

Legal Protection for Consumers from Defamation Crimes Due to Product Reviews on Social Media

Aulia Rahman Hakim Hasibuan^{*1} Indra Utama Tanjung^{*2} Kharisma Preetty Queen Cindai Br Panjaitan^{*3}

Universitas Pembangunan Panca Budi

Email: auliahakim@dosen.pancabudi.ac.id indratj@dosen.pancabudi.ac.id

Abstract

The spread of social media that is currently widely used by the public is one sign of the existence of the internet as a modern communication and information media. Currently, social media is not only used as a means of communication by the public, but more than that, social media is currently used as a place for economic activities such as trading or selling online, and the public can provide reviews of goods or services that have been obtained. The consequences of these reviews have the potential to violate the criminal act of defamation. For consumers who like to review a product or service on social media, this will certainly be like a nightmare for them, because business actors do not hesitate to threaten consumers with the provisions of Article 27 paragraph (3) of Law Number 19 of 2016 concerning Information and Electronic Transactions regarding the accessibility of content that smells of insults or defamation on social media. Reviewing a product or service is included in the right to be heard for a positive or negative opinion on the goods and/or services used, as regulated in Law Number 8 of 1999 concerning Consumer Protection. Legally, consumer activities that review a product are certainly permitted and do not conflict with regulations considering that the person concerned is a consumer who purchases the product and then reviews the product that was purchased.

Keywords: *Legal Protection, Consumers, Defamation*

INTRODUCTION

Consumer protection law is part of the broader consumer law. Consumer law contains principles or rules that are regulatory in nature, and also contain properties that protect the interests of consumers. Consumer law is defined as the entirety of the principles or legal rules that regulate the relationships and problems between various parties with each other in relation to consumer goods and/or services, in social life.

For consumers who like to review a product or service on social media, this will certainly be like a nightmare for them, because business actors will not hesitate to threaten consumers with the provisions of Article 27 paragraph (3) of Law Number 19 of 2016 concerning Information and Electronic Transactions regarding the accessibility of content that is insulting or defamatory on social media.

Seeing the arbitrary actions carried out by business actors, for the sake of the smooth continuity and maintaining the good name of their business, makes the position of consumers so weak and threatened, so that their position with business actors is unbalanced. This consumer weakness is due to the lack of knowledge of the law and also consumer awareness of their rights. With the issuance of a legal product, namely Law Number 8 of 1999 concerning Consumer Protection which is an umbrella act in accommodating protection for consumers.

The existence of Law Number 8 of 1999 concerning Consumer Protection is to guarantee justice and legal certainty in order to balance and align the position between consumers and business actors as parties that are interrelated and in need. It can be seen that Law Number 8 of 1999 concerning Consumer Protection itself has not been able to show its bias and accommodate complaints submitted by consumers. This occurs along with the complexity of problems that arise in society, especially in this case the rights of consumers as users of social media. In the provisions of Article 4 letter d of Law Number 8 of 1999 concerning Consumer Protection, it determines the rights of consumers to be heard and their complaints regarding the use of goods and/or services. If observed, the article clearly shows the media for consumers to convey opinions and complaints regarding the use of goods or services.

Every consumer has rights guaranteed in Law Number 8 of 1999 concerning Consumer Protection, especially in terms of submitting complaints or opinions related to goods/services consumed, as regulated in Article 4 letter d of Law Number 8 of 1999 concerning Consumer Protection. In essence, these consumer rights aim for business actors to improve the quality of their products. This right is also the basis for consumers to be able to review a product on social media. In essence, the function of a product review carried out by consumers on social media is to review the condition, quality, advantages, and disadvantages of the product being reviewed. When viewed from the dimension of business actors, reviews carried out by consumers can be said to be a free advertising event for their products.

Of course, with the note that business actors must be able to ensure the quality of their products, so that when consumers review it turns out that the quality of the product is far below standard which can cause a negative stigma for the business actor's product. In addition, reviewing a product on social media is not only guaranteed by the Consumer Protection Act, but also guaranteed by Article 28F of the 1945 Constitution, which states "Everyone has the right to communicate and obtain information in order to develop their personality and social environment, and has the right to seek, obtain, possess, store, process, and convey information using various available channels".

