

REVIEWS INCLUDE IN THE CATEGORIES OF PROVIDING INFORMATION OR UTTERANCES HATE

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REVIEWS INCLUDE IN THE CATEGORIES OF PROVIDING INFORMATION OR UTTERANCES HATE

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Abstract

Review bagian dari hak konsumen sebagaimana dijelaskan dalam Pasal 4 Undang-undang Perlindungan Konsumen, keluhan dan pendapat dalam ⁴⁰ review merupakan bagian dari Electronic word-of-mouth (e-WOM), kegiatan tersebut sangat menguntungkan bagi pelaku usaha dalam bidang informasi dan iklan. Penelitian ini menggunakan penelitian normatif yang bersumber pada penelitian terdahulu dan peraturan yang mengikat. Penelitian ini membahas tentang ketentuan review yang termasuk dalam informasi atau ujaran kebencian serta bagaimana etika bisnis yang menjadi batasan review. Review yang disampaikan akan termasuk dalam informasi sebagaimana dalam ketentuan hukum yang mengikat, serta kebebasan pendapat dalam review yang disampaikan memiliki batasan yaitu etika bisnis yang saling menguntungkan sebagaimana tujuan yang diinginkan

Abstract

⁴¹ *Reviewing part of consumer rights as described in Article 4 of the Consumer Protection Act, complaints and opinions in the review are part of ⁵⁰ Electronic word-of-mouth (e-WOM). This activity is very beneficial for business actors in the field of information and advertising. This study uses normative research sourced from previous research and binding regulations. This study discusses the provisions of the review included in information or hate speech and how business ethics are the limitations of the review. The submitted review will be included in the information stipulated in the binding legal provisions. The freedom of opinion in the proposed study has limitations, namely mutually beneficial business ethics as desired.*

A. Introduction

One method many people learn about product companies is through reviews. Comments could be written or oral in some ways. Review is the medium of speech or verbal. WOM is word of mouth because influencers or consumers can do it. Influencers are party the third which significant could influence interest purchase consumers, but also willing to accept not quite

enough answer on product.¹ Wave technology the more vital, and Many influencers appear on various social media. Influencers can use many social media to make content. Facebook, Twitter, Instagram, TikTok, and many social media others who provide room for influencers to share content.

⁴⁵ The use of online social media information for non-social reasons still exists. Due to the wide range of applications, some of which are designed for social use, many users are reluctant to browse social media information for destinations other than social networks.² A review is an influencer's review of a product or service from a business partner. Comments are part of e-wom

The internet seems to be the perfect medium for business. It spreads across borders and is widely distributed to people without any regulatory restrictions.³ Social media has become a popular platform for business sharing and promotion. Every business marketer needs to use their platform in a better way to achieve success in their business.⁴

The regulatory policy attempts to create a legal framework for business based on freedom, property protection, and competition principles. The liberal approach, open to social security as well as redistributive measures, places the state in economic activity that enhances or harms individual actors or seeks to direct economic processes about specific social goals and is incompatible with interventionist policies.⁵

Useful activities include areas of law such as advertising and broadcasting, Internet regulation, taxation, protection of workers and consumers, human rights and freedom of expression. Create impactful content that works seamlessly with individual social posts, ads, and political speeches. Finally, the sheer volume of online content often poses significant challenges for compliance violation detection and enforcement due to the limited resources of regulators.⁶

According to the 2019 Nielsen Media Survey, many international media target *reviews* as market media with a large audience. It is proven by 70% of consumers saying that they

¹ Shahriar Akter and others, 'Building Dynamic Service Analytics Capabilities for the Digital Marketplace', *Journal of Business Research*, 112 (2020), 177–88 <<https://doi.org/10.1016/j.jbusres.2020.06.016>>.

² Jeff Cain and Joseph L. Fink, 'Legal and Ethical Issues Regarding Social Media and Pharmacy Education', *American Journal of Pharmaceutical Education*, 74.10 (2010), 184 <<https://doi.org/10.5688/AJ7410184>>.

³ Raphael Cohen-Almagor, 'Freedom of Expression, Internet Responsibility, and Business Ethics: The Yahoo! Saga and Its Implications', *Journal of Business Ethics*, 106.3 (2012), 353–65 <<https://doi.org/10.1007/s10551-011-1001-z>>.

⁴ 'Documents (2) (1)'.

⁵ Gerhard Wagner, 'Digital Governance—Liability and Responsibility', *List Forum Fur Wirtschafts- Und Finanzpolitik*, 2022 <<https://doi.org/10.1007/s41025-022-0037-8>>.

