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Criminal Offences Related To the Dissemination of False News (Hoax) In Indonesia: A Comparative Study

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Abstract: The rapid spread of fake news (hoaxes) in Indonesia poses a serious threat to social stability, public order and the integrity of democracy. Although Indonesia has enacted various laws to address this issue, digital disinformation remains a challenge that requires serious attention. This study employs a normative legal methodology with a comparative approach. The findings indicate that Indonesia's current legal framework faces challenges relating to the ambiguous definition of 'hoaxes' and potential infringements on freedom of expression. To tackle the spread of hoaxes in Indonesia, the government enacted Law No. 1 of 2024 concerning the Second Amendment to Law No. 11 of 2008 on Electronic Information and Transactions. However, several European countries and the United States do not specifically regulate the spread of hoaxes on the grounds of protecting the right to freedom of expression. Nevertheless, the United States has enacted 18 U.S. Code § 1038 – False Information and Hoaxes, the Federal Communications Commission (FCC) regulations, and the Countering Foreign Propaganda and Disinformation Act as measures to counter foreign propaganda. All these regulations provide more precise legal definitions and a graduated system of proportionate penalties. This is also the case in various countries around the world, such as the United States. The Government of the Republic of Indonesia therefore needs to harmonize overlapping regulations and adopt clearer legal parameters in order to effectively curb fake news without compromising the civil liberties guaranteed by the constitution.

Keywords: Cybercrime; Dissemination; Fake News; Indonesia

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1. INTRODUCTION

Rapid developments in the field of information and communication technology have brought about profound transformations in contemporary society. These advances have not only influenced the way people interact, but have also significantly altered patterns of information distribution and consumption. The presence of the internet as a global medium, supported by various social media platforms, has enabled every individual to become both a producer and a disseminator of information without having to go through the strict filtering mechanisms found in conventional media.[1]

On the one hand, the ease of accessing and distributing such information has had positive effects, such as increased public participation in various spheres of life, including politics, the economy and society. On the other hand, however, this situation has also opened up vast scope for the circulation of information that is inaccurate, misleading, or even deliberately produced for specific purposes. It is this phenomenon that has come to be known as a 'hoax' or 'fake news', which in recent years has become a serious concern at both national and global levels.[2]

In Indonesia, the very significant increase in the number of internet and social media users has contributed to the high intensity of hoax dissemination. Data shows that the public tends to readily believe information that is circulating, particularly if it aligns with their personal views or beliefs.[3] This situation is exacerbated by low levels of digital literacy, meaning that many individuals fail to verify the accuracy of information before sharing it with others.

The spread of hoaxes not only affects individuals but can also disrupt social stability. False information can trigger panic, hatred, and even conflict between different groups within society. In some cases, hoaxes are used as a tool to influence public opinion, particularly in a political context, thereby potentially undermining the democratic process.[4] Consequently, the spread of fake news can no longer be regarded as a trivial matter, but rather as a genuine threat to public order.

From a legal perspective, the state has sought to anticipate and combat the spread of hoaxes through various legislative measures. Within the Indonesian legal system, provisions prohibiting the dissemination of false news can be found in the Criminal Code (KUHP), specifically those relating to the dissemination of information likely to cause public unrest. Furthermore, more specific regulations are set out in the Law on Information and Electronic Transactions, which accommodates developments in digital technology.

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1 Muhammad Hatta, "Efforts to Overcome Cyber Crime Actions in Indonesia," *International Journal of Psychosocial Rehabilitation* 24, no. 3 (2020): 1761–68, https://doi.org/10.37200/IJPR/V24I3/PR200925.

2 Hunt Allcott and Matthew Gentzkow, "Social Media and Fake News in the 2016 Election," *Journal of Economic Perspectives* 31, no. 2 (2017): 211–36.

3 Ai Permanasari, Aep Sulaeman Sirrinawati, and Suarman Gulo, "Air Traffic Law Segmentation in the Era of Industrial Revolution 4.0 Challenges and Solutions Based On Futuristic Legal Perspective," *International Journal of Law, Social Science and Humanities (IJLSH)* 2, no. 1 (2025): 136–43, https://doi.org/https://doi.org/10.70193/ijlsh.v2i1.210.

