

# The Effectiveness of Law Enforcement in Counteracting Hoaxes in the Digital Age between Regulation and Literacy

Rinaldi Goklas<sup>1</sup>, Depri Udin<sup>2</sup>, Crisdo<sup>3</sup>

<sup>1,3</sup> Law, Legal Science, Universitas Trisakti, Indonesia

<sup>2</sup> Law, Legal Science, Universitas Kristen Indonesia, Indonesia

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## ABSTRACT

The phenomenon of spreading hoaxes in the digital era has had a serious impact on society and social stability in Indonesia. This research aims to analyze the effectiveness of law enforcement in counteracting hoaxes, as well as examine the role of digital literacy as a complement to existing regulations. The approach used is normative qualitative with data collection techniques through literature study, expert interviews, and legal document analysis. The research findings show that multiple interpretations of articles in the Electronic Information and Transaction Law (ITE Law) and the weak capacity of law enforcement officers are the main obstacles in prosecuting hoaxes. In addition, the low level of digital literacy and limited access to quality information exacerbate the spread of disinformation. This research recommends a synergy between strict law enforcement and sustainable strengthening of digital literacy through collaboration between the government, educational institutions and communities. With this integrative approach, it is hoped that efforts to counter hoaxes can be more effective in maintaining information security and social stability in the digital era.

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## Corresponding Author:

Depri Udin,  
Faculty of Law, Law Science,  
Universitas Kristen,  
Jl. Mayjen Sutoyo No. 2, Cawang, Jakarta Timur, Indonesia.  
Email: depriuddin@gmail.com

## 1. INTRODUCTION

The development of information and communication technology in the digital era has made it easier to access and disseminate information quickly and widely. However, behind this progress, a serious challenge arises in the form of the spread of hoaxes or false information that can mislead the public. The phenomenon of hoaxes in the digital era not only harms individuals, but also has the potential to disrupt social stability, trigger conflict, reduce trust in state institutions, and create polarization in society. The massive spread of hoaxes through digital platforms such as social media and instant messaging applications shows that people still have vulnerabilities in sorting and verifying information.

In the legal context, various regulations have been issued to tackle the spread of hoaxes, such as the Electronic Information and Transaction Law (UU ITE), the Criminal Code, and a number of other implementing regulations. However, the effectiveness of law enforcement in countering hoaxes is still questionable, especially due to the multiple interpretations of articles, the weak capacity of law enforcement officers, and the unpreparedness of regulations to deal with the rapid dynamics of digital information. On the other hand, a repressive approach alone is not enough if it is not balanced with an increase in public digital literacy. People's limited understanding of media ethics and the ability to evaluate the truth of information is a gap that is exploited by hoax spreaders.

The urgency of this research lies in the need for an integrative approach between regulatory (legal) and educational (digital literacy) aspects in combating hoaxes. This study does not merely evaluate the effectiveness of law enforcement, but also highlights the importance of public education as

a preventive effort. By combining these two approaches, it is hoped that a more comprehensive and sustainable strategy can be developed to counter the spread of hoaxes in the digital era. Based on this background, the research questions formulated are: (1) To what extent is law enforcement effective in combating hoaxes in the digital age?, (2) What role does digital literacy play in supporting legal efforts to combat hoaxes?

The objective of this research is to analyze the effectiveness of regulations and legal implementation in addressing hoaxes, as well as to examine the contribution of digital literacy as a complementary and preventive approach. Previous studies have highlighted the spread of hoaxes and the challenges of digital law enforcement, such as research by Aprilianti (2021), which pointed out the weak regulatory control over the dissemination of digital content, and studies by Nugroho and Siregar (2022), which showed that increased public digital literacy significantly reduces the spread of false information. However, few studies have integrated these two approaches simultaneously. Therefore, this research aims to fill that gap and provide a scholarly contribution to the development of a legal-educational strategy to counter hoaxes.