In conducting reviews, consumers are also required to use reasonable language and speech that is in accordance with norms of politeness. Referring to the norms of politeness that the author has just described, if consumers have a good experience with the goods/services they have purchased, consumers can immediately review the product on social media. However, if the experience obtained by consumers is not good, it would be better for consumers to file a complaint with the business actor first before sharing the review on social media. In addition to consumers, legal protection also applies to business actors, which is indicated by the existence of limitations for consumers when conducting reviews on social media for a product. This is because legal protection is intended to protect individuals in order to create order in social interactions between humans.

METHOD

This research uses a normative legal research type, what is meant by the normative legal research type is library legal research because normative legal research is carried out by examining library materials or secondary data only (Dyah, 2015).

The type of data in this study is secondary data. Secondary data is obtained throughThe data sources obtained in the research material consist of primary legal materials, namely binding legal materials such as the 1945 Constitution, the Criminal Code, the Criminal Procedure Code, Law Number 8 of 1999 concerning Consumer Protection, and Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Information and Electronic Transactions. Tertiary legal materials, namely materials that provide instructions or explanations for primary legal materials and secondary materials such as the Indonesian Language Dictionary and through internet searches.

The data collection tool used in the research is library research which is carried out in two ways, namely:*Offline* collect literature study data directly by visiting bookstores, libraries, in order to collect secondary data needed in the research in question. Online, namely a literature study conducted by searching via the internet to collect secondary data needed in the research in question.

RESULTS AND DISCUSSION

Consumer Legal Protection

Consumer protection law is part of the broader consumer law. Consumer law contains principles or rules that are regulatory in nature, and also contain properties that protect the interests of consumers. Consumer law is defined as the entirety of the principles or legal rules that regulate the relationships and problems between various parties with each other in relation to consumer goods and/or services, in social life.

Protection law can be defined as: All principles and rules that regulate and protect consumers in their relationships and problems with providers of consumer goods and/or services (Janus 2014). Law as social engineering or social planning means that law is a tool used by agents of change or pioneers of change who are trusted by society as leaders to change society as desired or planned.

Consumer protection law is a branch of law that grew and developed in the 1900s. Consumer protection law is a response to industrialization activities in the United States and Europe, as well as an answer to the demands of globalization. Industrialization and globalization on the one hand have a positive impact with the availability of many choices of goods and/or services for the community, both from within and outside the

country. However, on the one hand it can have a negative impact because of the many low-quality goods and services that are widely circulated in the community. This condition ultimately gave rise to consumer protection movements in parts of the world including in Indonesia. Furthermore, consumer protection law developed which aims to protect the interests of consumers (Muhammad, 2018)

Consumer law is a set of principles and rules that govern the relationship and issues in the provision and use of products (goods and/or services) between providers and users in society. Consumer protection law covers all principles and rules that govern and protect consumers in the relationship and issues of the provision and use of products (goods and/or services) between providers and users in social life.

Mochtar Kusumaatmadja defines consumer protection law as the entirety of the principles and legal rules that regulate the relationship and problems between various parties with each other, and related to consumer goods or services in social life. In addition, another definition of consumer protection law is the entirety of the principles or legal rules that regulate the relationship and problems between various parties with each other related to consumer goods and/or services, in social life (Mukti 2019).

Based on the description of the considerations of Law Number 8 of 1999 concerning Consumer Protection above, in accordance with the title of the Law, the Consumer Protection Law aims to protect consumers from possible violations of their rights. Article 1 number 1 of Law Number 8 of 1999 concerning Consumer Protection states: "Consumer protection is all efforts that guarantee legal certainty for consumer protection".

The meaning of consumer protection as regulated in Article 1 paragraph (1) of Law Number 8 of 1999 concerning Consumer Protection is all efforts that guarantee legal certainty to provide protection to consumers. Consumer protection has a broad scope including consumer protection in obtaining goods and services, starting from the stage of activities to obtain goods and services to the consequences of using the goods and services.