4 J. K Malik and S Choudhury, "A Brief Review on Cyber Crime-Growth and Evolution," *Pramana Research Journal* 9, no. 3 (2019): 242.

Nevertheless, the effective implementation of these legal norms still faces various challenges. One of the main obstacles is the multiple interpretations of the term 'false news', which often gives rise to debate in law enforcement practice.[5] Furthermore, the rapid pace of technological development is often not matched by the ability of law enforcement agencies to identify and gather digital evidence. This results in the handling of hoax cases being less than optimal.

Another issue of equal importance is the potential conflict between efforts to enforce the law against hoaxes and the principle of freedom of expression. In a democratic state, freedom of expression is a fundamental right guaranteed by the constitution. However, this freedom is not without limits. The state retains the authority to impose restrictions, provided that these are aimed at protecting broader interests, such as maintaining public order and preventing the spread of information that is harmful to society.

Viewed in a global context, the phenomenon of the spread of hoaxes is also a concern in various countries. Each country has a different approach to regulating and tackling this issue. Some countries emphasise a repressive approach through criminal sanctions, whilst others prioritise a preventative approach through education and the promotion of digital literacy.[6] These differing approaches demonstrate that the handling of hoaxes is heavily influenced by the legal systems and values upheld by each country.

For example, some countries have adopted regulations granting the government the authority to issue clarifications or corrections regarding information deemed to be false. On the other hand, there are also countries that place greater emphasis on the responsibility of digital platforms to monitor and remove content that breaches the law. These approaches can serve as important material for study for Indonesia in formulating more effective policies.

Consequently, a comparative legal study is highly relevant. Through this approach, the strengths and weaknesses of each legal system in addressing the spread of hoaxes can be identified.[7] The results of this comparison are expected to contribute to the development of national law, particularly in creating regulations that are adaptable to technological developments.

This study specifically aims to examine the legal framework regarding the spread of hoaxes in Indonesia and how it is implemented in practice. Furthermore, this study seeks to compare Indonesia's legal system with those of several other countries to identify more effective and proportionate approaches. Ultimately, it is hoped that the findings of this research will not only make a theoretical contribution but will also have practical implications for law enforcement efforts in Indonesia. With clear regulations and effective implementation, it is hoped that the spread of hoaxes can be minimized, thereby creating a healthier and more responsible digital space.

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5 Srijan Kumar and Robert West, "Disinformation on the Web : Impact , Characteristics , and Detection of Wikipedia Hoaxes," in *The International World Wide Web Conference Com- Mittee (IW3C2)*, ed. Michele Zanini (Canada: The International World Wide Web Conference Com- mittee (IW3C2), 2016), 2–12.

6 Harry Collins, "The Meaning of Hoaxes," in *Knowledge as Social Order: Rethinking the Sociology of Barry Barnes*, ed. Massimo Mazzotti, 4th ed. (London: Ashgate, 2008), 1–7.

7 Zihan Syahayani, "Saracen: Potret Bisnis Hoax Di Indonesia," *Update Indonesia* XI, no. 7 (2017): 2–4.

2. METHOD

This study is a normative legal study (doctrinal study), which is a process of examination focusing on the analysis of legal rules, principles, norms and legal doctrines.[8] This research is entirely based on a literature review and does not require field data. The approach used in this research is the Statute Approach, whereby this study will examine all laws and regulations relevant to the legal issue under investigation.[9]

This research draws on three types of legal sources, namely Primary Legal Sources: binding materials such as Acts, Government Regulations and court rulings (case law). Secondary legal sources: unofficial but authoritative publications on law, such as textbooks, legal journals, papers and expert commentaries. Finally, tertiary legal sources: supplementary materials that provide guidance on primary and secondary sources, such as legal dictionaries and encyclopaedias.

The data obtained will be analysed qualitatively, with the aim of building understanding or knowledge. This constructive perspective encompasses meanings derived from individual experience, social values and history, with the aim of developing specific theories or patterns of knowledge. This approach may also be participatory in nature, focusing on politics, social issues, collaboration or change. This research adopts a qualitative approach as the researcher goes directly into the field to collect in-depth data.

This study is descriptive in nature, aiming to describe existing phenomena, whether these relate to individual characteristics, the nature of symptoms, the prevalence of symptoms, or the relationships between these symptoms.28 This study also aims to provide an explanation of legal phenomena within a social context, by describing how the law is applied and interacts with existing social conditions.

