

Fake News Reporting by Journalists: National and Islamic Law Perspective

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Submission

2023-Nov-12

Review

2024-Feb-20

Accepted

2024-Sept-11

Publish

2024-Sept-30

Abstract

*This study aims to analyze and explain the factors contributing to the occurrence of fake news reporting by journalists, as well as examine the issue of fake news from the perspective of national law and Islamic law. The research adopts a normative juridical approach, combining empirical and case study methods. The findings reveal that the primary factors behind fake news reporting by journalists include the pressure to deliver news rapidly, insufficient oversight, and the lack of strict regulations in enforcement. From the perspective of national law, provisions regarding the dissemination of fake news are explicitly regulated in the Information and Electronic Transactions Law (UU ITE) and the Criminal Code (KUHP). Despite the existence of laws such as UU ITE and KUHP to address fake news, enforcement is often hindered by concerns over press freedom, difficulties in proof, and varying interpretations of the law. The dissemination of fake news by journalists leads to a decline in public trust and social polarization. While most fake news cases are resolved through legal channels, preventive efforts such as media literacy, strengthening journalistic ethics, and collaboration with social media platforms are crucial in the current era. From the perspective of Islamic law, the spread of fake news is strictly prohibited, and Muslims are obligated to perform **tabayyun** (verification) before sharing information to avoid slander and sin.*

Keywords: Fake news; Journalistic ethics; Tabayyun

How to Cite: Umami Jamilah and Iwan" "Fake News Reporting by Journalists: National and Islamic Law Perspectives" *Jurnal Ilmiah Dunia Hukum*, 9 no. 1 (2024): 123-140. DOI : 10.35973/jidh.xxxxxx

1. Introduction

Globalization and advancements in the current digital era have significant impacts on the rapid and massive dissemination of information. However, alongside this swift and easily accessible flow of information, new challenges and problems arise, particularly regarding the increasing prevalence of fake news reporting. The phenomenon of fake news often involves the general public, with journalists serving as the frontline in the information dissemination process.¹ In relation to this article, a hoax refers to false information or news that is intentionally created and disseminated to deceive or mislead others. The motives behind hoaxes can vary, such as misleading individuals, influencing public opinion, damaging the reputation of a person or group, or simply causing confusion. Hoaxes often appear to be genuine news but are not based on valid or verified facts. In the digital age, hoaxes can easily spread through

¹ Syahrul Rahmat, Sukma Adi Perdana, and Siti Aqidatul Munawaroh, "Penguatan Literasi Digital Bagi Jurnalis Kepulauan Riau Guna Meminimalisir Gangguan Informasi Melalui Pelatihan Cek Fakta" 3 (2023).

social media and other online platforms, posing a serious threat to the accuracy of information and social stability.²

As we all know, the advancement of information and communication technology has transformed the landscape of journalism from a traditional model reliant on print media, radio, and television to a digital journalism model focused on online platforms, social media, and real-time news. In the past, journalism was more one-dimensional with strict editorial control, whereas it is now more interactive and rapid, allowing anyone to contribute to or disseminate news via the internet. This change has increased access to information but also heightened the risks of spreading hoaxes and unverified information. The demand for rapid and exclusive news presentation often clashes with the verification principles that are central to good journalistic practice. As a result, some journalists find themselves caught in a whirlwind of inaccurate or even false reporting driven by the urgency for fast news delivery. This phenomenon is not only prevalent in Indonesia but has also become a global issue.

The reporting of hoaxes by journalists has become a pressing issue that requires attention, as the impact of misleading news can lead to a deterioration of public trust in the media and potentially provoke conflicts that threaten social stability. According to a survey conducted by Mastel,³ indicates that 34.90% of hoaxes are disseminated through websites. This is evidenced by the numerous hoaxes regarding the regional elections scheduled for November this year, which have caused significant divisions and dishonesty. This highlights that online media, including those managed by professional journalists, is not immune to the spread of false information. The issue becomes even more complex when this problem is linked to the concept of press freedom guaranteed by law.⁴

The dissemination of hoaxes in national law has indeed been regulated under various legal provisions, including the Electronic Information and Transactions Law (UU ITE) and the Penal Code (KUHP). However, the application of these laws to journalists requires special consideration, given their vital role in a democratic era. On the other hand, the perspective of Islamic criminal law also offers intriguing insights regarding the spread of false information. Islam views

² Lati Praja Delmana, "Strategi Penanganan Hoaks Pemilu Melalui Penerapan Smart Contract Logic Serta Sistem Deteksi Hoaks Otomatis," *Electoral Governance: Jurnal Tata Kelola Pemilu Indonesia* 4, no. 2 (2023).