Consumer protection is carried out if in a transaction there is an error from the seller that is detrimental to the consumer. This protection is regulated in Law Number 8 of 1999 concerning Consumer Protection which protects consumers from unlawful practices carried out by sellers. Based on the opinion above, the definition of consumer protection is all efforts that guarantee legal certainty to provide protection to consumers in obtaining goods and services, starting from the stage of activities to obtain goods and services to the consequences of using the goods and services.

Article 2 of Law Number 8 of 1999 concerning Consumer Protection states that legal protection for consumers is organized as a joint effort based on 5 (five) principles in national development, namely:

- a. The principle of benefit. Intended to mandate that all efforts in the implementation of legal protection for consumers must provide the greatest possible benefit for the interests of consumers and business actors as a whole;
- b. The principle of justice. Intended so that the participation of all people can be realized optimally and provide opportunities for consumers and business actors to obtain their rights and carry out their obligations fairly;
- c. The principle of balance. Intended to provide a balance between the interests of consumers, business actors, and the government;
- d. The principle of consumer safety and security. Intended to provide assurance of safety and security to consumers in the use, consumption, and utilization of goods and/or services used;
- e. The principle of legal certainty. Intended so that both business actors and consumers obey the law and obtain justice in the implementation of legal protection for consumers, where the state in this case also guarantees the existence of legal certainty (Abdul Halim, 2019)

The essence of the enactment of Law Number 8 of 1999 concerning Consumer Protection is to regulate the behavior of business actors with the aim that consumers can be protected legally. This means that efforts to protect consumer interests carried out through legal instruments are expected to be able to create legal norms for consumer protection. On the other hand, it is expected to develop a responsible business attitude, as well as increasing the dignity and honor of consumers.

Consumer protection law in the legal system in Indonesia has a very important position. This is also inseparable from the high level of consumption of Indonesian society which causes consumer protection law to be greatly needed. In addition, the legal position of consumer protection in Indonesia is related to other things. It can be seen that several laws in Indonesia also have a relationship and regulate consumer protection. (Mukti Fajar, 2019).

Every person, at some point in time, either in a single/alone position or in a group with others, in any situation must be a consumer for a particular product or service. This universal condition on some sides shows

various weaknesses in consumers so that consumers do not have a "safe" position. Therefore, consumers also fundamentally need universal legal protection. Given the weak position of consumers in general compared to the position of producers who are relatively stronger in many ways, the discussion of consumer protection will always feel actual and always important to review.

Protection of consumer interests has actually been accommodated by various legal instruments for a long time. Sporadically, various consumer interests have been regulated in various laws. The presence of Law No. 8 of 1999 concerning Consumer Protection is an important historical milestone in the development of consumer protection law in Indonesia. The law is recognized as neither the first nor the last, because previously there were several legal provisions that protected consumers spread across various laws and regulations. This law regulates consumer protection policies, both in terms of material law and formal law related to the resolution of consumer disputes.

Basically, consumer law and consumer protection law discuss the same thing, namely the legal interests (rights) of consumers. Where the discussion material includes how consumer rights are recognized and regulated in law and how they are enforced in the practice of living in society. Thus, consumer protection law or consumer law can be interpreted as the entire legal regulations that regulate the rights and obligations of consumers and producers that arise in their efforts to meet their needs.

Consumer protection is defined as all efforts that guarantee certainty of fulfillment of consumer rights as a form of protection for consumers, so consumer protection law is a law that regulates efforts to ensure the realization of legal protection for consumer interests.

Consumer protection laws make the business world race to improve the quality of the products and services they produce so that they have a competitive advantage both domestically and abroad. To realize a good legal protection system, several principles of consumer protection are needed, namely:

1. Consumer protection laws must be fair to both consumers and business actors, so that they do not only burden business actors with responsibilities, but also protect their rights to conduct business honestly.
2. Law enforcement officers must be equipped with adequate facilities and accompanied by responsibility.
3. Increasing consumer awareness of their rights, and
4. Changing the value system in society towards attitudes and actions that support consumer protection (Celina, 2015).

