by changing individual cultures into collectives. The opinion that then comes from Soerjono Soekanto, law enforcement is all activities to harmonize the relations of values that are set out in the rules, steady views and embody or implement and manifest and manifest in attitudes, actions as a series of translation of the final stage to create peace and justice in association. life.¹⁰ The Government of Indonesia through the Ministry of Information and Communication seeks to make a regulation in order to sanction abusers of various media that fall into the category of breaking the law.

As we know, many Indonesian people consume news that is not necessarily correct in its truth. Many news that lay people swallowed just like that. Sometimes people who have education don't know whether the news is true or not. Fake news is rather difficult to distinguish because the truth looks the same as other original news. So that the public did not suspect that the news was fake. because there is no difference between the two, therefore among the community it is easy to pass on the news it gets to the other community. This, not only happens in Indonesian

⁹ KM Siregar., *hoax-Rumah Jurnal Online IAIN Padangsidimpuan, Fitrah Jurnal Kajian Ilmu-Ilmu Keislaman Vol. 4 No. 2 Desember 2018, hlm.228-229*, accessed by journal.iain-padangsidimpuan.ac.id, on April 16, 2020, at 19:26 WIB.

¹⁰ *Ibid*, KM Siregar.

society, in other communities in the world are the same. Spreading false stories is very easy to do, as is spreading news that is certainly true. In fake news, people tend to spread it because the most important thing is money, then they are the perpetrators of false news disseminators deliberately to incite others to follow their way of thinking, then there are also those who deliberately create chaos and division in society. Not only that, fake news can also cause people to panic due to the information they receive. In its spread, fake news is very fast.

At this time, the world is in an uproar about the existence of a virus called corona. Corona virus or often referred to as COVID-19 was first discovered in Wuhan, China, at the end of December 2020. This virus is easy to spread, making the topic of conversation that often appears in various media, such as on television we will be very easy to get the latest information and the latest on the development of the corona virus. Various types of explanations about the corona virus from medical personnel or from the government can all be obtained. Not only from television, Radiopun also provides information about this virus. However, in this case we will discuss the news that we can get from social media. As explained above about the corona virus, we can know that the corona virus is a virus that attacks the respiratory system. This virus can attack for all people. As a result that arises after being infected with the corona virus in the form of the lungs will experience severe damage. Then the worse result is that it can cause death. Which can result in death can be seen from the medical history of someone infected with the corona virus. Usually people who have a history of other diseases such as diabetes, heart disease, lung disease and the like are classified as severe diseases. Then there are also people who have a weak immune or immune system, it will easily contract COVID-19.

Related to the existence of this new virus, all media reported it, so that the public was easily provoked by false news spread by irresponsible elements. It's easy to access news from social media, so even lying news can be trusted by the public. The number of false news circulating that causes people who usually have an attitude of tolerance is now a person who is selfish, because it is because the panic is too high in receiving the news he gets. Unfortunately the news comes from sources that are uncertain or the sources are unclear and untrue. In spreading this untrue news, by the elements usually from uneducated people. With their ease of making up news that creates excitement in a society. What's more regrettable is that there are also those from the educated community who are also involved in spreading false news.

In a situation like this, we easily get a lot of false news as happened in several regions, for example, for example the case of hoax news spread that occurs in big cities, such as in Lampung, Jakarta, Surabaya, Balikpapan, Medan, and cities the other big.

We start from the case of the spread of hoax news in Lampung. OER (28), resident of Tanggamus Subdistrict was secured because he

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spread the corona virus hoax on his personal Facebook. On March 3, 2020, OER wrote "Watch out in the Pringsewu District, someone got Corona, just got home from Malaysia." On the following day, on March 4, 2020, he uploaded a photo with the words, "Be careful of the corona virus in Lampung." The two uploads were read by up to 4,000 citizens. Lampung Police Public Relations Head, Chief Commissioner Zahwani Pandra Arsyad said the upload was troubling citizens in Lampung. Meanwhile, the suspect wrote the status because he felt panicked and scared. "I got information from you that in Pringsewu someone got a corona virus," OER said. The information OER got when he applied to become a migrant worker. "I'm stressed, I didn't go to Malaysia because of corona," OER said.