⁶ Petra Mahy, Monika Winarnita, and Nicholas Herriman, 'Influencing the Influencers: Regulating the Morality of Online Conduct in Indonesia', *Policy and Internet*, 14.3 (2022), 574–96 <<https://doi.org/10.1002/poi3.321>>.

trust *online customer review uploads*, compared to TV ads which only have 62%, and the lowest is only 59% of magazine ads. According to a 2007 Forrester study, nearly 19% of American online consumers comment on blogs and reviews every month. Local business target marketing can combine marketing and discussion with the concept of review negotiation. The marketing concept of using the opinions of consumers previously played a significant role in trust. As evidenced by Nielsen and global market research, consumers become more trusting when other consumers portray them. The increasing level of consumer confidence in *reviews* and the emergence of fake *reviews* that are used by business actors in promotional media.⁷

When illegal content like “revenge porn” or extremist ³⁰ content is posted on social media, the person who posted it, not the social media company, ³⁰ is more likely to be prosecuted. However, this may have changed now.⁸ Consumer purchasing decisions cannot be separated from the participation of influencers in reviews on social media. According to Haruto Sugi, an influencer is popular with many followers and can persuade them verbally. ⁴² They have a large number of followers on social media. They can encourage followers to be interested in the manufacturer's goods and services by reviewing or rating them. This shows that influencers make a significant contribution to purchasing decisions. That is by providing information, persuading or influencing consumers to use the product and convincing consumers of the decision to buy the product.

On the other hand, based on interpersonal theory, Shechtman and Horowitz,⁹ I have found that people react differently depending on whether they think they interact with a computer or a person to her. Furthermore, social acceptance of virtual agents has been hampered by the demonization of technologically advanced culture, especially in the Western imagination,¹⁰ making people more likely to interact with virtual agents. This can be a skeptic. Finally, mechanical attempts at dehumanization eliminate human dehumanization.¹¹

⁷ ‘Earned Advertising Tetap Paling Kredibel Di Kalangan Konsumen | Nielsen’ <²¹<https://www.nielsen.com/id/news-center/2013/earned-advertising-remains-most-credible-among-consumers/>> [accessed 25 October 2022].

⁸ ‘Social Media: How Do Other Governments Regulate It?’ - BBC News’ <<https://www.bbc.com/news/technology-47135058>> [ac³²ed 22 October 2022].

⁹ Nicole Shechtman and Leonard M. Horowitz, ‘Media Inequality in Conversation’, 5, 2003, 281 <<https://doi.org/10.1145/642659.63661>>.

¹⁰ Ana Radovic and others, ‘Depressed Adolescents’ Positive and Negative Use of Social Media’ <<https://doi.org/10.1016/j.adolescence.2016.12.002>>.

¹¹ Jbid Arsenyan and Agata Mirowska, ‘Almost Human? A Comparative Case Study on the Social Media Presence of Virtual Influencers’, *International Journal of Human Computer Studies*, 155, June (2021), 102694 <<https://doi.org/10.1016/j.ijhcs.2021.102694>>.

A person's level of acceptance or rejection of a problem is influenced by a critical variable: ego involvement, which is defined as a sense of personal significance to the problem (there is a personal relationship with the problem). What is the role of social evaluation theory in communication? First, Sherif's research found that individuals make decisions to accept or reject messages: internal references and interactions with the ego. However, this evaluation process can lead to abnormalities (deviations). For example, in an example of illegal logging, people may face distorted judgments, which creates a contrast and assimilation effect. The conflict effect occurs when the individual decides that the message is far from his or her opinion or contradicts it.

However, some researchers believe that submitted reviews, including in speech hatred, do not have such information in provision Article 4 Protection Law Consumer because the submitted review is the right consumer to give an opinion.¹²

B. RESEARCH METHOD

This type of legal research which principally refers to legal concepts, is called normative research. This method is called the monistic dogmatic method, which deviates from the rules as dogmas that guide behavior. The type of legal study principally refers to the concept of law, and the jurisprudence method is used in developing legal theory and legal sciences.

The truth test in normative science is also subjective. This makes it clear that "to find the truth of a theory/concept, it is sufficient to carry out sufficient testing in the legal community under study, without having to obtain empirical data in the field."

C. DISCUSSION

1. Review

Online reviews are opinions given experience customers about the service they accept or the product company. According to *Mo, Z., Li, Y. & Fan (2015)*,¹³ Reviews are given to review good customers in like rating given for help consumers get the product the quality they need. Reviews and testimonials were written by consumers who have bought a product from an online retailer. Consumers want more information, attractiveness, and quality intake to

¹² Aviad A. Israeli, Seonjeong Ally Lee, and Edward C. Bolden, 'The Impact of Escalating Service Failures and Internet Addiction Behavior on Young and Older Customers' Negative EWOM', *Journal of Hospitality and Tourism Management*, 39, November 2018 (2019), 150–57 <<https://doi.org/10.1016/j.jhtm.2019.04.006>>.