Hoaxes are deliberately fabricated information intended to mislead or deceive the public. This term is often associated with disinformation, which refers to the spread of false information with specific purposes such as influencing public opinion, creating social unrest, or damaging reputations. In the digital context, hoaxes spread rapidly through social media, instant messaging apps, and other digital platforms. This phenomenon is exacerbated by the public's low capacity to verify information and the algorithmic nature of social media, which tends to amplify viral content regardless of its truthfulness. To assess the effectiveness of law enforcement in tackling hoaxes, Lawrence M. Friedman's theory of legal effectiveness can be used as an analytical tool. Friedman argues that the effectiveness of law is influenced by three main components: legal structure (law enforcement institutions), legal substance (laws and regulations), and legal culture (public awareness and attitudes toward the law). When one of these components is weak, legal implementation becomes suboptimal. In the case of hoaxes, even if regulations exist, if the law enforcement structure is unresponsive or public legal culture is permissive toward hoaxes, the law becomes ineffective.

In Indonesia, regulations related to hoax prevention are outlined in several laws, including Law No. 19 of 2016 concerning Electronic Information and Transactions (ITE Law), particularly Articles 28 (1) and (2), which prohibit the dissemination of false and misleading information that harms consumers or incites hatred. In addition, the new Criminal Code (KUHP) includes criminal provisions concerning the spread of fake news that may cause public disorder. While these regulations are important, their implementation often receives criticism for being inconsistent, ambiguous, or selectively enforced. As a complement to the legal approach, digital literacy is a key element in preventing hoaxes. Digital literacy refers to individuals' ability to access, evaluate, understand, and use information from various digital media wisely and responsibly. People with strong digital literacy are more critical when receiving information and are less likely to become hoax disseminators. Therefore, strengthening digital literacy is an integral part of the collective effort to fight hoaxes, especially among active social media users.

Previous studies have explored this issue from different perspectives. For example, research by Santosa and Wulandari (2020) found that law enforcement against hoax spreaders has yet to produce a deterrent effect due to weak digital evidence and low public legal awareness. Meanwhile, a study by Rahmadani et al. (2021) revealed that digital literacy campaigns led by the government and communities have had a positive impact on reducing hoax distribution, although the reach remains limited. These studies underscore the need for a multidimensional approach, where regulation and education go hand in hand to create a healthy and responsible information ecosystem.

## 2. RESEARCH METHOD

This study employs an empirical juridical approach, combining normative analysis of legislation with empirical study of its implementation in the field. This approach is chosen to obtain a comprehensive picture of the effectiveness of legal enforcement in combating hoaxes in the digital era—both in terms of the substance of regulations and the practical enforcement and public response. The research focuses on the relationship between existing legal instruments and the social dynamics resulting from the spread of hoaxes, while also assessing the extent to which digital literacy plays a supportive role in these efforts. Data collection techniques include literature review, which involves the examination of relevant sources

such as legislation (the ITE Law, the Criminal Code, and Ministry of Communication and Information regulations), academic journals, books, and reports from government agencies and civil society organizations. In addition, data are gathered through interviews with expert informants, including academics in the fields of law and communication, law enforcement officers, and digital literacy practitioners. Legal document analysis is also utilized to assess how well current regulations address and respond to the hoax phenomenon effectively. The collected data are analyzed using descriptive-analytical and qualitative-critical methods. This involves systematically outlining the content of regulations and expert opinions, followed by an examination of the weaknesses and challenges faced during implementation. The purpose of this analysis is to identify the gap between legal norms and actual social conditions, and to offer practical and actionable recommendations. The scope of this research covers the national legal framework, with a focus on law enforcement against the spread of hoaxes on social media and other digital platforms. The study also involves relevant institutions such as the Ministry of Communication and Information (Kominfo), the police, and civil society organizations working in the field of digital literacy and education as key subjects of analysis.

### 3. RESULTS AND DISCUSSIONS

#### 3.1. Portrait of Hoax Spreading in the Digital Age Statistics and trends in hoax spreading

The spread of hoaxes in the digital era has shown an increasingly alarming trend in line with the rising use of the internet and social media in Indonesia. According to data from the Ministry of Communication and Information Technology (Kominfo), in 2023 alone, more than 11,000 hoax-related content pieces were detected and followed up on—a significant increase compared to previous years. The majority of these hoaxes circulated through popular platforms such as WhatsApp, Facebook, and Twitter (now X), with dominant themes revolving around politics, health, and provocative social issues. This trend indicates that hoaxes are not merely about misinformation, but also play a role in shaping public opinion and influencing social stability.

