

THE LEGAL AWARENESS OF JUVENILES IN ARCHIPELAGIC AREAS USING SOCIAL MEDIA

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THE LEGAL AWARENESS OF JUVENILES IN ARCHIPELAGIC AREAS USING SOCIAL MEDIA

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Abstrak. *This research aims to determine the legal awareness of juveniles in archipelagic areas using social media. This type of research is empirical legal research. The data was collected using a questionnaire and direct interviews. The data obtained in this research were then analyzed descriptively qualitatively with a sociological juridical approach to conclude the research's object. The results show that most of the legal awareness of juveniles in archipelagic areas is still low using social media. In this case, most juveniles do not know (54%) and do not understand (66%) on regulations for using social media. In addition, most behaviors of juveniles have violated (72%) of the regulations for using social media. Therefore, it is recommended for parents, teachers, and law enforcement officers to provide assistance and education to juveniles in using social media. In addition, law enforcement and local government officials can involve the participation of the community to be more intense in conducting legal counseling for juveniles. In this case, juveniles in archipelagic areas will have more legal awareness and comply with laws and regulations in the future.*

Keywords:
*Juvenile;
Legal Awareness;
Social Media.*

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INTRODUCTION

Humans in this era of information systems have received many benefits and conveniences since getting to know the internet. People are connected to communicate, act, work, and think as a consequence of being virtual natives. In a virtual world, humans can perform all tasks effectively and efficiently. The internet use by the community has impacted changes to carry out all activities without any limitations of space and time.¹

The fact proves that using the internet with various conveniences has changed human life. The internet can make it easier for users to carry out all activities, from online games to social and business purposes. In addition, social media connected to the internet makes a narrow space able to be connected beyond the boundaries of

¹Supratman, L. P. (2018). Penggunaan Media Sosial oleh Digital Native. *Jurnal Ilmu Komunikasi*, 15(1), p. 47.

human physical reach. In this case, anyone can use social media anytime and anywhere. Everyone can access information and entertainment from various parts of the world with just one device. In this case, the User enters a keyword in the social media search engine facility, and all the required information will be presented.²

Crowdtap, Ipsos MediaCT, and The Wall Street Journal conducted a study in 2014. The study used 839 respondents aged 16-36 years and found that the average community accesses the internet and social media for a duration of about 6 hours 14 minutes daily. The duration of the use of social media in building social interactions and seeking information is even more than that of people doing direct interactions. The study results indicate that conventional methods are no longer an option for obtaining information because they are very limited in nature.³

Furthermore, Pahrul showed that students using smartphones had implications for changes in their social behavior. For example, these students have high self-confidence, independent behavior, flexible association, self-exaggeration, and high competitiveness. Two factors influence these changes: internal and external factors. The internal factor is the desire and encouragement from within students. While the external factors consist of learning situations, prestige when having a smartphone, and the influence of advertisements scattered in electronic media. The use of smartphones also has an impact on students: positive impacts and negative impacts. The positive impact is that students can access learning materials, communicate efficiently, and increase critical thinking about virtual world phenomena. In contrast, the negative impact is radiation rays that harm eye health, hoax news, and addiction to using smartphones.⁴

Juveniles who consistently access social media will eventually post private activities that others should not know. At the same time, other people can see all activities on social media and are free to comment on these posts. Juveniles who search for an identity that interacts with their peers are considered cool and slang if they exist on social media and are considered outdated if they do not post themselves on social media. However, juveniles must understand that anyone can have an account using a fake identity to commit crimes on social media.⁵

Juveniles dependent on social media must also be supported by knowledge and understanding of the existence of Law of the Republic of Indonesia Number 19 of 2016 on Amendment to Law Number 11 of 2008 on Electronic Information and Transactions (hereinafter referred to as Law No. 19 of 2016). In this case, Law No. 19

²Puspita, R. & Suciati, T. N. (2020). Mobile Phone dan Media Sosial: Penggunaan dan Tantangannya pada Jurnalisme Online Indonesia. *Ekspresi dan Persepsi: Jurnal Ilmu Komunikasi*, 3(2), p. 139.

³Mulawarman, M. & Nurfitri, A. D. (2017). Perilaku Pengguna Media Sosial beserta Implikasinya Ditinjau dari Perspektif Psikologi Sosial Terapan. *Buletin Psikologi*, 25(1), p. 37.

⁴Pahrul, P. (2018). "Dampak Penggunaan Smartphone (Studi Perilaku Sosial Siswa SMA Negeri Kecil Pulau Kulambing Kabupaten Pangkep)". *Thesis*. Univeristas Negeri Makassar, p. 6.