3. RESULTS AND DISCUSSION

3.1 The Concept of the Criminal Offence of Disseminating False News (Hoaxes)

Conceptually, the term 'hoax' refers to a form of information that does not correspond to the facts, yet is presented in such a way as to appear true and convincing. Such information generally does not arise by chance, but is often designed with a specific purpose in mind, whether to influence public opinion, gain financial benefit, or create certain conditions within society.[10] In the context of digital technology development, hoaxes have become increasingly complex due to the speed of information distribution, which is difficult to control.[11]

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[8] Yun-chien Chang, "The Empirical Foundation of Normative Arguments in Legal Reasoning," *European Journal of Empirical Legal Studies* 1, no. 1 (2024): 69–88, https://doi.org/https://doi.org/10.62355/ejels.18070.

[9] Tunggul Ansari Setia Negara, "Normative Legal Research in Indonesia: Its Originis and Approaches," *Audito Comparative Law Journal (ACLJ)* 4, no. 1 (2023): 1–9, https://doi.org/http://dx.doi.org/10.22219/aclj.v4i1.24855.

[10] Christiany Juditha, "Symbolic Interactionism In Anti Hoax Virtual Community To Reduce The Spread of Hoax," *Jurnal Penelitian Komunikasi Dan Pembangunan* 19, no. 1 (2018): 17–32.

[11] Doris Karina and Oropeza Mendoza, "The Vulnerability of Cyberspace - The Cyber Crime," *Journal of Forensic Sciences & Criminal Investigation* 2, no. 1 (2017): 1–8.

From a criminal law perspective, an act can only be classified as a criminal offence if it fulfils certain elements prescribed by law. These elements include the commission of an unlawful act (*wederrechtelijkheid*) and the presence of fault on the part of the perpetrator, whether in the form of intent (*dolus*) or negligence (*culpa*).[12] Consequently, the dissemination of hoaxes is not automatically a criminal offence; rather, it must first be proven that the perpetrator is at fault and that their act fulfils the definition of the applicable offence.

The basic theory of criminal law recognises two main elements: actus reus and mens rea. Actus reus refers to the actual act committed by a person, whilst mens rea relates to the mental state or intent of the perpetrator when committing the act.[13] In relation to the dissemination of hoaxes, actus reus may take the form of activities involving the dissemination of false information through various media, either directly or via digital platforms.[14] Meanwhile, mens rea is reflected in the perpetrator's awareness that the information being disseminated is false, or at the very least, in their negligence in verifying the truth of the information before disseminating it.

An understanding of these two elements is crucial in the law enforcement process, as not everyone who disseminates false information can automatically be deemed criminally liable. For example, someone who inadvertently shares information that turns out to be untrue, without any intention to mislead, may bear a different level of liability compared to a perpetrator who consciously produces and disseminates hoaxes for a specific purpose. Therefore, an analysis of the subjective and objective elements is crucial in determining whether a criminal offence has been committed.[15]

From a communication studies perspective, the spread of hoaxes cannot be separated from the psychological and social factors that influence individuals' behaviour in receiving and disseminating information. One of the most dominant factors is confirmation bias—the tendency for people to more readily accept information that aligns with their beliefs or views, without further verification. Furthermore, the phenomenon of virality on social media plays a major role in accelerating the spread of hoaxes, whereby information can spread widely in a matter of minutes.

The nature of social media, which enables rapid and massive interaction, means that information—whether true or false has an equal chance of going viral. Indeed, in many cases, sensational or provocative information attracts public attention more quickly than factual and accurate information. This situation demonstrates that the spread of hoaxes is influenced not only by individual factors but also by the structure and mechanisms of the digital platforms themselves.

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[12] Nur Khalimatus Sa'diyah, "Modus Operandi Tindak Pidana Cracker Menurut Undang-Undang Informasi Dan Transaksi Elektronik," *Perspektif* 17, no. 2 (2012): 78–89.

[13] The New York Times, "Cyberspace's Most Wanted: Hacker Eludes F.B.I. Pursuit," www.nytimes.com, 1994, https://www.nytimes.com/1994/07/04/us/cyberspace-s-most-wanted-hacker-eludes-fbi-pursuit.html.