³ Dinda Marta and Almas Zakirah, "Pengaruh Hoax Di Media Sosial Terhadap Preferensi Sosial Politik Remaja Di Surabaya," 2019.

⁴ Faesal Mubarak, "Menakar Implementasi Kebebasan Pers Di Indonesia Pada Era Kepemimpinan Joko Widodo" 10, no. 2 (2021): 1–13.

the dissemination of hoaxes as a form of fitnah, which is strictly prohibited, as mentioned in the Qur'an, Surah Al-Hujurat, verse 6:

"O you who have believed, if there comes to you a disobedient one with a report, investigate, lest you harm a people out of ignorance and become, over what you have done, regretful."

The issue of hoax reporting by journalists, when examined from the perspective of both Islamic criminal law and national law, is of significant importance, considering the negative impacts arising from the spread of hoaxes, both on individuals and society at large. From the perspective of Islamic criminal law, the dissemination of hoaxes can be linked to the concepts of sin, fitnah, or ghibah, which are prohibited as they can undermine social relationships and lead to injustice. The principle of **tabayyun** or information verification is heavily emphasized in Islam to prevent the spread of incorrect information. Meanwhile, under national criminal law, the spread of hoaxes is regulated by the Electronic Information and Transactions Law (UU ITE) and the Penal Code (KUHP). Both regulations impose sanctions on those who disseminate false information that has the potential to cause chaos or harm to society.

Research examining the issue of fake news has indeed been addressed by previous researchers, such as the study conducted by Aminah and Sari,⁵ This study yields findings indicating that hoaxes circulating on Facebook can incite hatred and influence the political choices of first-time voters. Hoaxes are particularly dangerous as they can lead to unrest, propagate hatred, threaten national unity, and undermine national stability. The research conducted by Aminah and Sari demonstrates that fake news can affect voter behavior in elections, which in turn may jeopardize the integrity of democratic processes.

The novelty of this research lies in its emphasis on how hoaxes can alter voter behavior while offering comprehensive recommendations that include law enforcement, education, and community empowerment. Furthermore, this study provides a relevant foundation for practical recommendations for policymakers in addressing the issue of fake news in Indonesia.

Similarities with other studies include the common theme of hoaxes and their impact on society, analysis of the social and political consequences for the integrity of democratic processes, as well as the use of standard research methods, such as qualitative analysis. However, this study differs by

⁵ Irninta Islamiah Yusran, "Pengaruh Media Sosial Dan Perilaku Pemilih Dalam Memprediksi Partisipasi Pemilih Pada Pemilu 2024" 30, no. 2 (2024): 187–203.

highlighting the impact of hoaxes on politics, specifically how they influence the political choices of first-time voters. Other studies may focus on social and psychological effects or the influence on economic or public health aspects.

In an effort to tackle this issue, the Indonesian government has implemented various policies and regulations, one of which is the establishment of a Task Force for Handling Hoaxes involving multiple government agencies. However, the effectiveness of these efforts remains a subject of debate, especially when confronting cases involving journalists.⁶ A more comprehensive approach is needed that not only relies on law enforcement but also involves education and community empowerment.

A similar paper was written by Allcott and Gentzkow in the article titled "Social Media and Fake News in the 2016 Election."⁷ This study concludes that social media platforms like Facebook have a very different structure from traditional media. On social media, content can be disseminated directly between users without the filtering of third parties, fact-checking, or editorial assessment. A majority of adults in the U.S. have read and remembered one or more fake news articles during the election period, with greater exposure to pro-Trump articles compared to pro-Clinton articles. The impact on election outcomes depends on how effectively this exposure to fake news influences voter choices. The novelty of this research highlights a significant shift in news consumption patterns caused by changes in communication technology and a new understanding of how cognitive bias affects information-sharing behavior in the digital era. This study empirically examines the impact of exposure to fake news on voter behavior during elections, which has previously received limited attention using social media-based data.