⁵Putri, W. S. R., et al. (2016). Pengaruh Media Sosial terhadap Perilaku Remaja. *Prosiding Penelitian dan Pengabdian kepada Masyarakat*, 3(1), p. 49.

of 2016 is a legal product that limits users to be more selective and wise in interacting and acting on social media. Everyone is required to behave under the law, including adolescents must be based on legal norms in using social media. So, juveniles must understand that the use of social media should not be accessed freely. Therefore, legal awareness is needed for juveniles in using social media.

Legal awareness is a sensitivity that arises from within oneself, without pressure, coercion, or orders from certain parties to comply with the applicable law. Legal awareness broadly consists of positive and negative awareness. Positive legal awareness is in the form of legal compliance. H. C. Kelman classified it into three types, namely:⁶

1. Compliance, namely someone who obeys legal norms because there is a feeling of fear of punishment;
2. Identification, namely someone who obeys legal norms because it simply maintains good relations with other parties;
3. Internalization, namely, someone who obeys legal norms because these legal norms are in harmony with the values that are believed.

Punishment does not need to be applied if the community has awareness and obedience to the law. Punishment is applied if the community has been proven legally to have violated the applicable legal norms. Legal norms contain orders and prohibitions that provide information about actions not under legal norms.⁷

There is a correlation between legal awareness and legal compliance. Someone with legal awareness will tend to obey legal norms because it is part of the internalization of beliefs. So legal compliance departs from legal awareness. In this case, obedience to the law manifests legal awareness. Therefore, legal awareness and legal compliance are always in harmony.⁸

Legal awareness in society must always be built, so people have legal compliance. In this case, both written and unwritten legal norms must grow, develop, and be recognized in society. Friedrich Carl von Savigny termed this condition as *volksgeist* or nation's soul.⁹ Legal awareness is an abstract concept contained in humans. Legal awareness is closely related to community law compliance, law formation, and legal effectiveness.¹⁰

⁶Kelman, H. C. (1958). Compliance, Identification, and Internalization Three Processes of Attitude Change. *Journal of Conflict Resolution*, 2(1), p. 53. See also, Yusuf, M. (2019). Efektivitas Pelaksanaan Hukum Jinayat di Aceh. *Samarah: Jurnal Hukum Keluarga dan Hukum Islam*, 3(1), p. 120.

⁷Rosana, E. (2014). Kepatuhan Hukum sebagai Wujud Kesadaran Hukum Masyarakat. *Jurnal Tapir: Jurnal Teropong Aspirasi Politik Islam*, 10(1), p. 2.

⁸Silviana, A. (2012). Kajian tentang Kesadaran Hukum Masyarakat dalam Melaksanakan Pendaftaran Tanah. *Pandecta: Jurnal Penelitian Ilmu Hukum (Research Law Journal)*, 7(1), pp. 117-118.

⁹Savigny, F. K. v. (1867). *System of the Modern Roman Law* (Vol. 1). Westport, Connecticut: Hyperion Press, Inc., pp. 12-13. See also, Aulia, M. Z. (2020). Friedrich Carl von Savigny tentang Hukum: Hukum sebagai Manifestasi Jiwa Bangsa. *Undang: Jurnal Hukum*, 3(1), p. 232.

¹⁰Dinata, M. R. K. & Syafruddin, S. (2021). Kearifan Lokal dalam Peningkatan Kesadaran Hukum. *Rechtsregel: Jurnal Ilmu Hukum*, 4(2), pp. 154-155.

Based on the introduction description above, this research aims to determine the legal awareness of juveniles in archipelagic areas using social media.

METHOD

This type of research is empirical legal research, namely legal research whose object of study includes the provisions of laws and regulations (*in abstracto*) and their application to legal events (*in concreto*).¹¹ The approach of this research is sociological juridical, that is, legal events result from human interaction. This research was conducted from May to August 2020 on three islands: Salemo Island, Sagara Island, and Sabangko Island in Pangkajene and Islands Regency, South Sulawesi Province. Respondents as a sample in this research were 50 juveniles aged 11 to 22 years. Juvenile respondents were taken from three islands by random sampling technique. At the same time, the informants in the sample in this research were eight juveniles aged 16 to 21 years. Juvenile informants were taken from research respondents with a purposive sampling technique. The types and sources of data used in this research are as follows:

1. Primary Data is data obtained directly from respondents and informants based on sample determination;
2. Secondary Data is data obtained from searching legal literature, including laws and regulations, references, legal scientific journals, legal encyclopedias, and texts or official publications.