Improvement of consumer protection by implementing and implementing related regulations so that it is an integrated and comprehensive unit so that it can be implemented effectively in the midst of society. So that it can improve the quality of life of the Indonesian people as a whole.

The weak position of consumers must be protected by law. One of the characteristics, as well as the purpose of law, is to provide protection (protection) to society. So, in fact, consumer law and consumer protection law are two areas of law that are difficult to separate and draw boundaries. The ratio is that even though it is not always right, for each of them they are more able to defend and enforce their legitimate rights. Consumer protection law is needed if the conditions of the parties who have legal relations or are problematic in society are not balanced.

Consumer protection is seen as materially and formally increasingly important, considering the increasing speed of science and technology which are the driving force for the productivity and efficiency of producers of goods or services produced in order to achieve business targets. Pursuing and achieving both of these things, ultimately, either directly or indirectly, consumers are the ones who generally feel the impact.

Efforts to provide adequate protection for consumer interests are important and urgent, to immediately find a solution, especially in Indonesia, considering the complexity of problems concerning consumer protection, especially in welcoming the upcoming era of free trade in order to protect consumer rights that are often ignored by producers who only think about profit alone and are not free to protect honest producers, a harmonious protection model based on fair competition, this is very important not only for consumers but for producers themselves, both of them can gain benefits with equal positions between producers and consumers, protection of consumers is very important in various countries, even developed countries such as the United States which is recorded as a country that has made many contributions to consumer protection issues.

In essence, there are two important legal instruments that form the basis of consumer protection policies in Indonesia, namely, first, the 1945 Constitution, as the source of all sources of law in Indonesia, mandates that national development aims to create a just and prosperous society. The goal of national development is realized through a democratic economic development system so that it is able to grow and develop a world that produces

goods and services that are suitable for consumption by the community, second, Law Number 8 of 1999 concerning Consumer Protection.

Legal Protection for Consumers from Defamation Crimes Due to Product Reviews on Social Media

This online buying and selling activity was initially only carried out by people who were just trying it out, but after getting a fairly satisfactory income, the internet became a place to carry out online buying and selling with only a small amount of capital and when compared to selling directly to consumers.

The delivery of opinions or criticisms in writing cannot simply be charged with defamation, because it can be related to the human rights of the perpetrators which are guaranteed and protected by laws and regulations. The human rights (HAM) of the perpetrators that are related to defamation include consumer rights.

Consumer rights have been regulated in Law Number 8 of 1999 concerning Consumer Protection. One of the backgrounds to the issuance of this law is to improve the dignity and honor of consumers by increasing consumer awareness, knowledge, concern, ability, and independence to protect themselves and develop the attitude of responsible business actors.

The existence of Law Number 8 of 1999 concerning Consumer Protection is also expected to protect consumer interests in an integrated and comprehensive manner and can be implemented effectively in society. So that in Law Number 8 of 1999 concerning Consumer Protection there are new breakthroughs in the legal dimension, one of which is the burden of proof. Not as usual as regulated in the Criminal Procedure Code using ordinary proof which is charged to the Prosecutor, but in the Law on Consumer Protection there is a principle of reverse proof as regulated in Articles 22 and 28 of Law Number 8 of 1999 concerning Consumer Protection. This follows the principle regulated in Law No. 7 of 1955 concerning Economic Crimes.

In the Consumer Protection Law, it is explained that what is meant by a consumer is every user of goods and/or services available in the community, whether for the benefit of themselves, their families, other people or other living creatures and not for trading. Furthermore, business actors are every individual or business entity, whether in the form of a legal entity or not a legal entity that is established and domiciled or carries out activities within the jurisdiction of the Republic of Indonesia, either alone or together through an agreement to carry out business activities in various economic fields.