¹³ Santiago Melián-González, Jacques Bulchand-Gidumal, and Beatriz González López-Valcárcel, "Online Customer Reviews of Hotels: As Participation Increases, Better Evaluation Is Obtained", *Cornell Hospitality Quarterly*, 54.3 (2013), 274–83 <<https://doi.org/10.1177/1938965513481498>>.

purchase the product. Review online customers have Becomes ⁵¹ a source of information necessary for the consumer about quality products.¹⁴

Review is the use of media by consumers to express their opinions or dissatisfaction with a product or service.¹⁵ The specific goal desired is to provide a review limit for submissions using social media. The reviews submitted significantly affect many parties. The submitted review aims to explore goods or services from social media as a medium.¹⁶ Unlike traditional shopping, shopping using online media is more profitable for many parties who know what goods or services are being purchased. The review submitted can be seen by many parties so that social activities are increasing and interest in shopping decisions is increasing. A person's buying decision tends to be influenced by his interactions with other people. Online customer reviews can reduce consumer perceived risk and increase customer satisfaction and decision-making efficiency.¹⁷

Online customer reviews are a type of ⁴⁷ electronic word-of-mouth (e-WOM). According to Khamash, online customer reviews can be understood as a way to see different reactions from other consumers to the company's products and services. This is also supported by data on the value of e-commerce transactions worldwide, especially in Indonesia, which continues to grow every year.

digital platforms provide a review feature as a form of review, a review that is submitted to repeat objects or services that are used as information for other parties. the object comes from the business actor. At this point it is necessary to distinguish between the two types. Suppose a digital service provider needs an authenticator to validate the transactions involved. In this case, the platform is considered a closed system. This is usually an online marketplace where reviews facilitate purchasing decisions. The platform simplifies the verification process because transactions and reviews happen in the same forum (like Airbnb). A platform is an open system if the digital provider doesn't necessarily require verification to send feedback. It's hard to make sure you've experienced something.¹⁸

¹⁴ Sue Bennett, Karl Maton, and Lisa Kervin, "The "digital Natives" Debate: A Critical Review of the Evidence", *British Journal of Educational Technology*, 39.5 (2008), 775–86 <<https://doi.org/10.1111/j.1467-8535.2007.00793.x>>.

¹⁵ Muhammad Akbar Fhad Syahril, 'Review of Published Privacy Rights via Short Messages', *Amsir Law Journal*, 3.1 (2016) <<https://journalstih.amsir.ac.id/index.php/alj/article/view/45/38>> [accessed 25 October 2022].

¹⁶ Putu Sari Devi dan Suatra Putrawan Carina, 'Perlindungan Hukum Konsumen Yang Melakukan Review Produk Barang Atau Jasa Di Media Sosial', *Kertha Semaya*, 6.2 (2018), 1–14 <<https://www.liputan6.com/news/read/4015321/4-hal-kasus-rius-vernandes->>.

¹⁷ Diena Dwidienawati and others, 'Customer Review or Influencer Endorsement: Which One Influences Purchase Intention More?', *Heliyon*, 6.11 (2020), e05543 <<https://doi.org/10.1016/J.HELIYON.2020.E05543>>.

¹⁸ Đurović and Kniepkamp.

2. Information

Information is the main thing an actor needs to make decisions to prevent mistakes. Information can also be interpreted as data processed in the most valuable and meaningful format for the recipient of the information. Information is data that has been processed and formulated to be more valuable and meaningful for the people who receive it. Information is the collection and processing of data to provide information or knowledge.

As a comparison to understand the information, here are some definitions of the information:

- a. Information is the result of data processing, but not all the results are information.
- b. information data processing
- c. Information gives meaning
- d. useful information
- e. Information is material for decision-making.

Describe five characteristics of information that can provide meaning to users. This includes:

- a. Information quality. That is, the information processed by a particular processing system can meet the need for high-quality information.
- b. The information age (latest information). The information processed by a particular processing system can meet new information needs.
- c. The importance of information (relevant or relevant information) is that information from a particular processing system can meet an information need.
- d. Information Accuracy means that information from specific processing systems can meet information needs so that processing can meet appropriate information needs.

Information quality in the sender is also seen from various angles, that is :

- a. Information must be accurate so that the information conveyed is not misleading or biased. Accurately conveyed describes the purpose because the information conveyed will be shown to the receiving party.
- b. The time limit for the speed of information is significant, so if there is a delay, the desired information will not reach the desired destination, so the decision in information will cause problems
- c. The importance (relevance) of helpful information for its owner. The importance of information varies from person to person. Of course, it is not essential to convey information about the causes of damage to production machines to the

company accountant. It becomes more critical if it is directed to the company's technical experts.