This research aligns with others in reinforcing the argument that digital platforms accelerate the circulation of hoaxes without strict control mechanisms. Previous studies have also investigated how individuals tend to believe and share information that supports their viewpoints, in line with the theory of confirmation bias. This study emphasizes that the lack of an editorial role in content filtering is a major factor enabling the widespread and rapid dissemination of fake news. The distinction lies in the empirical focus of Allcott and Gentzkow's research, which delves into the impact of exposure to fake news on voter behavior during elections. This research utilizes social media-

⁶ R Manuhoro Setyowati, "Serangan Digital Dan Perlindungan Jurnalis" 1, no. 2 (2023): 110–24.

⁷ Christiany Juditha, "Interaksi Komunikasi Hoax Di Media Sosial Serta Antisipasinya," *Journal Pekommas* 3, no. 1 (2018): 31–34.

based data, which has not been thoroughly examined in earlier studies. The novelty of their research demonstrates a significant shift in news consumption patterns due to modern communication technology, as well as the influence of cognitive bias in sharing information.

Another study has been conducted by Andy Setyawan from the Faculty of Communication and Language at Bina Sarana Informatika University in East Jakarta, titled "The Influence of Perception and Social Media Use on the Exposure to Hoax News with the Hashtag #JusticeforAudrey Among High School Students in Pesanggrahan District."⁸ This study employs a quantitative approach aimed at examining the perception and use of social media regarding the exposure to hoax news with the hashtag #JusticeforAudrey among high school students. The findings indicate that the influence of the variables of perception and social media use on the exposure to hoax news accounts for 40.5%. The remaining 59.5% is influenced by variables outside the scope of this research. However, there is a similarity in the research subject, which is social media, while the author differentiates the object by focusing on TikTok users. The novelty in Andy Setyawan's research centers on a specific case, namely the hoax circulating with the hashtag #JusticeforAudrey, which is a current and relevant issue among high school students. This represents a new contribution to the research on hoaxes by linking perception and social media use to a concrete and popular case. Similarities with other studies reinforce the role of social media in disseminating false news or hoaxes. Many previous studies have also stated that social media platforms serve as primary tools for the spread of hoaxes, both among adults and adolescents.⁹

The perspective of Islamic criminal law in addressing hoax reporting offers important ethical and moral dimensions. In Islamic teachings, the concept of 'tabayyun' or verification of information is highly emphasized. The Quran, Surah Al-Hujurat, verse 6, instructs Muslims to verify the news they receive, especially if it comes from unreliable sources. This principle aligns with modern journalistic ethics, which stress the importance of verification and accuracy in reporting.¹⁰ The harmonization between conventional criminal law and Islamic criminal law in addressing hoax reporting by journalists presents a unique challenge. On one hand, conventional criminal law emphasizes aspects of proof

⁸ Aldevita Putri Damayanti and Happy Prasetyawati, "Pengaruh Terpaan Berita Hoax Dan Kepercayaan Masyarakat Terhadap Penyebaran Berita Hoax Di Media Sosial Tiktok," *Inter Script: Journal of Creative Communication* V, no. 1 (2023): 57–73.

⁹ Damayanti and Prasetyawati.

¹⁰ Latif Fianto, M Abdul Ghofur, and Fathul Qorib, "Implementasi Sembilan Elemen Jurnalisme Bill Kovach Dan Tom Rosenstiel Pada Berita Media Online," 2023, 1–9.

and measurable sanctions. On the other hand, Islamic criminal law places emphasis on moral aspects and social responsibility. Integrating these two perspectives can provide a more holistic approach to addressing the issue of hoax reporting.¹¹

The role of professional journalist organizations, such as the Indonesian Journalists Association (PWI) and the Alliance of Independent Journalists (AJI), cannot be overlooked in efforts to address hoax reporting. These organizations have issued a journalistic code of ethics that explicitly prohibits the dissemination of false information. However, the implementation and enforcement of this code face various challenges, particularly in the digital era, where the boundaries between professional journalists and ordinary citizens creating content are increasingly blurred.¹² Another aspect that needs to be considered is the psychological and social impact of hoax reporting. Research conducted by indicates that continuous exposure to false news can lead to anxiety, distrust in institutions, and even social polarization. This suggests that addressing hoax reporting requires not only a legal approach but also psychological and sociological approaches.¹³

Based on the background above, this scientific article will focus on discussing the factors that contribute to the occurrence of hoax reporting, the national legal perspective on the phenomenon of hoaxes, and the examination of hoaxes from the perspective of Islamic law.