[14] Aaron Fichtelberg, "Performing Legitimacy in Irregular Criminal Justice: Lessons from the People's Tribunals," *International Journal of Law, Social Science, and Humanities* 3, no. 2 (2026): 460–472, https://doi.org/https://doi.org/10.70193/ijlsh.v3i2.298.

[15] James A. Lewis, "Assessing the Risk of Cyber-Terrorism, Cyber-War and Other Cyber-Threats," in *The IT Revolution and Security Challenges* (Tokyo: Institute for International Policy Studies, n.d.), 1–5.

Within the context of positive law in Indonesia, regulations concerning the spread of hoaxes have been incorporated into several pieces of legislation. One of the earliest regulations is Law No. 1 of 1946, specifically the (Law on the Prevention of Disturbances), Articles 14 and 15, which prohibit the dissemination of false news that could cause public unrest. These provisions were subsequently reinforced by the enactment of the Law on Information and Electronic Transactions (ITE Law), which specifically regulates acts carried out via electronic media.

Article 28(1) of the ITE Law, for example, prohibits any person from intentionally and without authorisation disseminating information that is misleading and harmful to others. This provision demonstrates that the state is endeavoring to adapt the law to technological developments, thereby enabling it to address new forms of crime previously unknown within the traditional legal system.

However, the application of these provisions in practice often gives rise to various problems. One issue that frequently arises is the lack of clarity in determining the boundary between information that can be categorized as a hoax and information that falls within the scope of freedom of expression. This raises concerns about the potential for abuse of the law, which could threaten freedom of expression in the public sphere.

From a human rights perspective, freedom of expression is one of the fundamental rights guaranteed in various legal instruments, both national and international. This right encompasses the freedom to express opinions, to receive, and to disseminate information. However, this freedom is not an absolute right; it may be restricted provided that such restrictions are imposed in accordance with the law and for legitimate purposes, such as protecting national security, public order, and the rights and reputation of others.

Consequently, efforts to combat the spread of hoaxes must be proportionate, so as not to compromise the fundamental principles of human rights. The state must be able to strike a balance between the interest in maintaining public order and the obligation to protect freedom of expression . This requires careful policy-making grounded in principles of fair law.

Furthermore, a comparative legal analysis reveals that each country adopts a different approach to regulating and addressing the spread of hoaxes. These differences are influenced by various factors, such as the legal system in place, socio cultural conditions, and the level of technological development. Some countries priorities a repressive approach through strict criminal sanctions, whilst others place greater emphasis on a preventative approach through education and the promotion of digital literacy.

This comparative approach illustrates that there is no single model that can be universally applied in tackling hoaxes. Therefore, each country needs to formulate policies suited to the characteristics and needs of its society. For Indonesia, lessons learnt from other countries can serve as a reference for improving the existing legal system, thereby enabling it to address the challenges of the digital age more effectively.

Consequently, theoretical studies on hoaxes do not merely cover definitions and elements of criminal law, but also involve a multidisciplinary analysis encompassing perspectives from communication, psychology and human rights. It is hoped that this comprehensive approach will provide a more holistic understanding of the phenomenon of hoaxes and the appropriate strategies for tackling them.

3.2 Legal Framework Governing Hoaxes in Indonesia

Within the Indonesian legal system, regulations concerning the dissemination of false information do not exist within a single regulatory framework, but are scattered across a number of interrelated laws and regulations. This situation indicates that the legislature has sought to respond to the phenomenon of hoaxes gradually, in line with developments in information technology. One of the key pieces of legislation in this context is the Law on Information and Electronic Transactions (ITE Law), which was first enacted in 2008 and subsequently amended in 2016 to align with the dynamics of the digital space.

The ITE Law provides a legal basis for the state to take action against the dissemination of misleading information, particularly that relating to electronic activities. The provisions of this law emphasise that an act may be subject to criminal sanctions if committed with intent and causes harm to another party. Thus, the approach taken does not merely assess the act itself, but also takes into account the impact caused by that act.

In addition to the ITE Law, provisions regarding the dissemination of false news were in fact already established in Indonesian positive law through Law No. 1 of 1946. This Act prohibits the dissemination of news that has the potential to cause unrest or public disorder. The existence of this provision demonstrates that the issue of false information is not a new phenomenon, but has long been a matter of legal concern, even though the context has now evolved into the digital realm.