The spread of hoaxes typically intensifies during critical moments such as elections, natural disasters, pandemics, or the implementation of controversial government policies. For example, during the COVID-19 pandemic, hoaxes related to vaccination and conspiracy theories proliferated rapidly, leading to public confusion and resistance to health policies. This demonstrates that hoaxes are not just an information problem, but are closely linked to public trust and the quality of societal decision-making.

The speed and scale of hoax dissemination are largely facilitated by social media algorithms that tend to prioritize viral content without filtering for accuracy. Unfortunately, digital literacy levels among the Indonesian public remain relatively low, especially among the elderly and rural communities—groups that are most vulnerable to disinformation. These statistics highlight that the spread of hoaxes is a systemic issue that requires a strategic and sustainable response from multiple sectors, including legal, educational, and technological domains.

Social media plays a central role in the spread of hoaxes in the digital era. Platforms such as Facebook, WhatsApp, Twitter (now X), Instagram and TikTok have become the main channels for people to access and share information. However, the open, fast and unverifiable nature of social media makes it a fertile ground for the circulation of false information. Hoaxes can spread massively in just minutes because they are driven by algorithms that prioritize content that is widely shared or commented on, without considering the accuracy of the content. Moreover, social media allows the creation of echo chambers, which are closed communication spaces where users are only exposed to information that reinforces their views, even if the information is wrong. This situation means that clarifications from official sources are often delayed or even ignored. Many social media users, especially those with low levels of digital literacy, tend to accept information at face value without checking its source or veracity. On the other hand, social media can also be utilized as an educational and clarification tool if managed well by government agencies, mainstream media and literacy communities. However, the dominance of sensational content and the lack of control over the spread of hoaxes show that social media currently acts more as an accelerator of disinformation than as a responsible controller of information.

#### 3.2. Analysis of Law Enforcement Effectiveness Evaluation of regulation implementation

The implementation of regulations related to hoax prevention in Indonesia has been established through various legal instruments, such as the Electronic Information and Transactions Law (ITE Law), the Criminal Code (KUHP), as well as several derivative regulations issued by the Ministry of Communication and Information Technology (Kominfo). The ITE Law, particularly Article 28 paragraphs (1) and (2), serves as the primary legal basis for prosecuting individuals who spread false or misleading information

or incite hatred. Similarly, the newly ratified Criminal Code also includes provisions regarding the dissemination of fake news that may cause public unrest. In addition, Kominfo actively issues technical regulations, such as Ministerial Regulation No. 5 of 2020 on Private Electronic System Providers, which grants the government authority to block hoax-related content through a complaint and verification mechanism.

The effectiveness of these regulatory implementations still faces several challenges. Normatively, some provisions in the ITE Law are considered ambiguous and open to multiple interpretations, raising concerns about potential misuse that could instill excessive fear among internet users and freedom of expression advocates. At the implementation level, law enforcement officers often encounter difficulties in identifying hoax perpetrators digitally due to limited tools, human resources, and lack of interagency coordination. On the other hand, content blocking or takedown policies by Kominfo are sometimes criticized for lacking transparency and public accountability.

These conditions suggest that while the legal framework is in place, the success of law enforcement in combating hoaxes still depends on consistent application, institutional capacity-building, and regulatory refinement to avoid overlaps and better adapt to the dynamics of the digital landscape. Therefore, continuous evaluation of existing regulations is crucial, involving the participation of civil society and information technology experts to ensure that public protection from hoaxes is carried out in a fair, proportional, and effective manner.