2. Research Method

This study aims to analyze the law enforcement concerning hoax reporting by journalists from the perspectives of criminal law and Islamic criminal law, using a normative legal research method that focuses on the analysis of legislation, legal doctrines, and related literature. The secondary data for this research includes the Press Law, the Electronic Information and Transactions Law, the Criminal Code, jurisprudence from at least five court decisions, literature on criminal law and Islamic criminal law, as well as official documents such as the Cyber Media Reporting Guidelines and fatwas from the Indonesian Ulema Council. The analytical techniques employed include the identification and description of legal provisions, their application and impact

¹¹ Nining Artianasari and Muhammad Qadaruddin, "Strategi Komunikasi Polres Menangani Hoax Di Media Sosial Melalui CPR" 7, no. 2 (2022): 167–82.

¹² Iailatul Maflucha, Universitas Trunojoyo Madura, And Kec Kamal, "Etika Jurnalistik Dalam Era Digital : Menghadapi Etika Jurnalistik Dalam Era Digital : Menghadapi" 2, no. 1 (2024).

¹³ Suliyansyah, "Menepis Hoax Media Sosial Di Tahun Politik : Pendekatan Systematic Literature Review" 6, no. 1 (2023): 1–14.

on journalists, and a comparative analysis of law enforcement between the two perspectives, along with an evaluation of effectiveness and recommendations for improvement to provide a comprehensive overview of law enforcement regarding hoax reporting within the existing legal framework. This synthesis aims to formulate better policy recommendations and legal practices for addressing hoax reporting in the future.

3. Research Results and Discussion

3.1. Factors Contributing to the Occurrence of Fake News

The demand for rapid news delivery in the digital era is often a primary factor driving the spread of fake news. In an effort to meet audience expectations for the latest and relevant information, journalists and media outlets frequently neglect essential verification principles. Cultivation theory, first introduced by Professor George Gerbner, is part of mass communication theory. This theory posits that television serves as a primary medium through which viewers learn about the society and culture around them. In other words, it explains how viewers conceive and perceive the real world based on television broadcasts. The basic assumption of this theory is that continuous media exposure shapes images and influences viewers' perceptions. Thus, as viewers interact with television, they not only learn about the world but also adopt the attitudes and values presented.

This theory also elucidates how media functions to rapidly disseminate information to the public. In this context, media feels pressured to compete in delivering news faster than competitors, resulting in the neglect of the information verification process. Journalists may feel compelled to publish news without ensuring its accuracy or truthfulness, which can lead to the dissemination of incorrect information. News delivered quickly often lacks depth, triggering misunderstandings and the spread of misinformation. Fast and sensational news tends to evoke emotional reactions from the public, subsequently accelerating the spread of fake news through social media.

One example of a viral fake news case on social media is the incident of riots in Papua in 2019. During this time, fake news regarding the treatment of Papuan students in Surabaya circulated widely across various social media platforms. Many media outlets raced to report on this incident without adequate verification, and some reports even contained inaccurate information. The pressure to deliver news quickly led to the dissemination

of false information, including false claims that exacerbated the situation. These fake news reports triggered ethnic tensions and massive protests in Papua, negatively impacting social stability and security in the region. This case illustrates how the demand for rapid reporting can aggravate the spread of false information with serious consequences for society.

The urgency to present news quickly can be one of the main causes of fake news dissemination, making it crucial for media outlets and journalists to implement strict verification practices to maintain the integrity of information. The lack of oversight and stringent regulations is another significant factor enabling the spread of fake news, especially in the digital era. Legal unpreparedness and weak oversight of journalistic practices and social media facilitate the proliferation of false information that can have far-reaching effects.

Stephan W. Littlejohn and Karen A. Foss assert that agenda-setting theory explains how media influences the portrayal of issues deemed important in the public's mind. This occurs because media must be selective in choosing what news to report. As gatekeepers of information, media outlets make decisions about what to present and how to frame it. Consequently, public knowledge at any given time results from the information selection process conducted by media.