However, the existence of these various regulations does not automatically guarantee legal certainty in practice. One of the main issues that frequently arises is the differing interpretations of the element of 'false news'. The absence of a clear and operational definition in the legislation leaves law enforcement officials with broad scope for interpretation, which may ultimately lead to inconsistencies in the application of the law.

Furthermore, another rather complex issue relates to proving the element of harm. In many cases, the harm resulting from the dissemination of hoaxes is not always material in nature, but may take the form of social, psychological, or even political harm. This naturally makes it difficult to establish objective criteria regarding the extent to which certain information can be categorized as a criminal offence.

3.3 Challenges in Law Enforcement

Law enforcement against the criminal act of spreading hoaxes in the digital age faces increasingly complex challenges. One of the most prominent obstacles is the difficulty in identifying the perpetrators. In the online world, individuals can easily conceal their identities through the use of anonymous accounts or specific technologies, thereby complicating the tracking process for law enforcement agencies.[16]

Furthermore, the dynamic nature of digital evidence also poses a challenge in the process of proving a case. Electronic data can easily be deleted, altered or moved, thus requiring specialized expertise in its management. This necessitates an increase in the capacity of law enforcement agencies, both in terms of technical competence and technological support.

Another factor that exacerbates the spread of hoaxes is the public's low level of digital literacy. Many individuals lack the critical skills to assess the veracity of information, and

[16] Juditha, "Symbolic Interactionism In Anti Hoax Virtual Community To Reduce The Spread of Hoax."

thus tend to accept and disseminate it without verification.[17] In this context, the public are not only victims but also have the potential to become perpetrators in the chain of hoax dissemination.

Furthermore, there is also the challenge of maintaining a balance between law enforcement and the protection of freedom of expression. Efforts to crack down on the spread of hoaxes must be carried out with care so as not to give the impression of restricting civil rights. Therefore, a proportionate approach, grounded in the principles of the rule of law, is required.

3.4 Criminal Offenses of Spreading False News in Several Countries Around the World: A Comparative Analysis

From a comparative law perspective, various countries have developed different approaches to tackling the spread of hoaxes. These differences reflect the characteristics of each country's legal system and the values it upholds. Singapore, for example, has implemented a policy that grants the government the authority to actively clarify or correct information deemed to be false. This approach emphasizes the importance of maintaining social stability and preventing the negative impact of misleading information.

Meanwhile, Germany has adopted an approach that focuses on the responsibility of digital platforms. Under this system, social media companies are obliged to promptly remove unlawful content within a specified timeframe.[18] This approach demonstrates that the state does not merely target individuals as perpetrators, but also involves digital service providers in an active role in safeguarding the information ecosystem.

In contrast to these two countries, the United States tends to priorities the principle of freedom of expression as a core value. Government intervention regarding information content is strictly limited, meaning that the handling of hoaxes is largely left to social mechanisms and individual awareness. This approach reflects a strong commitment to the protection of civil rights, although, on the other hand, it poses challenges in controlling the spread of false information.

Based on the above, it can be seen that Indonesia still places greater emphasis on a penal approach to tackling the spread of hoaxes. This approach is geared towards imposing criminal sanctions as a form of law enforcement against perpetrators. However, in practice, this approach has not been fully effective unless supported by adequate preventive measures.[19]

Other countries have demonstrated that effective management of hoaxes requires a more comprehensive approach, one that does not merely focus on enforcement but also encompasses preventative measures and system strengthening. A combination of legal

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[17] Abdul Muhid et al., "The Effect of Hate Speech Exposure on Religious Intolerance Among Indonesian Muslim Teenagers," *Advances in Social Science, Education and Humanities Research* 370, no. December (2019): 148–51, https://doi.org/10.2991/adics-elssh-19.2019.31.

[18] D. Solak and M. Topaloglu, "The Perception Analysis of Cyber Crimes in View of Computer Science Students," *Procedia - Social and Behavioral Sciences* 182 (n.d.): 590–595, https://doi.org/10.1016/j.sbspro.2015.04.787.