The level of public understanding of digital information is still relatively low, especially in terms of distinguishing between valid information and hoaxes. Many internet users in Indonesia do not have adequate digital literacy skills, such as the ability to evaluate information sources, understand context, and recognize content manipulation techniques commonly used in hoaxes. This is exacerbated by a culture of spontaneous information sharing without verification, which makes people passive disseminators of disinformation. Surveys by several institutions, such as Katadata Insight Center and Kominfo, show that although internet penetration continues to increase, people's understanding of media ethics, digital privacy, and responsibility in sharing information is still very limited. People in rural areas, the elderly, and those with low education levels are the most vulnerable to being exposed to and spreading hoaxes.

On the other hand, although the government has initiated various digital literacy programs, their coverage and effectiveness have not been evenly distributed throughout society. This shows that improving digital literacy must be a national strategic agenda that is carried out in a sustainable and cross-sectoral manner. Without sufficient understanding at the community level, legal and regulatory efforts to counteract hoaxes will not be effective, as the community itself is at the forefront of receiving, assessing and disseminating information.

### **3.3. The Role of Digital Literacy as a Preventive Measure**

In response to the rampant spread of hoaxes in the digital era, the Indonesian government together with various civil communities have initiated and run a number of digital literacy programs. The Ministry of Communication and Informatics (Kominfo), through the "Indonesia Makin Cakap Digital" program, actively organizes digital literacy training and campaigns in various regions, with the main targets being the general public, students, teachers, and state civil apparatus. The program includes training in four main pillars, namely digital skills, digital ethics, digital safety, and digital culture. In addition, various communities such as MAFINDO (Masyarakat Anti Fitnah Indonesia), ICT Watch, and Siberkreasi also took part in educating the public through workshops, online campaigns, literacy classes, and the production of educational content on social media.

This collaboration between the government, private sector and civil society is a strategic step in expanding the reach of education while increasing public critical awareness of the dangers of hoaxes. However, challenges remain, such as limited access in remote areas, lack of active community participation in literacy activities, and suboptimal integration of digital literacy in the formal education curriculum. Therefore, digital literacy programs need to be expanded, institutionally strengthened and adapted to the local socio-cultural context so that the impact is more equitable and sustainable. The level of public understanding of information circulating in the digital space is still a fundamental problem in efforts to counteract hoaxes. Many individuals do not have the basic skills to sort and verify information critically, so they tend to accept and spread news without checking the source or the truth. This phenomenon does not only occur among people with low educational backgrounds, but also plagues highly educated groups who are not familiar with digital literacy skills.

National surveys conducted by several institutions show that most internet users in Indonesia do not fully understand how to recognize hoaxes, including signs of information manipulation such as

sensational titles, fake quotes, or image and video editing. This low level of understanding is exacerbated by the lack of access to systematic digital literacy education, especially in remote areas. As a result, people are easily provoked by misleading content containing ethnic, religious, racial and intergroup (SARA) issues, and are vulnerable to social conflicts caused by the spread of hoaxes. Therefore, increasing public understanding of digital information should not be considered as a technical issue alone, but rather as part of a national strategy to maintain information security and social stability.

In an age where information flows rapidly across digital platforms, digital literacy has become a vital tool in preventing the spread of hoaxes and disinformation. Unlike regulatory approaches that respond to violations after they occur, digital literacy functions as a proactive and preventive measure, equipping individuals with the skills needed to critically engage with online content before accepting or sharing it. Digital literacy encompasses more than just the ability to use technology. It includes the competence to access, evaluate, analyze, and create information in a responsible and ethical manner. In the context of combating hoaxes, digital literacy empowers users to detect false narratives, verify sources, question credibility, and avoid becoming unwitting agents in the spread of misinformation.

This is particularly important in Indonesia, where internet and social media penetration is high, but awareness of digital ethics and verification skills remains relatively low in certain demographics. Vulnerable groups, such as the elderly, rural populations, and individuals with limited formal education, are often the most susceptible to online deception. Digital literacy programs tailored to these groups can significantly reduce their risk of exposure to harmful content. Moreover, digital literacy enhances resilience against algorithmic manipulation on platforms like Facebook, X (formerly Twitter), and WhatsApp, where content virality often outweighs accuracy. Users who understand how algorithms work and why certain content appears on their feed are better positioned to question its authenticity and intent.