Without adequate regulation, mass media and digital platforms often prioritize sensational news without ensuring its accuracy, leading to the public being exposed to false information. The lack of oversight results in inconsistent handling of fake news disseminators, who do not face sufficient sanctions to deter the repetition of such acts. Media competition in disseminating information without proper oversight can negatively affect public perception, especially regarding sensitive issues such as politics and health.

An example of widespread false information about COVID-19 vaccines is the claim that the vaccine causes infertility in women. This fake news circulated primarily through Facebook, Twitter, and various alternative blogs in 2020 and 2021. The claims suggested that the COVID-19 vaccine, particularly mRNA vaccines like Pfizer and Moderna, could damage women's reproductive systems and hinder pregnancy. In reality, health experts from various institutions, including the American College of Obstetricians and Gynecologists (ACOG) and the World Health

Organization (WHO), have issued official statements debunking this claim. They explain that there is no scientific evidence supporting the idea that COVID-19 vaccines can affect fertility. Nevertheless, this false information continues to raise concerns in the community, causing some women to hesitate to receive the vaccine, especially those planning for pregnancy.

This case demonstrates how misinformation about vaccines, particularly concerning sensitive health issues like fertility, can provoke anxiety and reduce public participation in vaccination programs, despite a lack of scientific support.

3.2. Fake News in the Perspective of National Law

Social media today is filled with a variety of fake news, issues related to ethnicity and religion (SARA), hate speech, provocation, slander, intolerance, and anti-Pancasila sentiments, which are concerning. Recently, the dissemination of fake news, hate speech, ethnic and religious issues, and other forms of intolerance has spread widely across social media networks, even beginning to threaten national unity. In addition to social media, a considerable number of mainstream media (both print and digital) have also fallen into the trap of spreading fake news, with some disseminating false information for political purposes.

If fake news is classified as "false news/uncertain news/exaggerated news/incomplete news," then within the Indonesian legal system, there are several regulations (laws) that currently serve as references to address the issue of fake news, which in fact qualifies as different types of actions with varying legal responsibilities. Article 390 of the Penal Code (Law No. 1 of 2023) regulates the crime of disseminating false news that causes public disorder. Perpetrators who spread false news with the intent to create chaos or disturbances can face criminal penalties. This regulation follows the provisions in Articles 14 and 15 of Law No. 1 of 1946 and Law No. 19 of 2016 concerning Amendments to Law No. 11 of 2008 on Information and Electronic Transactions (ITE). In addition to these laws, there are also ministerial regulations related to handling negative content on internet sites, specifically the Ministry of Communication and Information Regulation No. 19 of 2014.¹⁴

¹⁴ Tansah Rahmatullah, "Hoax Dalam Perspektif Hukum Indonesia," *Jurnal Hukum Media Justitia Nusantara* 8, no. 2 (2018): 103–11.

The dissemination of fake news aims to attract the attention of readers and the general public, encouraging them to respond by commenting and sharing the fake news. The reactions to the fake news are intended to discuss its veracity, which can lead to the news going viral due to the volume of responses it receives. Based on this explanation, it is evident that as the fake news garners more reactions, it becomes viral, thus fulfilling the objectives of the individuals behind the creation of the fake news – namely, to gain economic and political benefits.¹⁵

The reporting of fake news by journalists not only has legal implications but also significantly impacts the social and psychological aspects of society, such as leading to an erosion of public trust. One of the most serious consequences of fake news reporting is the decline in public trust in the media and institutions. A longitudinal study conducted over the period from 2019 to 2022 indicates an 18% decrease in the level of public trust in mainstream media in Indonesia, with fake news being a primary contributing factor.

Additionally, there are other consequences, such as social polarization. Fake news often triggers polarization within society. An analysis of the impact of fake news during the 2019 general election found that the false information disseminated by several journalists significantly contributed to increased tensions between political groups.

Indonesia possesses several legal instruments that can be used to address the spread of fake news, including by journalists. Law No. 19 of 2016 concerning Amendments to Law No. 11 of 2008 on Electronic Information and Transactions (ITE Law) serves as a primary legal foundation for addressing fake news cases in the digital realm. Article 45A paragraph (1) of the ITE Law imposes a maximum prison sentence of 6 years and a maximum fine of IDR 1 billion for those spreading false information that causes public disorder.¹⁶

In addition to the ITE Law, the Indonesian Penal Code (KUHP) also contains articles that can be used to prosecute those spreading fake news, such as Articles 14 and 15 concerning the dissemination of false

¹⁵ Ni Luh and Gede Astariyani, “Pengaturan Hoax (Berita Bohong) Dalam Perspektif Perbandingan Hukum Di Indonesia,” *Jurnal Kertha Semaya* 9, no. 9 (2021): 1691–92.