[19] Swapnali V Jadhav, "Psychological Influences of Cyber Crimes on Human Mind and Behaviour," *The Indian Police Journal* 69, no. 4 (2022): 31–42.

regulations, the accountability of digital platforms, and improved public literacy is key to addressing the complexity of hoax-related issues in the digital age.[20]

Therefore, Indonesia needs to develop a more integrated strategy for tackling the spread of false information. An approach that combines legal, technological and educational aspects is expected to create a more effective system for safeguarding the quality of information in the public sphere.

4. CONCLUSION

The phenomenon of the spread of false information or hoaxes has become one of the most complex issues in the development of today's digital society. Advances in information technology, which enable rapid and massive flows of communication, have also opened the door to the circulation of information that is inaccurate, misleading, or even deliberately manipulated for specific purposes. In this context, hoaxes are no longer merely a communication issue; they have evolved into legal, social and political issues requiring serious attention from various parties.

In Indonesia, the spread of fake news has a significant impact on people's lives. Incorrect information can trigger unrest, strain social relations, and even affect national stability, particularly when it relates to sensitive issues such as politics, religion and social identity. Therefore, efforts to tackle hoaxes cannot be carried out in a piecemeal manner, but must be approached through a comprehensive and integrated strategy.

From a normative perspective, Indonesia actually already possesses sufficient legal frameworks to regulate and take action against the spread of fake news. Various provisions within legislation have provided a basis for law enforcement agencies to take action against those responsible for spreading hoaxes. However, these regulations have not yet been fully effective in addressing the challenges on the ground. This is due to various obstacles, both technical and substantive in nature.

From a technical perspective, the rapid pace of technological development is often not matched by the preparedness of law enforcement agencies, particularly in terms of digital forensic capabilities and the ability to track online activity. Meanwhile, from a legal substance perspective, there are still weaknesses in the formulation of legal norms, which can sometimes lead to multiple interpretations. This situation has the potential to create legal uncertainty and inconsistencies in the application of the rules across different cases.

Therefore, the criminal law approach, which has long been the primary instrument in tackling hoaxes, needs to be complemented by other non-penal strategies. One crucial step is to improve the public's digital literacy. With good digital literacy, the public is expected to be able to sift through and verify information before sharing it, thereby breaking the chain of hoax dissemination at its source.

Furthermore, cooperation with various stakeholders, particularly technology and social media platforms, is also a crucial factor. Digital platforms play a strategic role in controlling the flow of information circulating in cyberspace. Through content moderation

[20] Muhammad Hatta, "The Spread of Hoaxes and Its Legal Consequences," *International Journal of Psychosocial Rehabilitation* 24, no. 3 (2020): 1750–60, https://doi.org/10.37200/IJPR/V24I3/PR200924.

policies, reporting systems and the use of artificial intelligence, the spread of false information can be minimised more effectively.

Experience from various countries shows that effective hoax management does not rely solely on a repressive approach through criminal sanctions, but also requires a sustained preventive approach. A combination of firm law enforcement and systematic preventive measures has proven more effective in addressing the issue of hoaxes comprehensively.

Consequently, Indonesia has the opportunity to develop a more balanced model for tackling hoaxes. Such an approach should not only focus on punishing perpetrators but also encompass educational initiatives, system strengthening, and cross-sectoral collaboration. A balance between law enforcement and prevention is key to creating a healthy and responsible information ecosystem.

Ultimately, success in tackling the spread of fake news depends heavily on synergy between the government, law enforcement agencies, the private sector and the public. Without strong cooperation amongst all parties, efforts to combat hoaxes will struggle to achieve optimal results. Therefore, a shared commitment is needed to foster a more critical, informed and responsible digital culture amidst ever-advancing technological developments.

REFERENCES

Allcott, Hunt, and Matthew Gentzkow. "Social Media and Fake News in the 2016 Election." *Journal of Economic Perspectives* 31, no. 2 (2017): 211–36.

Chang, Yun-chien. "The Empirical Foundation of Normative Arguments in Legal Reasoning." *European Journal of Empirical Legal Studies* 1, no. 1 (2024): 69–88. https://doi.org/https://doi.org/10.62355/ejels.18070.

Collins, Harry. "The Meaning of Hoaxes." In *Knowledge as Social Order: Rethinking the Sociology of Barry Barnes*, edited by Massimo Mazzotti, 4th ed., 1–7. London: Ashgate, 2008.