The quantitative data collection method uses a questionnaire conducted to the respondents. Meanwhile, direct interviews with research informants carried out qualitative data collection. The data obtained in this research were then analyzed descriptively qualitatively with a sociological juridical approach to conclude the research's object.

RESULTS AND DISCUSSION

Respondents in this study were categorized based on gender, education level, and smartphone ownership. The results of the categorization of respondents can be seen in the table below.

Table 1. Juvenile Respondents by Gender on Three Islands

No.	Gender	Frequency	Percentage
1	Male	33	66%
2	Female	17	34%
Total		50	100%

Source: Primary Data Process, 2020

¹¹Qamar, N. & Rezah, F. S. (2020). *Metode Penelitian Hukum: Doktrinal dan Non-Doktrinal*. Makassar: CV. Social Politic Genius (SIGn), p. 5.

Table 2. Juvenile Respondents by Education on Three Islands

No.	Education	Frequency	Percentage
1	Finished Elementary School	11	22%
2	Finished Junior High School	18	36%
3	Finished Senior High School	21	42%
Total		50	100%

Source: Primary Data Process, 2020

Table 3. Juvenile Respondents by Smartphone Ownership on Three Islands

No.	Smartphone	Frequency	Percentage
1	Own	50	100%
2	Do Not Own	0	0%
Total		50	100%

Source: Primary Data Process, 2020

From the data above, it can be seen that all juvenile respondents on three islands in Pangkajene and Islands Regency own a smartphone. In addition, the juvenile uses a smartphone to access social media: Facebook, WhatsApp, and Instagram. Regarding juvenile legal awareness, Soekanto categorizes that legal awareness consists of four components: knowledge, understanding, attitudes, and behavior towards the existence of laws and regulations.¹²

A. Juvenile Legal Knowledge

Knowledge is a process of human results using the five senses of a particular object.¹³ However, most human knowledge is obtained through the senses of sight and hearing.¹⁴ On the other hand, every citizen's knowledge will always be related to legal actions as regulated in-laws and regulations.¹⁵ Therefore, every citizen must increase their legal knowledge so that there is an increase in legal awareness for the wider community.¹⁶ The following questionnaire results related to juvenile legal knowledge on regulations in using social media can be seen in the table below.

¹²Soekanto, S. (1977). Kesadaran Hukum dan Kepatuhan Hukum. *Jurnal Hukum & Pembangunan*, 7(6), p. 462.

¹³Dwisvimiari, I. (2011). Keadilan dalam Perspektif Filsafat Ilmu Hukum. *Jurnal Dinamika Hukum*, 11(3), p. 526.

¹⁴Abrori, A. (2014). *Di Simpang Jalan Aborsi: Sebuah Studi Kasus terhadap Remaja yang Mengalami Kehamilan Tak Diinginkan*. Semarang: Gigh Pustaka Mandiri, p. 38.

¹⁵Rosana, E. (2014). *Op. Cit.*, p. 7.

¹⁶Pradoto, W. S., et al. (2020). Penyebarluaskan Pengetahuan Hukum untuk Meningkatkan Kesadaran Hukum Masyarakat. *Adi Widya: Jurnal Pengabdian Masyarakat*, 4(2), p. 152.

Table 4. Juvenile Legal Knowledge in Using Social Media

No.	Indicator	Frequency	Percentage
1	Know	16	32%
2	Less Know	7	14%
3	Do Not Know	27	54%
Total		50	100%

Source: Primary Data Process, 2020

The table above shows that most (54%) juveniles in archipelagic areas do not know on regulations for using social media. Ahmad says, *"I use social media every day, but I do not know if there are regulations regarding the use of social media."*¹⁷ Megawati shared the same opinion: *"I do not know the rules regarding the wise use of social media and I have never read the EIT Law."*¹⁸

While Firdawati says, *"Yes, I have heard of the EIT Law but have never read the rules governing the use of social media."*¹⁹ Rizal shared the same opinion: *"I do not know, have never read, and only heard that there is an EIT Law. So I do not understand what the rules are."*²⁰

Based on the interviews with the informants above, it can be seen that the juveniles do not know what norms regulate the use of social media. In this case, the provisions in Law No. 19 of 2016.