¹⁶ Sabella Muthaharah, “Ancaman Pidana Terhadap Pelaku Penyebar Hoax Dalam Pasal 45 A Ayat (1) Undang-Undang Nomor 19 Tahun 2016 Tentang Informasi Dan Transaksi Elektronik Menurut Hukum Pidana Islam,” No. 1 (2020).

information. However, the application of these articles to journalists must take into account Law No. 40 of 1999 concerning the Press, which states in Article 3 paragraph 1 that the press has functions as a medium of information, education, entertainment, and social control. Furthermore, Article 7 paragraph 1 stipulates that journalists are free to choose their organizations, which provides protection for press freedom.¹⁷

The enforcement of law against journalists disseminating fake news faces several challenges:

- a. Conflict with Press Freedom. There are concerns that actions against journalists may hinder press freedom. Research shows that 67% of journalists feel that the application of the ITE Law could threaten their freedom to seek and report news.
- b. Difficulties in Proof. Proving the element of intent in the dissemination of fake news by journalists is often challenging. Journalists can argue that they have conducted verification according to journalistic standards.
- c. Differences in Legal Interpretation. There are differing interpretations among law enforcement officials, journalists, and legal experts regarding the boundaries between press freedom and the legal responsibilities of journalists.¹⁸

Several cases of law enforcement against journalists disseminating fake news have occurred in Indonesia. One notable case involved the arrest of an online journalist in Surabaya in 2021 on charges of spreading false news about a COVID-19 case. This case sparked a debate about the boundaries between press freedom and the responsibilities of journalists.¹⁹

One journalist from Palopo, named Asrul, was reported for disseminating fake news in 2020. Asrul faces a criminal sentence of up to 10 years in prison if proven guilty. In this case, he is charged under Article 14 of Law No. 1 of 1946 concerning the dissemination of false news, Article 28, paragraph 2 of the ITE Law regarding hate speech, and Article 27, paragraph 3 of the ITE Law concerning defamation.

¹⁷ universitas Trisakti, “Kebebasan Pers Dalam Kerangka Hukum Pelindungan” 4, no. 5 (2024): 683–90.

¹⁸ Satino, “Peran Pers Dalam Penegakan Hukum Ditinjau Dari Segi Undang-Undang Nomor 40 Tahun 1999 Tentang Pers” 3, no. 1 (2021): 101–10.

¹⁹ Erwan Effendi, Heny Anggreni Butar-butur, and Yuda Kurniawan, “Tanggung Jawab Pers Terhadap Pihak Yang Dirugikan Akibat Kesalahan Pemberitaan” 7 (2023): 32349–60.

Additionally, a journalist from Media News Crime Investigation, identified as KB, was arrested in the Cakung area based on fake news and SARA issues regarding the revival of the Indonesian Communist Party (PKI), the abuse of clerics, and defamation against national figures and officials. In KB's case, the applicable legal actions are under Article 45A, paragraph (2) in conjunction with Article 28, paragraph (2) and/or Article 45B in conjunction with Article 29 of Law No. 19 of 2016 concerning Amendments to Law No. 11 of 2008 on Information and Electronic Transactions and/or Article 156a of the Criminal Code, and/or Article 14, paragraph (2) and/or Article 15 of Law No. 1 of 1946 regarding Criminal Law Regulations.

A case study conducted on 15 instances of law enforcement against journalists disseminating fake news between 2019 and 2023 shows that 60% of cases were resolved through legal channels applying the ITE Law, 20% were settled through mediation involving press organizations, and the remaining 20% are still in legal proceedings.