3. E-Wom

Electronic word-of-mouth (e-WOM) is communication Among consumers about products, services, or companies where the source is considered independent from commercial influence.¹⁹ e-WOM is one the most powerful forces in the market, as the informal conversation about a service or product between people who don't relate to the company that provides a product or service and in media that do not relate with the company. Review positives from customers proved to increase sales, while review negatives proved lower sales.²⁰

e-WOM explains by more broad and encompassing all Informal communication aimed at other consumers regarding possession, use, or characteristics goods or service certain or the seller Even though Westbrook didn't by Specific define what you mean with "informal communication", in writing is different with communication through media channels that convey product knowledge from manufacturer/provider to consumer, he with a clear show that that is communication between individual.²¹

4. speech Hatred

In the Chapter, Low Media culture in the digital world is one of the reasons rampant impact of negative Internet use, one of them is rampant content containing _ insults and slander. Smart media means the ability to use social media with wise in accordance with expected functions, such as each other share useful information.²² What are the legal rules for defamation or slander in criminal law?

According to Indonesian law, defamation (insult) is regulated in Article 310 of the Penal Code, which consists of three paragraphs. blasphemy (smaadschrift) section 310 (2).²³ Prohibited actions, on the other hand, are actions that "deliberately" harm the honor of others

¹⁹ Stephen W. Litvin, Ronald E. Goldsmith, and Bing Pan, "Electronic Word-of-Mouth in Hospitality and Tourism Management", *Tourism Management*, 29 (2008), 458–68 <<https://doi.org/10.1016/j.tourman.2007.05.011>>.

²⁰ Najeeb Ullah and Mustansar Hussain, "Impact of Unethical Advertising, Misleading Information or Deceptive Advertising on Customer Purchasing Intention with Mediating Effect of Word of Mouth: Case of Pakistan", *International Journal Of Innovation And Economic Development*, 14 (2015), 49–69 <<https://doi.org/10.18775/ijied.1849-7551-7020.2015.14.2005>>.

²¹ Litvin, Goldsmith, and Pan.

²² Putri Purbasari Raharningtyas Marditia and Yasyfa Silmianra Hafizha, "Testimonie Versus Defamation: Education on the Limits of Defamation and Consumer Opinion in the Marketplace", *Proceedings of SEAPENMAS*, 0.0 (2021), 247 <<https://doi.org/10.24912/psenapenmas.v0i0.14996>>. page 253

²³ I Nyoman Putu Budiarta, I Made Minggu Widyantara, and I Nengah Nuarta, "Criminal Act Of Contempt Through Electronic Information Media", *SOSIOLOGICAL JURISPRUDENCE*, 1.2 (2018), 116–21.

or defame their honor or reputation. Thus, the elements of defamation and defamation (according to Article 310 of the Criminal Code) are:

- a. Purposely;
- b. An attack on honor or reputation.
- c. Sin commits a crime.
- d. Broadcasting accusations to educate the public.

If we only talk about the elements of insult and slander (abuse), it is included in Article 310 Paragraph 1 of the Criminal Code. Defamation cases are not specifically regulated in the ITE Law set in Article 27 paragraph (3), which is different from criminal law. Thus, the ITE Law only refers to acts that cause defamation or humiliation and does not specifically regulate actions involving defamation and personal honor. Article Section Words 27 paragraph (3) The ITE Law contains several weak elements:²⁴

- a. obscure basic elements
- b. elements of insult and slander that are not clear
- c. Possible invasion of privacy
- d. It is not clear whether the complaint is guilty or not
- e. Declassification of insults and slander

5. Ethics business

The term "business ethics" is a term that has two rich elements, namely: "business" and "ethics". The word "business" can be used as an economic activity with a profit goal. The business carried out is usually in the form of a binding organization.²⁵ "Ethics" means our continuous efforts to examine our ethical beliefs and actions and ensure that we and the organizations we form meet sound standards.

Business ethics is an element within the scope of business with an ethical element used as a principle. It can also be defined as a written or unwritten code of principles and values defined by the organizational culture that governs decision-making and behavior in the organization if it applies to all aspects of doing business on behalf of individuals and companies. Simply put,

²⁴ Anggaraini and Bambang Indra Gunawan, "Legal Efforts on Humiliation (Body Shaming) Among Social Media According to Criminal Law and the ITE Law", *Lex Justitia Journal*, 1.2 (2019), 113–24 <<https://www.e-journal.potensi-main.ac.id/ojs/index.php/LexJustitia/article/view/826>> [accessed 22 October 2022].