The development of information and communication technology that occurs in almost all areas of life is a characteristic of a world civilization today. Through the internet world or what is often called cyberspace, all forms of community creativity activities can be carried out borderlessly which can penetrate various national borders in the world.¹

The internet can also be used as a medium that can produce an income opportunity to meet the needs of life, namely by doing an online business activity using an internet network. With only an online site, everyone can do online buying and selling activities and this has become a trend in cyberspace or the world of information technology, especially in electronic media (using the internet network).²

Legal protection can essentially be said to be an action in order to provide assistance or protect legal subjects, by using various legal instruments as tools or means. In relation to consumers, this protection is concerned with protecting consumers from various legal problems. However, it is not to justify all consumer actions, but rather so that consumer rights contained in Law Number 8 of 1999 concerning Consumer Protection are protected.

Conducting a review of a product or service is included in the right to be heard for a positive or negative opinion on the goods and/or services used, as regulated in Law Number 8 of 1999 concerning Consumer Protection. Legally, consumer activities that conduct reviews of a product are certainly permitted and do not conflict with regulations considering that the person concerned is a consumer who buys the product and then reviews the product purchased. Living Law cannot be separated from the consideration of an authoritative party.³

¹Yasmirah Mandasari Saragih and Dudung Abdul Aziz "Electronic Data Protection in the Formulation of Criminal Policy in the Era of Globalization", *Sumatera Law Review*, Volume 3, Number 2, 2020, page 266.

²Muhammad Arif Sahlepi, "Legal Review of Online Fraud Crimes Reviewed from Law Number 19 of 2016 Concerning Information and Electronic Transactions". *INNOVATIVE: Journal of Social Science Research* Volume 3 Number 6 of 2023. 1402-1412.

³Fitrianto, Bambang, T. Riza Zarzani, and Anto Simanjuntak. "Legal Science Analysis of Normative Studies of Truth and Justice." *Sumatera Law Review* 4.1 (2021): 93-103

Legal protection for consumers is important in maintaining the balance of legal relations between producers and consumers, so there needs to be principles of legal protection for consumers that can be a reference in providing protection to consumers. Likewise, to make it easier for producers and consumers to know their rights and obligations, by presenting various laws and regulations that are a reflection of the principles of legal protection for consumers in Indonesia, it is hoped that it can help both producers and consumers in their efforts to uphold consumer rights (Ahmadi Miru, 2019).

Consumer protection regulations in Indonesia have been accommodated in Law Number 8 of 1999 concerning Consumer Protection. The existence of Law Number 8 of 1999 concerning Consumer Protection is a form of legal protection to provide legal certainty to the parties concerned in carrying out a legal action. Consumer protection is "all the principles or legal rules that regulate the relationship and problems between various parties related to a consumer's goods and/or services in social life". (Elia Wuri, 2015)

Article 1 number 1 of Law Number 8 of 1999 concerning Consumer Protection defines consumer protection which in essence is a variety of efforts with the aim of ensuring legal certainty in order to provide protection to consumers. Consumers protected by Law Number 8 of 1999 concerning Consumer Protection are end consumers, as stated in Article 1 number 2 of Law Number 8 of 1999 concerning Consumer Protection, which reads: "Consumers are every person who uses goods and/or services available in society, either for the benefit of themselves, their families, other people, or other living beings and not for trading".

According to Article 1 number 3 of Law Number 8 of 1999 concerning Consumer Protection, it is also explained that "Business actors are every individual or business entity, whether in the form of a legal entity or not a legal entity that is established and domiciled or carries out activities within the jurisdiction of the Republic of Indonesia, either alone or together through an agreement to carry out business activities in various economic fields."

Every consumer has rights guaranteed in Law Number 8 of 1999 concerning Consumer Protection, especially in terms of submitting complaints or opinions related to goods/services consumed, as regulated in Article 4 letter d of Law Number 8 of 1999 concerning Consumer Protection. In essence, these consumer rights aim for business actors to improve the quality of their products. This right is also the basis for consumers to be able to review a product on social media. In essence, the function of a product review carried out by consumers on social media is to review the condition, quality, advantages, and disadvantages of the product being reviewed. When viewed from the dimension of business actors, reviews carried out by consumers can be said to be a free advertising event for their products.