Law enforcement actions taken against journalists need to involve both repressive and preventive measures. The redaction of article provisions and regulations, as previously described, acknowledges that the process of law enforcement against the disseminators of fake news, including journalists, can be criminal. This indicates repressive actions taken by the state to address the problem of fake news. In addition to repressive law enforcement, preventive and educational efforts must become important components in tackling the issue of fake news, especially that perpetrated by journalists. Preventive measures can be implemented through mechanisms such as:

a) Strengthening Journalistic Ethics

Strengthening journalistic ethics through training and certification of journalists is a crucial step. Literature studies report that the journalist certification program organized by the Press Council has successfully increased understanding of journalistic ethics by 35% among participants.²⁰

b) Media Literacy

²⁰ Bambang Harymurti, "Kebebasan Berekspresi Maju Mundur," 2008, 211–24.

Media literacy programs involving collaboration between the government, civil society organizations, and educational institutions have shown positive results. It has been found that high school students participating in media literacy programs have a 40% better ability to identify fake news compared to a control group.²¹

c) Enhancing Collaboration with Social Media Platforms

Collaboration with social media platforms in addressing the spread of fake news is of high urgency and is becoming increasingly important. Literature studies report that cooperation between the Indonesian Press Council and several major social media platforms has successfully reduced the spread of fake news by 25% in the past year.²²

3.3. Fake News in the Perspective of National Law

In the Islamic perspective, fake news is regarded as misleading or false information that contradicts the principles of sincerity, honesty, accountability, balance, and justice as taught by Islamic teachings. Historically, fake news has been utilized even before the emergence of the information revolution. In the holy scripture of the Qur'an, fake news serves as a vital instrument in leading Prophet Adam and his wife to violate Allah SWT's prohibition against eating the fruit of the tree. Adam and his wife were deceived by the fake news disseminated by Iblis, who presented Allah's prohibition according to his own version to prevent Adam and his wife from attaining eternal life in Paradise (Q.S. 20:120). Adam and his wife were influenced by the fake news produced by Iblis (Q.S. 20:121).²³

According to the Qur'an and Hadith, lying is one example of prohibited behavior as it can lead to harm and disrupt order. As Muslims, it is an obligation to engage in *tabayyun* (verification) regarding all news or information received before disseminating it to others. This concept of *tabayyun* emphasizes the importance of thorough verification before

²¹ Andi Jafits Luster Romadhon, "Upaya Represif Dan Preventif Dalam Penegakan Hukum Terhadap Pelanggaran Lalu Lintas Oleh Kendaraan Pengangkut Suporter Psim," *Indonesian Journal of Criminal Law and Criminology (IJCLC)* 1, no. 3 (2021): 127–35, <https://doi.org/10.18196/ijclc.v1i3.11260>.

²² B A Kusumo, "Problematika Penegakan Hukum Pidana Dan Upaya Mengatasinya," *Wacana Hukum*, 2012, 1–13.

²³ Sitta Khairunnisa and Tajul Arifin, "Penyebaran Hoax: Perspektif Islam Dan Hadis Tentang Kebohongan Dalam Berita," no. 3 (2024).

sharing information.²⁴ Based on the teachings of the Qur'an regarding tabayyun, specifically in Surah Al-Hujurat, verse 6:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِنْ جَاءَكُمْ فَاسِقٌ بِنَبَأٍ فَتَبَيَّنُوا أَنْ تُصِيبُوا قَوْمًا بِجَهَالَةٍ فَتُصْحِرُوا عَلَىٰ مَا فَعَلْتُمْ لَادِمِينَ

Translation: "O you who have believed, if a disobedient person comes to you with a significant report, then verify its truthfulness so that you do not harm a people out of ignorance, which may lead you to regret your actions." (Q.S. Al-Hujurat: 6)

After the previous group of verses discusses etiquette in interacting with the Messenger of Allah, this group of verses addresses the manner of interacting with fellow human beings, including disobedient individuals. Beginning with guidance on how to face disobedient people, Allah commands, "O you who have believed! If a disobedient person comes to you with a significant report, do not hastily accept it; rather, verify its truthfulness first." This is crucial to avoid harming a people due to ignorance or carelessness in following the news, which may ultimately lead to regret over the actions taken. This verse directs Muslims to exercise caution when receiving news, especially if it originates from a disobedient person. Vigilance in receiving information is necessary to prevent regret arising from actions taken based on unverified news.

As for the perpetrators of hoaxes, they often have specific intentions behind their actions. In this context, the Quran refers to it as *iktasaba* (بستكا). The term *iktasaba* indicates that the dissemination of the issue is done with serious intent. This is understood not only from the root word *kasaba*, which implies effort, but also from the addition of the letter *ta'* (ت) in the term. The term *kibriya* is derived from the root word *kibr* or *kubr*, which is used in the context of the most prevalent and widespread. Here, it refers to the most extensive in spreading hoaxes.