The preventive nature of digital literacy also promotes media accountability and civic responsibility. Educated users are more likely to demand transparency from digital platforms and to participate in constructive dialogues rather than spread inflammatory or misleading content. This helps build a healthier digital ecosystem rooted in critical thinking and informed decision-making. Ultimately, while legal frameworks are necessary for enforcement, they are insufficient on their own. Digital literacy fills the gap by addressing the root cause—lack of public knowledge and discernment. For sustainable impact, digital literacy must be integrated into formal education, community outreach, and national information policies. As a long-term investment, it offers one of the most effective defenses against the pervasive threat of digital misinformation.

### **3.4. Critiques and Challenges in Practice**

The main obstacle to law enforcement against the spread of hoaxes in Indonesia is the multiple interpretations of related articles, especially in the Electronic Information and Transaction Law (ITE Law). Articles regulating the dissemination of false information are often seen as ambiguous and prone to be misused to curb freedom of expression. This creates legal uncertainty for the public and law enforcement officials, resulting in inconsistent implementation. In addition, law enforcement against hoax perpetrators also faces significant obstacles in the form of weak capacity of the authorities in uncovering and proving digital cases. Limited trained human resources, inadequate digital forensic equipment, and suboptimal coordination between law enforcement agencies slow down the prosecution process. This condition is exacerbated by political and social pressures that sometimes affect the objectivity of law enforcement. As a result, despite existing regulations, the effectiveness of law enforcement in suppressing the spread of hoaxes is still far from expectations, so hoaxes continue to pose a serious challenge to social stability and information security in the digital era.

The educational barrier to counteracting hoaxes is the low level of digital literacy among Indonesians. Many individuals do not have the critical skills to assess the veracity of information, making it easy to be trapped and participate in spreading inaccurate content. Another factor that exacerbates this condition is limited access to quality information and digital literacy education, especially in remote areas and communities with low education levels. The lack of literacy programs that reach all levels of society has widened the gap in digital understanding. In addition, the lack of adequate technological infrastructure in some areas also hampers efforts to improve digital literacy evenly. These conditions make people vulnerable to the influence of hoaxes and disinformation, increasing the risk of social conflict and reducing public trust in official sources of information. Therefore, improving the access and quality of digital literacy education is a major challenge that must be addressed immediately to build a society that is capable and resistant to the dangers of hoaxes.

Despite the establishment of legal frameworks and digital literacy initiatives to combat hoaxes in Indonesia, various critiques and challenges remain in practice. These obstacles undermine the overall effectiveness of both regulatory and educational efforts aimed at preventing the spread of misinformation in the digital era. One of the most pressing critiques is the ambiguity and overreach of the Electronic Information and Transactions Law (ITE Law), particularly Article 28. This provision has been criticized for its vague language, allowing for multiple interpretations and opening the door to potential misuse by authorities. Civil society groups and digital rights activists have voiced concerns that the law, rather than solely targeting harmful disinformation, may be used selectively to silence dissent or restrict freedom of expression online.

Moreover, enforcement practices face significant technical and institutional limitations. Law enforcement agencies often lack the necessary digital forensic tools and human resource expertise to accurately trace the origins of hoaxes, especially those spread through encrypted messaging platforms like WhatsApp. Inter-agency coordination remains weak, with overlapping jurisdictions and unclear lines of responsibility further complicating effective response. Another challenge lies in public trust and transparency. Government takedown decisions, particularly by the Ministry of Communication and Information Technology (Kominfo), have sometimes been perceived as opaque or politically motivated. The lack of a standardized and accountable mechanism for content removal has eroded public confidence in the regulatory process.

On the educational front, digital literacy campaigns, while valuable, have limited reach and impact. Many initiatives are short-term, urban-centric, and lack tailored approaches for vulnerable populations such as the elderly, rural communities, or those with limited access to formal education. As a result, gaps in critical thinking and media evaluation skills persist, making large segments of the population susceptible to disinformation. In sum, addressing hoaxes requires more than regulatory presence or sporadic education efforts. It calls for legal reform, stronger institutional capacity, inclusive digital literacy programs, and transparent governance. Without addressing these practical challenges, the fight against hoaxes risks becoming fragmented and ineffective, failing to protect the public from the harmful consequences of false information.