Of course, with the note that business actors must be able to ensure the quality of their products, so that when consumers review it turns out that the quality of the product is far below standard which can cause a negative stigma for the business actor's product. In addition, reviewing a product on social media is not only guaranteed by the Consumer Protection Act, but also guaranteed by Article 28F of the 1945 Constitution, which states "Everyone has the right to communicate and obtain information in order to develop their personality and social environment, and has the right to seek, obtain, possess, store, process, and convey information using various available channels"

Based on the description of Article 28F of the 1945 Constitution, it can be seen that everyone has the right to disseminate information. When associated with reviews made by consumers, the act of reviewing on social media is one form of disseminating the information. The criminal law policy that can be carried out in overcoming this is by warmaking criminology or harm creating on crime which is hostile (adversarialism) as a repressive approach and combined with a preventive approach of mutualism or togetherness on the basis of peacemaking criminology.⁴

Basically, consumers have limitations when giving reviews about the products/services they use on social media. Norms of politeness are one of the important aspects that need to be considered when submitting reviews. In addition to norms of politeness, there are other limitations that must be adhered to by every consumer when writing product reviews on social media, namely that reviews must be honest, not excessive, and carried out with full responsibility.

In conducting reviews, consumers are also required to use reasonable language and speech that is in accordance with norms of politeness. Referring to the norms of politeness that the author has just described, if consumers have a good experience with the goods/services they have purchased, consumers can immediately review the product on social media. However, if the experience obtained by consumers is not good, it would

⁴Tanjung, Indra Utama, and Erin Novi Adriani. "Legal Politics Towards Combating Cybercrime." Judge: Jurnal Hukum 3.01 (2022): 1-8.

be better for consumers to file a complaint with the business actor first before sharing the review on social media. In addition to consumers, legal protection also applies to business actors, which is indicated by the existence of limitations for consumers when conducting reviews on social media for a product. This is because legal protection is intended to protect individuals in order to create order in social interactions between humans.

Product reviews via social media can be categorized as electronic information, as defined by Article 1 number 1 of Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Electronic Information and Transactions, namely: "Electronic Information is one or a collection of electronic data, including but not limited to writing, sound, images, maps, designs, photos, electronic data, interchange (EDI), electronic mail, telegrams, telex, telecopy or the like, letters, signs, numbers, access codes, symbols, or perforations that have been processed that have meaning or can be understood by people who are able to understand them."

Mistakes as an element of a crime are normative assessments by examining the characteristics of the perpetrator's behavior when the perpetrator commits an act. Mistakes are not a constitutive element in the formulation of a crime, except in certain crimes according to the law maker must include an element of mistake. Forms of mistakes, namely intent or negligence that are explicitly stated in the formulation of a crime must be proven by the public prosecutor. This proof does not have to look at the psychological condition of the perpetrator. Mistakes resulting from assessing the characteristics of the perpetrator's behavior are referred to as subjective elements, while acts that are unlawful and their consequences are objective elements of a crime (Agus, 2018)

Regarding the content of defamation, it is regulated in the provisions of Article 27 paragraph (3) of Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Electronic Information and Transactions, which states that "Any person who intentionally and without the right distributes and/or transmits and/or makes accessible electronic information and/or electronic documents that contain insults and/or defamation."

This provision does not stand alone but rather needs to refer to the provisions on defamation regulated in the Criminal Code. Referring to the Criminal Code CHAPTER XVI on insults, insults are categorized as follows:

1. Blasphemy (Article 310 paragraph (1) of the Criminal Code);
2. Defamation by letter (Article 310 paragraph (2) of the Criminal Code);
3. Slander (Article 311 of the Criminal Code);
4. Minor Insult (Article 315 of the Criminal Code);
5. False Complaint (Article 317 of the Criminal Code); and
6. False Allegation (Article 318 of the Criminal Code).

The provisions in each article only cover the explanation. The elements that must be fulfilled are contained in Article 27 paragraph (3) of Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Information and Electronic Transactions. Therefore, to assess whether consumer reviews of a product on social media are appropriate, it is necessary to pay attention to each element in Article 27 paragraph (3) of Law Number 19 of 2016 and the type of insult committed, referring to CHAPTER XVI of the Criminal Code. It should be noted that the crime of defamation is a complaint crime, which means that only the party who feels subjectively harmed can report the perpetrator of defamation.