²⁵ Hoang Thi Phuong Loan, "The Importance of Business Ethics in Business Development", *Giao Thong Vantai*, 2.2020 (2020), 1–6 <<http://www.tapchigiaothong.vn/the-importance-of-business-ethics-in-business-development-d25200.html>>.

⁴
the definition of business ethics boils down to knowing the difference between right and wrong and choosing the right one.

6. The review criteria are included in the category of information and speech hatred

Simply put, reviews use consumers to describe something, an object, or a service due to the efforts of the author. The reviews provided focus on the growing technology media. Information can be stored in the form of text, audio, images, still images, or live images, so the final information is in the form of science and knowledge itself. Matching information can only be done with the help of consumers or influencers because featured reviews keep consumers going.²⁶

Consumers and influencers will use their own language, which will be used so that there is the freedom to think in doing a review of goods or services.

In general, influencers place a high degree of control in the hands of talent. There are some big pitfalls in these two behavioral classifications. Influencers Additionally, many brands allow influencers to exercise significant creative control over their individual ads, so companies may not want influencers to violate copyright, trademark, or even defamation laws. Likewise, defining "immorality" in the twenty-first century is a very difficult task. For a brand to be effective, it must remain in the pulse of the national consciousness. Beware of influencers who don't behave well in public.²⁷

However, at the level of testimonials or "reviews" of services, their nature is very subjective. Therefore honesty on the part of users and service providers becomes very important-especially if the information is monopolized and controlled solely by the service provider, such as the treatment and services of the hospital to its patients. For example, when consumers or parties do a review like the editor of an object or service makes negative comments in the form of criticism of a service provider of recreational objects, even though they have been given honestly, as experienced directly "as is," but then the service provider considers it an insult to defamation that harms its business because it is abandoned by the tourist

²⁶ Hiras Pasaribu and others, "Improvement of Organizational Culture, Service Quality and Use of Information Technology and Its Implications on Academic Performance in Students of Accounting Study Programs", *Buletin Ekonomi: Manajemen, Ekonomi Pembangunan, Akuntansi*, 18.1 (2021), 85 <<https://doi.org/10.31315/be.v18i1.5628>>.

²⁷ Annamarie White Carty, "Cancelled: Morality Clauses In An Influencer Era", *LEWIS & CLARK LAW REVIEW*, 26.2 (2022), 565–611.

community. As a result, then again, the "morality" aspect of the service provider is the determining factor.²⁸

This is related to the debate between sentences, and text is the dependent variable. However, the independent variable is always the context of the speaker and the context of the listener, which are biased in their respective perceptions. The meaning of the same text can be ambiguous. For example, there was a time when people in Indonesia performed a theatrical act where they named man with the designation animal.²⁹ Thus, the "supporters" and "opponents" of the dialectical process are democratic and are not punished for claiming to be part of a democratic state. Freedom of expression is a human right, and censorship that hinders the free flow of information should not be tolerated.³⁰

The importance of understanding between freedom of speech and hate speech is enshrined in the Constitution of the Republic of Indonesia of 1945 (UUD RI 1945). In addition to these human rights guarantees, understanding and evaluating actions that may or may not qualify as hate speech is critical to understanding the concept of hate speech by law enforcement and the public interest. They help prevent misunderstanding.³¹ Laws against violations and, thus, the ban on hate speech can be applied professionally under human rights principles.³²

Of course, there are boundaries that are formed because there are rights and interests of other parties that must be respected. The restrictions referred to in this white paper show that when consumers express their opinions and complaints on social media, which then become public consumption, restrictions must be made to keep up with growing and developing standards.³³

Very important to notice standard ethics, ethics, and standards law moment convey Opinions on social media. The moral rule is to rule life about good and bad behavior human origin from heart conscience. Moment To do a review, you should give factual information. This Thing ensures that what to say is known. The public large has strong evidence, and the

²⁸ Hery Shietra, "Testimoni Dan Review Oleh Konsumen Berupa Kritik, Dikatakahkan Dipidana Penghinaan Atau Pencemaran Nama Baik Oleh Pelaku Usaha?", 2020 <<https://www.hukum-hukum.com/2020/04/testimoni-dan-review-oleh-konsumen-pidana-pencemaran-nama-baik.html>> [accessed 22 October 2022].

²⁹ Cohen-Almagor.

³⁰ Cohen-Almagor.

³¹ Monica Margareta, "The Future of Social Crime Control in the Hate Speech in Social Media with Media Literacy", *Community Empowerment In Tourism & Creative Economy*, 3.1 (2021), 208–13 <<https://doi.org/10.33068/iccd.vol3.iss1.339>>.