### **3.5. Ideal Model of Hoax Countermeasure: Integration of Regulation and Literacy**

To effectively address the hoax problem, a strong synergy between law enforcement and strengthening digital literacy in society is needed. Firm and transparent law enforcement must be supported by clear and non-interpretive regulations to provide legal certainty while protecting freedom of expression. On the other hand, broad and sustainable digital literacy is essential to equip people with critical skills in sorting out information, so as to reduce the spread of hoaxes upstream. Collaboration between the government, law enforcement officials, educational institutions, and digital literacy communities needs to be strengthened to organize educational programs that are inclusive and adaptive to technological developments. In addition, social media platforms and electronic system providers must be more proactive in implementing content moderation policies based on transparency and accountability standards. With this integrative approach, not only will the perpetrators of hoaxes be subject to effective sanctions, but the public will also become smarter and more responsible information filtering agents. Therefore, building synergy between legal and educational aspects is a crucial strategic step in maintaining information security and social stability in the digital era.

Effectively countering the spread of hoaxes in the digital era requires more than isolated legal action or temporary educational campaigns. An ideal model of hoax countermeasure must integrate two complementary pillars: strong, fair regulation and inclusive, continuous digital literacy. This dual approach recognizes that legal enforcement can deter harmful behavior, while literacy empowers individuals to critically assess information before spreading it. From a regulatory standpoint, laws such as Indonesia's Electronic Information and Transactions (ITE) Law and provisions in the Criminal Code provide a necessary foundation. However, these laws must be clear, narrowly defined, and applied consistently to avoid misuse or public fear. Legal reforms should focus on eliminating ambiguous language, ensuring proportionality in sanctions, and enhancing transparency in enforcement processes. Law enforcement agencies also need better resources, training, and inter-agency collaboration to handle digital evidence and trace the origins of disinformation effectively.

Equally important is the promotion of digital literacy across all layers of society. Literacy initiatives should not be confined to urban centers or formal education settings but must reach marginalized and vulnerable populations—particularly the elderly, rural residents, and those with limited digital access. Programs should be community-based, practical, and culturally relevant, teaching people how to verify information, recognize manipulation, and use social media responsibly. The

integration of regulation and literacy ensures a balanced response: laws function as a deterrent against malicious actors, while education reduces the general public's vulnerability to false information. This synergy also encourages civic responsibility and public participation in shaping a healthier digital ecosystem.

To implement such a model, multi-stakeholder collaboration is essential. Government institutions, civil society, educational bodies, technology platforms, and media outlets must work together to design, execute, and evaluate comprehensive strategies. Regular assessment of both legal and educational approaches can ensure adaptability to new digital threats. In conclusion, an integrated model combining regulation and literacy offers the most sustainable and inclusive solution to the hoax problem. It addresses not only the symptoms but also the root causes of misinformation, fostering a more informed and resilient society.

#### 4. CONCLUSION

This study found that the effectiveness of law enforcement in counteracting hoaxes in the digital era still faces various obstacles, especially due to multiple interpretations of articles in regulations and the weak capacity of law enforcers in handling digital cases. On the other hand, low digital literacy and limited access to education are significant factors that exacerbate the spread of hoaxes. Based on these findings, it can be answered that law enforcement and digital literacy have not run synergistically so that efforts to counteract hoaxes have not been optimal. Existing regulations need to be improved to make them clearer and less overlapping, while digital literacy programs should be expanded and tailored to the needs of the community at various levels. As a recommendation, law enforcement needs to increase the capacity of human resources and technology to accelerate the process of identifying and prosecuting hoax perpetrators effectively and fairly. Educators and educational institutions are expected to integrate digital literacy in the curriculum as a whole so that the younger generation is better prepared to face the challenges of information in cyberspace. Governments and communities should strengthen inclusive and sustainable digital literacy programs by utilizing social media as an interactive and accessible educational tool. Finally, the public is urged to increase awareness and responsibility in filtering information, and actively participate in programs that promote digital literacy.

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