The essence of insult is attacking the honor and good name of a person, group, institution, religion, position, including a deceased person. Insult is usually a case of complaint offense. Law as social engineering or social planning means that law is a tool used by agents of change or pioneers of change who are trusted by society as leaders to change society as desired or planned.⁵

Basically, consumers have these limitations in reviewing a product/service used on social media. Norms of politeness are one of the things that really need to be a point of attention when wanting to do a review that is done by consumers. In addition to norms of politeness, there are other limitations that must be obeyed by every consumer when reviewing a product on social media, namely it must be based on honesty, not excessive, and full of responsibility (HS Arifin 2017).

⁵Sirait, Dedy Suherry, Fitria Ramadhani Siregar, And Abdul Rajak Nasution. "Law Enforcement Against Correctional Clients Who Re-Commit Criminal Offenses." Rectum Journal: Legal Review of Criminal Handling 4.2 (2022): 410-420.

CONCLUSION

Based on the explanation in the discussion, it can be concluded that legal protection for consumers from defamation crimes for product reviews on social media, if referring to the Eiger case as exemplified by the author, consumers actually have the right to be able to review a product on social media which is guaranteed by the 1945 Constitution and the Consumer Protection Law. However, what must be understood is that the implementation of rights cannot be carried out by violating the human rights of others as stated in Article 28J paragraph (1) of the 1945 Constitution. This is related to the norms that exist in society, especially norms of decency.

BIBLIOGRAPHY

- Abdul Halim Barkatullah, Framework of Legal Protection System for Consumers in Indonesia, Nusa Media, Bandung, 2016
- Ahmadi Miru, Principles of Legal Protection for Consumers in Indonesia, Rajawali Pers, Jakarta, 2013
- Agus Rusianto, Criminal Acts & Criminal Responsibility, Kencana, Jakarta, 2018
- Elia Wuri Dewi, Consumer Protection Law, Graha Ilmu, Yogyakarta, 2015
- Janus Sidabalok, Consumer Protection Law in Indonesia, PT Citra Aditya Bakti, Bandung, 2014
- Muhamad Qustulani, Legal & Consumer Protection Course Module, PSP Nusantara Press, Tangerang, 2018
- Mukti Fajar, Reni Budi Setianingrum, and Muhammad Annas, Consumer Protection and Business Competition Law, Student Library, Yogyakarta, 2019
- Fitrianto, Bambang, T. Riza Zarzani, and Anto Simanjuntak. "Legal Science Analysis of Normative Studies of Truth and Justice." *Soumatera Law Review* 4.1 (2021): 93-103.
- Muhammad Arif Sahlepi, "Legal Review of Online Fraud Crimes Reviewed from Law Number 19 of 2016 Concerning Information and Electronic Transactions". *INNOVATIVE: Journal of Social Science Research* Volume 3 Number 6 of 2023. 1402-1412.
- Sirait, Dedy Suherry, Fitria Ramadhani Siregar, And Abdul Rajak Nasution. "Law Enforcement Against Correctional Clients Who Re-Commit Criminal Offenses." *Rectum Journal: Legal Review of Criminal Handling* 4.2 (2022): 410-420.
- Tanjung, Indra Utama, and Erin Novi Adriani. "Legal Politics Towards Combating Cybercrime." *Judge: Jurnal Hukum* 3.01 (2022): 1-8.
- Yasmirah Mandasari Saragih and Dudung Abdul Azis "Electronic Data Protection in the Formulation of Criminal Policy in the Era of Globalization", *Sumatera Law Review*, Volume 3, Number 2, 2020, page 266.
- Dimas Hutomo, "Ethics of Reviewing Products on Social Media?", via <https://www.hukumonline.com/klinik/detail/review/lt5cf05fbce61c6/etika-me-ireview-i-produk-diso-sial-media>, accessed on July 14, 2024, at 05.20 WIB.