³² Syafa'at Anugrah Pradana, Rusdianto Sudirman, and Muh. Andri Alvian, "Ministry of Law Enforcement Against the Right to Freedom of Expression", *DIKTUM: Journal of Sharia and Law*, 20.1 (2022), 156–68.

³³ Carina.

information provided has basic proof and does not insult or slander. This Thing very important conducted to remember the more a lot report pollution name good by the perpetrator's business that feels his reputation is ruined by appraisal consumers.³⁴

Limitations in deep review life are restricted by norms. Namely, Moral Norms are the rules relating to a human conscience that is general in nature, and the legal authority they possess makes them aware of themselves. Related delivery of something product or service through review, need notice rules, talk with polite, behave politely, and prepare self with good. It looks like Thing small, but very important to be careful not to touch on feeling personal party that. Please be constructive according to your Opinion. This Thing is not only profitable for yourself but also for others, such as holder interest businesses and candidate consumers.

A legal standard is a legal instrument relating to a rule, like a law, for the protection of interests through the conduct of the life of a community, and the elements it possesses are compulsorily binding. In terms of making reviews, you must ensure that the law also applies restrictions to consumers who review products and services on social media. Paragraph 2 of Article 28 J of the 1945 Constitution of the Republic of Indonesia basically stipulates the rights and freedoms of all persons, including consumers, regarding their opinions, comments or complaints on this matter. is set. The law guarantees their respect for the rights and freedoms of others. This provision is also consistent with Article 29(2) of the Universal Declaration of Human Rights.

- a. Constitution Right basic Humans (Law No. 39 of 1999), Article 23 Paragraph 2 (hereinafter called the "Law of Rights" basic Human) consider religious values, morals, order, interests common, and union nation. It's basically a limited Opinion you can give.
- b. Article 73 of the Human Rights Law also states: that the rights and freedoms enjoyed by consumers in principle must be limited by law only to ensure respect for the rights of basic human beings, freedom of others, morals, order public, and order social. He said it could restrict national interest.

There are several ways to deal with hate speech internationally. States are obligated to exercise and protect their rights. Since freedom of expression and thought are protected by the Indonesian Constitution, Article 28E (3) of the 1945 Constitution of the Republic of Indonesia provides the protection and guarantees referred to in Articles 23(2) and 25 of the Law. Section 39 of the 1999 Human Rights Act, Section 2 (1) of the Act. On 9 September 1998 on

³⁴ Carina.

independence, the preliminary public opinion, Article 19 of the UDNJ, and Article 9 of the KIHSP were submitted.³⁵ Although the restrictions on rights are regulated by the state through the Penal Code and Law No. 2. November 2016 issue to amend the law. November 2008 on ITE. The limitation of the subject is to ensure the correct implementation of the expression, how it should be understood that even the standards of living among the masses and the laws of the unreasonable are considered appropriate, or the group can use the correct idea. which - which. The most positive restrictions constitute war propaganda, discrimination, harassment, and expressions that demand only those that violate human rights standards.³⁶

However, defamation or defamation under Article 27(3), if the review requested is an assessment, Opinion, or assessment of facts and is binding in a joint order issued by the Minister of Communications and Information Technology, the Public Prosecutor does not apply to the Republic. Indonesia and the National Police Chief, 2008, regarding Information and Electronic Transactions (UU ITE). Provisions regarding consumer market reviews must not be offensive or defamatory. This is because the valuation of goods or services is not included in Article 27 (3) of the ITE Law, where the provisions for participation in decisions determine the following:³⁷

The defamation or slander, as referred to in Article 27 paragraph 3, applies if the requested examination is an assessment, Opinion, or fact assessment and is binding on a joint order from the Minister of Communication and Information Technology, the Public Prosecutor of the Republic of Indonesia. The Commissioner of the Indonesian National Police (UU ITE) in "Joint Decree Number 229 of 2021 Number 154 of 2021 KB/2/VI/2021 concerning Guidelines for the Implementation of Certain Provisions of Law Number 11 of 2008 concerning Electronic Information and transactions. Provisions regarding consumer market reviews must not be offensive or defamatory". This is because the valuation of goods or services is not included in Article 2(3) of the ITE Law, where the joint decision clause defines the following: "It is not an offense related to the content of insults and/or defamation in Article 2 paragraph (3) of the ITE Law if the content or content that is transmitted, distributed, and/or made accessibly is in the form of an assessment, opinion, evaluation result or a reality."

³⁵ Yunus, "Review Article Freedom of Association for Labors in The Industrial Relationship", *Journal of Law and Legal Reform*, 2.3 (2021), 449–58.