The second case is a housewife writing a corona patient hoax at Soetomo Hospital. NF, a housewife in Surabaya, East Java, was secured by police on Thursday (5/3/2020). He spread hoaxes about patients infected with the corona virus at Dr. Soetomo General Hospital, Surabaya. NF also uploaded a photo called a hospital patient in a Facebook group called Surabaya Digital City. NF uploaded it using a Facebook account named Dilla. "Corona Virus patients are already in Sby Hospital. May all of us always be protected by God. And always take care of your health. " Dilla wrote. The upload was then viral and many members responded to the group. Head of East Java Police Public Relations Commissioner Trunoyudo Wisnu Andiko said the patient in question was a lung sufferer and not a COVID-19 patient. "The patient in question according to Dr. Soetomo Hospital is a referral patient from another hospital, who suffers from lung disease," said Trunoyudo.

The third case, namely DPR member Fahira Idris, was reported to the police. General Chairman of Cyber Indonesia Muannas Alaidi reported the Indonesian Regional Representative Council (DPD) Member Fahira Idris for allegedly spreading false news. Fahira is suspected of spreading false news through tweets on his personal Twitter account about the number of patients infected with the corona virus or COVID-19 in Indonesia. Although the tweets have been deleted by Fahira, Muannas said the screenshots of the tweet had spread and disturbed the community. "The upload caused a stir and was unsettling. The content was protested by netizens, and even became a trending topic on Twitter with the hashtag #tangkapfahiraidris, "Muannas said in a written statement on Monday (2/3/2020). In his report, Muannas brought a number of items of evidence including two screenshots of Fahira's tweet and a flash disk containing Fahira's personal Twitter address.

The fourth case, the Account Owner in Balikpapan was examined by the police. KRZ account holder of the Tanzania Kazahra account was questioned by the East Kalimantan Regional Police on Thursday (1/30/2020) for disseminating information on the corona virus hoax in Balikpapan, East Kalimantan. On Wednesday (1/29/2020), KRZ wrote

the status of a hoax in his account. "Bismillah. Important information. Try going out wearing a mask because in Kanujoso Hospital you have received corona positive patients. Balikpapan people just came from China (accurate news), "KRZ wrote. This status makes Balikpapan people uneasy. Meanwhile the Mayor of Balikpapan clarified that the news was a hoax. After being crowded the Tanzania Kazahra account made a clarification status. "Bismillah. We apologize for the previous post for disturbing Balikpapan residents. I apologize that the post was an error that has not been verified correctly. For those who have shared the post, I hope you delete it. I'm so sorry. Please do not distribute to all cities in Balikpapan. Once again I apologize profusely. Thank you." After this status, a Facebook account named Kazahra Tanzania is no longer accessible.

The fifth case is Write the corona virus hoax at Soekarno-Hatta Airport. R resident of Tanjung Priok, North Jakarta, was arrested by the police for spreading hoaxes. An elderly woman died due to the corona virus in Soekarno-Hatta. He wrote the status on February 12, 2020 and uploaded a photo of the woman with the initials RR lying in Terminal 3 of Soekarno-Hatta Airport. The photo upload was followed by a photo caption that contained elements of deceit, namely "Corona Virus Enter Soekarno-Hatta". After tracing, RR is a woman who died of heart disease. R was arrested along with evidence of a smart phone that was used to spread hoaxes through various social media. "We hope that this case can be a lesson for the public to spread the word with confirmation," said the Soekarno-Hatta Airport Police Chief, Senior Commissioner Adi Ferdian Saputra.