D. Solak and M. Topaloglu. "The Perception Analysis of Cyber Crimes in View of Computer Science Students." *Procedia - Social and Behavioral Sciences* 182 (n.d.): 590–595. https://doi.org/10.1016/j.sbspro.2015.04.787.

Fichtelberg, Aaron. "Performing Legitimacy in Irregular Criminal Justice: Lessons from the People's Tribunals." *International Journal of Law, Social Science, and Humanities* 3, no. 2 (2026): 460–472. https://doi.org/https://doi.org/10.70193/ijlsh.v3i2.298.

Hatta, Muhammad. "Efforts to Overcome Cyber Crime Actions in Indonesia." *International Journal of Psychosocial Rehabilitation* 24, no. 3 (2020): 1761–68. https://doi.org/10.37200/IJPR/V24I3/PR200925.

———. "The Spread of Hoaxes and Its Legal Consequences." *International Journal of Psychosocial Rehabilitation* 24, no. 3 (2020): 1750–60. https://doi.org/10.37200/IJPR/V24I3/PR200924.

Jadhav, Swapnali V. "Psychological Influences of Cyber Crimes on Human Mind and Behaviour." *The Indian Police Journal* 69, no. 4 (2022): 31–42.

Juditha, Christiany. "Symbolic Interactionism In Anti Hoax Virtual Community To Reduce The Spread of Hoax." *Jurnal Penelitian Komunikasi Dan Pembangunan* 19, no. 1 (2018): 17–32.

Karina, Doris, and Oropeza Mendoza. "The Vulnerability of Cyberspace - The Cyber Crime." *Journal of Forensic Sciences & Criminal Investigation* 2, no. 1 (2017): 1–8.

Kumar, Srijan, and Robert West. "Disinformation on the Web : Impact , Characteristics , and Detection of Wikipedia Hoaxes." In *The International World Wide Web Conference Com- Mittee (IW3C2)*, edited by Michele Zanini, 2–12. Canada: The International World Wide Web Conference Com- mittee (IW3C2), 2016.

Lewis, James A. "Assessing the Risk of Cyber-Terrorism, Cyber-War and Other Cyber-Threats." In *The IT Revolution and Security Challenges*, 1–5. Tokyo: Institute for International Policy Studies, n.d.

Malik, J. K, and S Choudhury. "A Brief Review on Cyber Crime-Growth and Evolution." *Pramana Research Journal* 9, no. 3 (2019): 242.

Muhid, Abdul, Moch Hadi, Aris Fanani, Ahmad Arifin, and Ahmad Hanif. "The Effect of Hate Speech Exposure on Religious Intolerance Among Indonesian Muslim Teenagers." *Advances in Social Science, Education and Humanities Research* 370, no. December (2019): 148–51. https://doi.org/10.2991/adics-elssh-19.2019.31.

Negara, Tunggul Ansari Setia. "Normative Legal Research in Indonesia: Its Originis and Approaches." *Audito Comparative Law Journal (ACLJ)* 4, no. 1 (2023): 1–9. https://doi.org/http://dx.doi.org/10.22219/aclj.v4i1.24855.

Permanasari, Ai, Aep Sulaeman Sirrinawati, and Suarman Gulo. "Air Traffic Law Segmentation in the Era of Industrial Revolution 4.0 Challenges and Solutions Based On Futuristic Legal Perspective." *International Journal of Law, Social Science and Humanities (IJLSH)* 2, no. 1 (2025): 136–43. https://doi.org/https://doi.org/10.70193/ijlsh.v2i1.210.

Sa'diyah, Nur Khalimatus. "Modus Operandi Tindak Pidana Cracker Menurut Undang-Undang Informasi Dan Transaksi Elektronik." *Perspektif* 17, no. 2 (2012): 78–89.

Syahayani, Zihan. "Saracen: Potret Bisnis Hoax Di Indonesia." *Update Indonesia* XI, no. 7 (2017): 2–4.

The New York Times. "Cyberspace's Most Wanted: Hacker Eludes F.B.I. Pursuit." www.nytimes.com, 1994. https://www.nytimes.com/1994/07/04/us/cyberspace-s-most-wanted-hacker-eludes-fbi-pursuit.html.