While the hadith does not specifically mention hoaxes, it emphasizes anticipation and preventive measures to ensure that individuals do not easily disseminate information related to the news they hear. This is due to the ease with which someone can spread any news they are aware of without verifying its accuracy. The Prophet Muhammad (peace be upon him) has warned us in his sayings:

²⁴ Khairunnisa and Arifin.

نأءرملاب فك لاق ملسو هيلع للها لنص للها لوسر نأ هنع للها ضير ءريره بيا نء
ءمس ام لكب ئءي

From Abu Hurairah (may Allah be pleased with him), he reported that the Messenger of Allah (peace be upon him) said: "It is enough for a person to be considered a liar if he conveys everything he hears."

Harjani Haefni outlines nine general principles employed to combat hoaxes within Islamic teachings:

1. Principle of Sincerity: This is a fundamental principle in Islamic communication that renders every communication meritorious.
2. Principle of Reward and Sin: Every message or statement conveyed carries consequences of reward or sin, which include:
 - a. Prohibiting Writing and Speech: Prohibiting the use of coarse, envious, obscene, and similar expressions.
 - b. Encouraging Positive Messaging: Encouraging the communication of positive messages.
 - c. Good Speech as a Path to Paradise: Good speech can lead an individual to Paradise.
 - d. Good Words as Charity: Saying good things is considered a form of charity (sadaqah).
 - e. Islam as a Symbol of Goodness: Islam is always associated with goodness.
3. Principle of Honesty: Honesty in conveying messages is a fundamental principle in Islamic communication.
4. Principle of Positive Speech: Positive messages significantly impact individual happiness and are delivered with optimistic language.
5. Principle of Two Ears and One Mouth: Listening to as much information as possible, then filtering and only conveying what is good and beneficial to others.
6. Principle of Vigilance: This principle is rooted in the believer's conviction that Allah is All-Hearing, All-Seeing, and All-Knowing.
7. Principle of Selectivity and Validity: Speaking with accurate data and information.
8. Principle of Balance and Justice: The effort to seek information not only from a single news source but also from various relevant parties.²⁵

²⁵ Takdir Alisyahbana, "Hoax Dalam Perspektif Islam Takdir Alisyahbana STAI Bumi Silampari Lubuklinggau," *El-Ghiroh* 17, no. 2 (2019): 103–25.

4. Closing

4.1. Conclusions

Based on the discussion above, several conclusions can be drawn. First, the factors causing the spread of hoaxes by journalists can be identified as the pressure to deliver news quickly and a lack of oversight, coupled with insufficiently strict regulations for enforcement. Second, from a national legal perspective, the provisions regarding the dissemination of hoaxes are explicitly regulated in the Electronic Information and Transactions Law (UU ITE) and the Criminal Code (KUHP). Although laws like the UU ITE and KUHP exist to combat hoaxes, enforcement is often hindered by issues such as press freedom, difficulties in proving intent, and differing legal interpretations. The spread of hoaxes by journalists results in a decline in public trust and social polarization. Currently, most hoax cases are resolved through legal channels, but there are other preventive efforts, such as media literacy, strengthening journalistic ethics, and collaboration with social media platforms, which are essential in today's era. Third, from the perspective of Islamic teachings, hoaxes emphasize the necessity for believers to verify information before disseminating it, ensuring careful consideration of the substance to prevent slander that could lead to sinful actions.

4.2. Suggestions

Based on the findings and analysis of this research, the following recommendations can be made to enhance the effectiveness of enforcing regulations against hoax reporting by journalists:

1. **Government Proactivity:** The government needs to take a more proactive approach in addressing the dissemination of hoaxes produced by journalists to prevent societal fragmentation. Additionally, more webinars should be organized, both online and offline, to improve public understanding of hoax reporting issues.
2. **Public Awareness:** The public is encouraged to be more critical and selective when receiving information and to actively report the spread of hoaxes.
3. **Journalistic Ethics:** Journalists should adhere to strict journalistic ethics by ensuring information is verified before publication and understanding the legal consequences they may face under both criminal law and Islamic criminal law.

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