The sixth case is Corona Hoax in Medan. A man with the initial F met the Head of the North Sumatra Health Office, Alwi Mujahit Hasibuan, apologized for spreading the corona virus boax in Medan. At a meeting on Sunday (2/16/2020), Alwi claimed to give a stern warning and said that hoax spreaders of the corona virus were terrorists. "I said it was a terrorist because it spread hoaxes. It was already spread, in the media, I was labeled a terrorist. Because terrorists spread terror," he said. F is a gray masked man in a 49 second video. In the video he mentioned that a patient with corona disease (COVID-19) had entered Medan and was being treated at Haji Adam Malik General Hospital. Head of Human Rights Sub Division of Human Rights Hospital Rosario Dorothy Simanjuntak said that the statement in the video was a hoax. According to him, until now Haji Adam Malik General Hospital has not treated patients suspect nCoV or what is now called COVID-19.¹¹

Not only about the case of patients who have contracted the corona virus, there is also a case of spreading hoax news about closing public transportation access. Following is an example of the spread of

¹¹ 5 Kasus Hoax Corona di Media Sosial, Libatkan Ibu Rumah Tangga, accessed <https://regional.kompas.com> , on April 18, 2020, at 17:56 WIB.

hoax news that occurred in the Jakarta area. Metro Police Handles 43 Hoax Cases Regarding Corona Outbreak, 4 Arrested. Corona pandemic is used by a number of elements to spread hoax alias. Jakarta Police noted that there were at least 43 cases of hoaxes surrounding the Corona outbreak. "Forty-three cases that have been handled by the Jakarta Police regarding hoax news about COVID-19. Everything is still in the process of handling some of them who have been detained here already," said Head of Metro Jaya Police Public Relations Commissioner Yusri Yunus at Metro Jaya Police Headquarters, Jakarta, Monday (3/30/2020). Yusri said of the 43 cases, there were 4 perpetrators who had been arrested. The perpetrator had the initials A, which spread hoax news related to a number of toll gates in Jakarta that would be closed because they were going to quarantine the area or lockdown. "First, related to yesterday's news there was a lockdown issue about the toll road data that will be closed which spread on social media, making this anxious community successfully secured by the Directorate General of Criminal Investigation," he said. The second offender is H alias B. He spread information that there was the end of the Soekarno-Hatta Airport that was experiencing pain. The perpetrators said that the sick visitor was infected with the Corona virus. "At Soetta Airport at that time, there was a sick person but the person concerned spread it on social media, the person concerned was sick because of COVID-19, so it made the rest of the airport nervous. The perpetrators of the initials are H alias B," Yusri said. At this time the perpetrators have been detained at the Soekarno-Hatta Airport Police Headquarters. In the next case, there were two perpetrators who were arrested by East Jakarta Metro Police. Yusri said, the first perpetrator made the video "Cipinang Melayu has done a lockdown". The second actor spread a 20-minute video by saying there are sick people infected with the Corona virus. From the results of the examination, the perpetrators confessed that their actions were spreading false news. As a result of their actions, the perpetrators were charged with Article 28, Article 32, Article 35 of Law Number 11 concerning ITE with the threat of 10 years in prison. "Nearly the average motives in their examination convey this with their fad. From their fad then bear fruit to the criminal for them," he said.¹²

Of the many cases that occur, unscrupulous hoaxes can be charged with Article 28 which reads:

- (1) Any person who intentionally and without rights disseminates false and misleading news that results in consumer losses in Electronic Transactions.
- (2) Everyone intentionally and without the right to disseminate information intended to incite hatred or hostility of certain

¹² *Polda Metro Tangani 43 Kasus Hoax Terkait Wabah Corona, 4 Ditangkap*, accessed <https://m.detik.com>, on April 18, 2020, at 17:54 WIB.

individuals and / or groups of people based on ethnicity, religion, race and intergroup (SARA).

Article 29 which reads:

"Everyone intentionally and without the right to send Electronic Information and / or Electronic Documents containing threats of violence or intimidation that is addressed personally."