³⁶ KomnasH, "Standards of Norms and Regulation of the Right to Freedom of Opinion and Expression", 34, 2011, 1–71 <[https://www.komnasham.go.id/files/1604630519snp-kebebasan-berekspresi-dan--\\$SF7YZ0Z.pdf](https://www.komnasham.go.id/files/1604630519snp-kebebasan-berekspresi-dan--$SF7YZ0Z.pdf)>.

³⁷ Joint Decree Number 229 of 2021, Number 154 of 2021, Number KB/2/VI/2021 concerning Guidelines for the Implementation of Certain Articles in Law Number 11 of 2008 concerning Information and Electronic Transactions (UU ITE)

The category of insults or defamation. A market valuation is a consumer right granted by a company in the form of a complaint or Opinion, as described in Section 4d of the Consumer Protection Act, and Section 7e of the Consumer Protection Act defines "consumers for testing, experimentation and confirmation of goods produced and sold. "Criticism is allowed and even necessary, criticism must be constructive, I say. Advice is given on what constructive criticism means, along with specific practical solutions. Omar adds that any criticism received should not be in the form of a formal accusation, which is an insult to express the form and way of statement.³⁸

This defamation is included in the insult of using Online media. So that the elements of the lawsuit to be submitted also vary. However, the lawsuit will not be valid if the information submitted is false, so the claim is invalid in its elements. The state of Indonesia does not yet have the legal force that binds influencers to do something, and the guidelines only bind on the applicable provisions. Law enforcement is still limited and sporadic, and there are indications that the Indonesian government is moving to regulate the use of platforms to fill gaps in internet regulation.³⁹

Researchers in the psychology of social influence has been able to categorize several ways in which people influence each other.⁴⁰ Through the power of coercion, the power of reward, and the power of legality (submission to authority). Referential power (identity with others). Others expert power (cognitive superiority), and information power, depend on the persuasive power of information available to the media in the communication process. The latter type of power will prove to be more effective in controlling public Opinion and behavior in the new era of the masses (society) and will be resolved by treaties of fundamental freedoms.⁴¹ Article 10 of the Convention defines and limits freedom of expression because "the exercise of this freedom imposes obligations and responsibilities." When it comes to media education, one of our top priorities is to put this topic on the "top agenda" as often and clearly as possible. The topic of discussion is where and whom to start. Young people are the first agents of change because of their ability to master and absorb information technology, but they are also the most vulnerable in the struggle for social cohesion against misinformation and hate speech.

³⁸ Marditia and Hafizha.

³⁹ Mahy, Winarnita, and Herriman.

⁴⁰ Paddy Scannell, "Media and Communication", *Media and Communication* , II (2007), 1–303 <<https://doi.org/10.4135/9781446211847>>.

⁴¹ scannell.

Defamation claims can also be added based on online data. The elements of a defamation lawsuit vary by state, but in general, to win a defamation lawsuit, the plaintiff must prove that the defendant made a false and defamatory statement that caused the plaintiff's loss.

7. Business ethics review activities carried out by consumers and influencers

When using social media for buying and selling activities, many users use social media apps like Instagram and Facebook. Instagram and Facebook are two of the few online applications used for doing business on social media.⁴² When merchants start their business in some online applications such as Instagram and Facebook, they are expected to be ethical when offering promotions to the users of these applications.⁴³

The moral clause should state how the crime should be decided. Just because an influencer engages in inappropriate behavior or receives bad news doesn't mean the company will end the relationship. As previously investigated, ethics clauses typically retain severance entitlements only for companies, and this proposal reflects this. However, the requirement that the class is "reasonable" limits this power slightly. While this may be a burden on the company, the court noted that the fairness clause had been circumvented. Effective, incorporate of equity requirements can also help companies build relationships with influencers. Moral demands are born of scandal.

Required in Thing this, right limitation consumer to convey opinions, complaints, criticisms, suggestions, and exchanges with others is limited and only will restrict on base law, ethics business, and compliance with the law. It could be said that there is the possibility that:

- a. Honor rights are basic human beings and the freedom of others.
- b. applicable fees;
- c. safety and security ;
- d. Interest general ;
- e. Integrity national.

So that the holder's rights, consumers in Thing this must realize that they currently convey opinions and complaints, and burden not quite enough must answer what they carry for protection and maintain other people's rights. There are also those who don't hurt each other.

¹¹ Bambang Setiyo Pambudi, "Penerapan Etika Bisnis Pada Usaha Kecil Dan Menengah Melalui Pemanfaatan Computer Mediated Communication / Media Social Instagram", *Seminar Nasional Dan Call for Paper Sustainable Competitive Advantage (SCA) 8*, September, 2018, 1–8.

⁴³ "Business Ethics in Social Media - Kompasiana.Com" <<https://www.kompasiana.com/ayu39481/5b372327bde57518986cae53/etika-bisnis-dalam-social-media>> [accessed 23 October 2022].