In contrast, several informants know some of the provisions in Law No. 19 of 2016. Nurlina says, *"Yes, I once read EIT Law when there was an assignment from the teacher, but I did not understand the content, I just read it."*²¹ Muhammad Fitrah shared the same opinion:²²

"I know there is an EIT Law that discusses the internet, but I don't know the articles in it. I once read in the news that someone was reported to the police for writing a status on Facebook that vilified someone."

Even though the informant above is unaware of the provisions governing the use of social media, it does not mean that juveniles cannot be prosecuted. In this case, juveniles commit unlawful acts on social media because they do not know the legal provisions. For example, bullying, defamation, hate speech, and other unlawful acts on social media. The legal process continues because there is a legal principle that forms the basis that if law and regulation have been included in the state gazette, everyone is considered *mutatis mutandis* judged to know already. In addition, the stipulation of laws and regulations does not care whether the public

¹⁷Results of Interview with Ahmad. 16 Year Old Juvenile at Salemo Island. On June 19, 2020.

¹⁸Results of Interview with Megawati. 20 Year Old Juvenile at Salemo Island. On June 19, 2020.

¹⁹Results of Interview with Firdawati. 19 Year Old Juvenile at Salemo Island. On June 19, 2020.

²⁰Results of Interview with Rizal. 20 Year Old Juvenile at Sabangko Island. On June 20, 2020.

²¹Results of Interview with Nurlina. 19 Year Old Juvenile at Sabangko Island. On June 20, 2020.

²²Results of Interview with Muhammad Fitrah. 19 Year Old Juvenile at Salemo Island. On June 19, 2020.

can access it or not, nor does it even care whether the community accepts or does not accept the implementation of the regulation.²³ Therefore, legal knowledge is the first element of the lowest legal awareness. In this case, at a minimum, the public only knows the existence of Law No. 19 of 2016.

B. Juvenile Legal Understanding

The second element of legal awareness is legal understanding. With the legal understanding possessed by citizens, the public is expected to understand the intent and purpose of laws and regulations. In addition, laws and regulations can benefit every person or business entity. Polya stated that legal understanding is divided into four stages, including:²⁴

1. Mechanical understanding is where a person can remember and apply something routinely or with simple calculations;
2. Inductive understanding is where a person can try something out in various simple cases and know about something that applies to other cases of the same;
3. Rational understanding is where a person can prove the truth of something;
4. Intuitive understanding is where a person can predict the truth without hesitation or based on belief.

Legal understanding becomes essential for someone who only knows but does not understand it. So that in the end, there will be misunderstandings that result in laws and regulations not being implemented properly. Therefore, every citizen must have a legal understanding to implement the law. The following questionnaire results related to juvenile legal understanding of regulations in using social media can be seen in the table below.

Table 5. Juvenile Legal Understanding in Using Social Media

No.	Indicator	Frequency	Percentage
1	Understand	4	8%
2	Less Understand	13	26%
3	Do Not Understand	33	66%
Total		50	100%

Source: Primary Data Process, 2020

The table above shows that most (66%) juveniles in archipelagic areas do not understand regulations for using social media. Muh. Nasir says that:²⁵

²³B., A. M. H. S. (2017). Mengkritisi Pemberlakuan Teori Fiksi Hukum. *Jurnal Penelitian Hukum de Jure*, 16(3), p. 251.

²⁴Vide, Wulan, E. R. & Anggraini, R. E. (2019). Gaya Kognitif Field-Dependent dan Field-Independent sebagai Jendela Profil Pemecahan Masalah Polya dari Siswa SMP. *JEELS (Journal of English Education and Linguistics Studies)*, 1(2), p. 125.

²⁵Results of Interview with Muh. Nasir. 19 Year Old Juvenile at Sagara Island. On June 21, 2020.

"There are several articles that I have read on the internet regarding the threat of punishment for someone to defamation or hate speech on social media. I understand the punishment because I have been looking for articles to complete the tasks given by the teacher."

Dahlia shared the same opinion:²⁶

"I often read on the internet that some have been processed by the Police and sentenced to prison for committing hate speech and committing defamation on social media. After that, I searched and studied the Articles used by the Police or Judges."

Based on the interviews with the informants above, it can be understood that the juveniles already have legal awareness. Soekanto stated that every citizen with knowledge and understanding of legal norms had found the essence of the law.²⁷ In this case, citizens can distinguish between right and wrong actions in society.

C. Juvenile Legal Attitude

The third element of legal awareness is legal attitude. With the legal attitude possessed by citizens, it is expected that the public will be able to show acceptance or rejection of legal norms that have been stipulated as laws and regulations. In this case, as a response to providing rewards or punishments for legal products that are beneficial or not to human life.²⁸ The following questionnaire results related to juvenile legal attitudes on regulations in using social media can be seen in the table below.