Article 32 which reads:

- (1) Any person who intentionally or without rights or against the law in any way, changes, adds, reduces, transmits, damages, removes, moves, conceals, an Electronic Information and / or Electronic Documents belonging to another person or public property.
- (2) Any person who intentionally and without rights or against the law in any way transfers or transfers Electronic Information and / or Electronic Documents to the Electronic System of another unauthorized person.
- (3) The acts referred to in paragraph (1) which result in the disclosure of confidential Electronic Information and / or Electronic Documents can be accessed by the public with improper data integrity.

Article 35 which reads:

"Everyone intentionally and without right or unlawfully manipulates, creates, changes, omits, destroys Electronic Information and / or Electronic Documents in order that the Electronic Information and / or Electronic Documents are considered as if the data is authentic."

Article 45 which reads:

- (1) Every person who fulfills the elements referred to in Article 27 paragraph (1), paragraph (2), paragraph (3) or paragraph (4) shall be sentenced to a maximum imprisonment of 6 (six) years and / or a maximum fine of Rp. 1,000,000,000.00 (one billion rupiah).
- (2) Every person who fulfills the elements referred to in Article 28 paragraph (1) or paragraph (2) shall be sentenced to a maximum imprisonment of 6 (six) years and / or a maximum fine of Rp 1,000,000,000.00 (one billion rupiah) .
- (3) Every person who fulfills the elements referred to in Article 29 shall be sentenced to a maximum imprisonment of 12 (twelve) years and / or a maximum fine of Rp 2,000,000,000.00 (two billion rupiah).¹³

Various examples of cases that exist about the corona virus pandemic, these individuals do it with just a fad motive. However, then resulted in themselves experiencing losses and ultimately ultimately turned into a criminal. Actors in the dissemination of hoax news about the corona virus (COVID-19) were very even, ranging from housewives, adults, youth / adolescents, both educated and uneducated, ranging from

¹³ *Undang-undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi-KPK*, accessed <https://www.kpk.go.id> ,on April 18, 2020, at 23:05 WIB.

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men to women. They or individuals, spread false news without knowing the truth and clarity before they spread the information.

The role of the government to deal with the spread of false news is very much needed. Efforts by the government to reduce the spread of false news is to block internet sites that are considered as sources of false information. Regarding the site blocking policy, the government has emphasized that in taking the decision to block certain sites, the main consideration is the content of the site, not the political affiliation of the site manager. Efforts to combat the spread of fake news on the internet are not just by blocking sites. With advances in technology and the ease of making websites, blocking sites has become ineffective in preventing the spread of false news. The government can block thousands of sites, but in the not too distant future new sites will emerge. As for other efforts to combat the spread of false news on the internet network. Another effort by the government to combat the spread of false news is to collaborate with the Press Council and Facebook and Twitter. Through cooperation with the Press Council, the government wants mass media in the country to be verified to ensure that press companies in the country uphold democracy, justice, public interest and professionalism in carrying out its functions. Then, the government carried out a collaboration with Facebook after learning what the social media giant was doing in the United States in responding to the allegations in the social network that it played a role in spreading hoax news. Facebook is one of the most popular social networks among users in Indonesia. Why Facebook? Because many Indonesian people use the social media network. According to October 2016 data, Facebook is a popular social media network in Indonesia with 70 million users. The second position is Instagram with 19.9 million users and then Twitter with 14.5 million users (Government turns, 2017).¹⁴

Cooperation between the government and the community is also needed. The community also needs to participate in preventing the spread of false or false news so it does not spread to other communities and so as not to cause a commotion, panic in the public.

The existence of the corona virus pandemic, the government also always reminds and appeals to the community to maintain health, always wash their hands, do not touch the face, especially the eyes, nose and mouth after handling an object and have not washed hands, always wear a mask when leaving the house, keep their distance, and do not forget to temporarily do not be in a crowd or just get together with other people, and do not be too panicked so that the body's immune system does not decrease. All that was put in place by the government in order to break

¹⁴ KH Siswoko, Kebijakan Pemerintah Menangkal Penyebaran Berita Palsu atau "Hoax", *Hoax-UNTAR Journal, Jurnal Muara Ilmu Sosial, Humaniora, dan Seni Vol. 1, No. 1 April 2017, hlm 14-17*. Accessed journal.untar.ac.id. on April 14, 2020, at 22:34 WIB.

the chain of the spread of the corona virus (COVID-19). And if you receive a news, it must be filtered first so that the truth will be clear and not to spread the news carelessly.