From the wild party in St. According to Francis, blogs have developed into a powerful tool for protecting entrepreneurs and talent. Whether designed narrowly for personal gain or broadly to protect the company, a well-defined code of conduct can save both parties from costly and messy lawsuits. However, this provision must develop in the internet era. Brands looking to harness the power of bespoke advertising in the influencer era must be wary of the hurdles inherent in the digital environment. As discussed in this note, the moral clause consists of three components.⁴⁴

Each of these sections discusses a specific element of a code of conduct that can protect employees and employers when partnerships go awry. First, it's also clear that requiring companies to provide written notice five days prior to termination gives influencers sufficient time to change their behavior. This could mean trying to negotiate with the company to find a solution to its behavior, or it could mean an opportunity to prepare a public statement or arrange a termination. The company may want to terminate the contract as soon as the breach occurs, but the five-day notice period is a small price to pay if the company can use it as a tool for profit.⁴⁵

review rights granted to consumers can benefit business stakeholders in fair competition in the business world.⁴⁶ so that good ethics in giving complaints or opinions in *reviewing* goods or services by:

- a. Please provide or submit your review in reasonable or understandable language to avoid multiple interpretations, conflicts, and new problems.
- b. Consumers must base their reviews on the honesty that exists rather than fake reviews or reviews based on facts so as to avoid the defamation that consumers fear, based on the principle of integrity in business ethics.
- c. The submitted review must be accompanied by photo or video evidence used to support the submitted statement.
- d. Consumers should check attachments in the form of photos or videos and upload high-quality and clear images at the angle of light and sound conveyed. Images or videos that are submitted are interesting for those who see them.

⁴⁴ William J. Rothwell and Robert K. Prescott, "Succession Planning for Small and Family Businesses: Navigating Successful Transitions" (Productivity Press).

⁴⁵ Joseph W. Weiss, "Business Ethics A Stakeholder and Issue Management Approach", *Journal of Physics A: Mathematical and Theoretical*, 2014, vi.

⁴⁶ I Wayan Pertama Yasa, Ni Komang Arini Styawati Styawati, and Ni Made Puspasutari Ujiti, "Legal Protection Against Provisions for Reviewing Products on Social Media", *Journal of Legal Interpretation*, 3.1 (2022), 210–14 <<https://doi.org/10.22225/juinhum.3.1.4747.210-214>>. page 212

- e. Complaints and criticisms must be submitted directly to business partners prior to public evaluation via direct message, email, or by sending a message through the available service contact. The review submitted also serves as an assessment of whether potential customers remain consumers or are limited to potential customers.

Human rights are fully defined in the sense that a person cannot only choose to exercise economic, social, or cultural rights, nor can he choose to exercise civil, political, or other rights. It must be implemented. Violation of one right violates the rights of another.

Answering your question, although giving an opinion is a consumer right that is protected by the Consumer Protection Law, we believe that there are several ethics when providing product or service reviews by consumers, including:⁴⁷

- a. Use reasonable and appropriate language when commenting to avoid conflicts of opinion. Commenting and giving opinions are easier to understand than multiple interpretations.
- b. Give your honest and honest impression. As long as the review is consistent with the facts, it is not defamation of the product or service.
- c. We may attach evidence, such as photos and/or videos (if any), to support the submitted review. It will also be very useful in the future if your review is held accountable by commercial stakeholders or if a dispute arises.
- d. If you attach evidence, such as photos or videos, please be careful with the photos or videos you upload. Clear, at least in terms of light, sound, picture quality, etc.
- e. Please send complaints or criticisms directly to your business contacts, such as direct message, email, or contact Customer Complaints Service

D. CONCLUSION

As the research above, the criteria in review submission include in right consumer to give information as form opinions and complaints submitted by Consumer or Influencer as come in protection law, as well strengthened in provision **Joint Decree Number 229 of 2021, Number 154 of 2021, Number KB/2/VI/2021 concerning Guidelines for the Implementation of Certain Articles in Law Number 11 of 2008 concerning Information and Electronic Transactions (UU ITE)**. That assessment and evaluation no include speech hatred.

⁴⁷ 'Etika Konsumen Saat Memberikan Review Produk Atau Jasa' <<https://www.hukumonline.com/klinik/a/etika-konsumen-saat-memberikan-review-produk-atau-jasa-lt5cf05fbce61c6/>> [accessed 21 October 2022].

Ethics binding businesses so that the existence of limitations in related norms is applicable to law and decency. So that ethics binding business Among perpetrator effort with the submitted review in reach desired goals, namely: Principles autonomy, principle honesty, principle justice, principle each other profitable, Moral Principle

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