Table 6. Juvenile Legal Attitude in Using Social Media

No.	Indicator	Frequency	Percentage
1	Accept	34	68%
2	Neutral	12	24%
3	Reject	4	8%
Total		50	100%

Source: Primary Data Process, 2020

The table above shows that most (68%) attitudes of juveniles in archipelagic areas accept the existence of regulations for using social media. Muhammad Fitrah says that:²⁹

"I agree there are rules regarding the use of social media, so that someone is more alert and careful when writing something on social media."

Dahlia shared the same opinion:³⁰

²⁶Results of Interview with Dahlia. 21 Year Old Juvenile at Sagara Island. On June 21, 2020.

²⁷Soekanto, S. & Abdullah, M. (1982). *Kesadaran Hukum dan Kepatuhan Hukum*. Jakarta: Rajawali Press, p. 182.

²⁸Rosana, E. (2014). *Loc. Cit.*

²⁹Results of Interview with Muhammad Fitrah. 19 Year Old Juvenile at Salemo Island. On June 19, 2020.

³⁰Results of Interview with Dahlia. 21 Year Old Juvenile at Sagara Island. On June 21, 2020.

"I agree that the perpetrators who commit insults on social media will be prosecuted so that they have a deterrent effect on the perpetrators."

Based on table 6 and interviews with the informants above, it can be understood that the juveniles already have legal awareness. In this case, the attitudes of juveniles in archipelagic areas agree with the provision of punishment for criminals who use social media. The legal attitude is the harmony between the existence of rules and the values believed by the juveniles. Therefore, juveniles appreciate the provisions on the use of social media as regulated in Law No. 19 of 2016.

D. Juvenile Legal Behavior

The fourth element of legal awareness is behavior which determines the validity of the law in society.³¹ With the legal behavior possessed by citizens, it is expected that the public will enforce justice and the benefits of the law in the activities of the nation and state.³² The following questionnaire results related to juvenile legal behavior on regulations in using social media can be seen in the table below.

Table 7. Juvenile Legal Behavior in Using Social Media

No.	Indicator	Frequency	Percentage
1	Violate	36	72%
2	Not Violate	11	22%
3	No Answer	3	6%
Total		50	100%

Source: Primary Data Process, 2020

The table above shows that most (72%) behaviors of juveniles in archipelagic areas have violated the regulations for using social media. Ahmad said, *"I once made a status to bully my friend on Facebook, so the next day he was angry at school."*³³ Dahlia shared the same opinion: *"I have posted mocking pictures to certain groups and I did not know that it should not be done."*³⁴ Furthermore, Rizal shared the same opinion: *"I once posted pornographic pictures on WhatsApp, but I was scolded, so I deleted the pictures."*³⁵

Based on table 7 and interviews with the informants above, it can be understood that most juveniles have committed acts contrary to Law No. 19 of 2016. Theoretically, someone with legal awareness has behaved and complied with laws and regulations. Soekanto stated that the applicability of a legal norm in society is seen from the community's compliance with laws and regulations.³⁶

³¹Silviana, A. (2012). *Op. Cit.*, p. 118.

³²Isnawan, F. (2021). Kesadaran dan Ketaatan Hukum Masyarakat untuk Memakai Masker Selama Pandemi Covid-19. *Jurnal Bedah Hukum*, 5(1), p. 38.

³³Results of Interview with Ahmad. 16 Year Old Juvenile at Salemo Island. On June 19, 2020.

³⁴Results of Interview with Dahlia. 21 Year Old Juvenile at Sagara Island. On June 21, 2020.

³⁵Results of Interview with Rizal. 20 Year Old Juvenile at Sabangko Island. On June 20, 2020.

³⁶Soekanto, S. (1977). *Loc. Cit.*

CONCLUSIONS AND SUGGESTIONS

Based on the results and discussion above, it can be concluded that most of the legal awareness of juveniles in archipelagic areas is still low using social media. In this case, most juveniles do not know (54%) and do not understand (66%) on regulations for using social media. In addition, most behaviors of juveniles have violated (72%) of the regulations for using social media. Based on the description of these conclusions, it is recommended for parents, teachers, and law enforcement officers to provide assistance and education to juveniles in using social media. In addition, law enforcement and local government officials can involve the participation of the community to be more intense in conducting legal counseling for juveniles. In this case, juveniles in archipelagic areas will have more legal awareness and comply with laws and regulations in the future.

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