V. CONCLUSION

Everyone needs information to stay aware of the times. This information can be obtained from various sources and various types of media. However, in receiving information we need to pay attention to whether the information is true, as well as the facts. Oftentimes, someone obtaining information about a story does not pay attention to it, resulting in division within the community. The rise of false news circulating in Indonesia, causing the situation to become uneasy. The public panicked at a news circulating even though it was not necessarily the truth. The need for further socialization from the government regarding in-depth understanding and explanation related to the corona virus (COVID-19), so that the public does not swallow a fake news that circulates. As well as an explanation of do not easily believe in a hoax that circulates that is not yet sure where the source comes from. Then the application of an understanding of do not easily spread lies and be careful in receiving information. The application of stricter sanctions for unscrupulous news disseminators needs to be increased, because in the current pandemic, the community must be very enthusiastic. The community also needs to participate to help the government in breaking the chain of the spread of the corona virus (COVID-19). By following the directions of the government and implementing the regulations imposed by the government. Like the implementation of large-scale social restrictions. Then do not spread false news with the excuse of just fad. Because it will harm yourself and endanger others.

VI. REFERENCES

- 5 Kasus Hoax Corona di Media Sosial, Libatkan Ibu Rumah Tangga, accessed <https://regional.kompas.com> , on April 18, 2020, at 17:56 WIB.
- Firmansyah, R. (2017). Web klarifikasi berita untuk meminimalisir penyebaran berita hoax. *Jurnal Informatika*, 4(2).
- Latipa S. Herlina, et.al (2013). *Jurnal Media Infotama*, Vol.9, No.1, Februari 2013, hlm.174, accessed journal.unived.ac.id, on 17 April 2020, at 20:07 WIB.
- Mulawarman dan Aldila Dyas N., *Perilaku Pengguna Media Sosial beserta Implikasinya*, hlm. 37, accessed journal.ugm.ac.id, on April 16, 2020, at 18:13 WIB.
- Nurhadi ZF, dkk, *JURNAL KOMUNIKASI HASIL PEMIKIRAN DAN PENELITIAN ISSN: 2461- 0836, Jurnal Komunikasi Volume.*

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- 3 No. 1, April 2017, accessed at journal.uniga.ac.id, on April 16, 2020, at 22:13 WIB.
- Polda Metro Tangani 43 Kasus Hoax Terkait Wabah Corona, 4 Ditangkap*, accessed <https://m.detik.com>, on April 18, 2020, at 17:54 WIB.
- Siregar KM., *hoax-Rumah Jurnal Online IAIN Padangsidempuan, Fitrah Jurnal Kajian Ilmu- Ilmu Keislaman Vol. 4 No. 2 Desember 2018, hlm.228-229*, accessed by journal.iain-padangsidempuan.ac.id, on April 16, 2020, at 19:26 WIB.
- Siswoko KH, *Kebijakan Pemerintah Menangkal Penyebaran Berita Palsu atau "Hoax"*, *Hoax- UNTAR Journal, Jurnal Muara Ilmu Sosial, Humaniora, dan Seni Vol. 1, No. 1 April 2017, hlm 14-17*. Accessed journal.untar.ac.id. on April 14, 2020, at 22:34 WIB.
- Undang-undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi-KPK*, accessed <https://www.kpk.go.id>, on April 18, 2020, at 23:05 WIB.
- Virus Corona (COVID-19),Gejala Penyebab dan-Alodokter*, accessed www.alodokter.com, on April 15, 2020, at 19:01 WIB.

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