

The Making of Hoax in the Perspective of Malay Customary Law in Riau

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Abstract—Globalization and the development of science and technology, especially information and communication technology, have contributed to the increasing production and dissemination of information that contains elements of public deception or known as hoaxes. This type of research is normative research. The result of this research is that the cultural system that most influences the life of the Malays is religion and customs. In the terminology of customary, customary which are actually customary and a way of life for Malay people is Quran, hadith and fiqh. The advice in the religion of Islam is that we do not expose our brother's disgrace and slander against slander. So this should be a reference for Malay people in facing technological and information developments in order to prevent the emergence of hoax news. In conclusion, Malay customary law should be able to become a fortress for Malay people to face the digital era that is influenced by technological developments.

Keywords: *hoaxes, information technology, customary law*

I. INTRODUCTION

The Republic of Indonesia is a state based on Article 1 paragraph (3) of the 1945 Constitution. The State Ideology, namely Pancasila, becomes the spirit of the Indonesian people to uphold the moral values, ethics, noble character, and noble personality of the nation, respect diversity in the life of society, nation and state, and protecting the dignity and dignity of every Indonesian citizen.

The People's Consultative Assembly of the Republic of Indonesia has signaled through the Decree of the Republic of Indonesia Republic of Indonesia Number VI / MPR / 2001 concerning the Ethics of National Life regarding a serious threat to national unity and integrity and setbacks in the ethical behavior patterns of national life. The phenomenon that occurs at this time is the emergence of national moral degradation that threatens national disintegration, and the fading spirit of diversity. This threat is certainly a polemic for the multicultural Unity of the Republic of Indonesia and with different national races. This issue is also influenced by the development of globalization currents and technological sciences that enter into various aspects of Indonesian people's social life.

Globalization and the development of science and technology, especially information and communication

technology, have contributed to the increasing creation, dissemination and public deception or known as hoaxes. Information released through electronic documents will certainly be read by many people. Such information will be able to influence feelings and thoughts or even the actions of a person or group. Hoax information is usually provocative in that it tries to lead the reader to think and act negatively, usually in the form of libel, hate speech that can make people become afraid, feel threatened and can harm certain parties. The party will feel a big loss both in reputation and materially.

The types of hoax information, namely [1]:

- Fake news,
- Click bait,
- Confirmation bias,
- Misinformation,
- Satire,
- Post-truth, and
- Propaganda.

The impact of hoax news is to construct a public understanding of something in people's lives. Based on data from the Ministry of Communication and Information, there are around 800,000 sites in Indonesia that have been indicated as spreading false information, and around 1,731 hoaxes from August 2018 to April 2019. The subject of rumor formation is becoming of a strategic importance at all levels of society. The control and possible handling to manipulate information are now major issues in social organizations including economy, politics, defense, fashion, and even personal affairs [2].

Public knowledge is still minimal, it is very easy to draw opinions through hoax news. The main factor that causes this false information to spread easily in Indonesia is the character of Indonesian people who are considered not accustomed to having a healthy opinion or democracy. The Global threats can divide the unity and integrity of Indonesia, one of them with the rise of hoax or fake news issues, is often news that contains slanderous and hoax news that is widespread through social media mediation. Each individual or group can easily spread

untrue news, and the recipient of the news is often also considered uncritical in digesting the news whether the news is true or not [3].

The study of hoaxes was conducted by Muhammad Adli and Sulaiman, with the title hoax handling based on Aceh's customary law. The handling and handling of hoaxes is carried out by the mechanism of customary law and uses customary sanctions and is tried by functionaries of customary institutions [4]. There is no customary justice mechanism that takes place outside the formal customary institutions. An Acehnese legal person who distributes hoax is provided with sanctions, the type of determination of whether the hoax are serious or not.

This research will discuss about the act of hoax in the perspective of Malay traditional law Riau. The purpose of this study is to describe the customary norms of Malay that can be used as guidelines and become a teaching point for Riau people to avoid hoaxes in the face of information technology development.

II. RESEARCH METHODS

The research conducted through the research method of normative legal research. Data collected by library of the research object as well as literature data. Secondary data such as documented law and regulations and other supporting data collected from various sources of concerns. This study is a qualitative study expressed in descriptive sentences that describe the scientific data collected by the researcher by library research.

III. RESULTS AND DISCUSSION

Malay people initially liked to live simply by relying on nature and creating limited technology. Good Malay people always humble themselves and do not show themselves, do not want to force his will if his will is contrary to the will of others. Always modest and willing to compromise. Religion and tradition are cultures that make up Malay. Culture is closely intertwined with a nation's value system. Decency and value systems determine the results of literature. Manners are strongly influenced by Islam.

If a nation starts to move from magical values toward technological and economic values, then it will be able to provide high economic levels and settle on a nation, including the Malay nation. Studies of orientation and values that grow naturally hit the Malay world, even though religious and customary values are contextual values. However, Malay intellectuals began to move to universal values, namely to the value of science. Malay people began to fulfill the center of nationalization in traditional life which carried trans dental values that grew from above.

Contextual literature that is easily absorbed by society is a dry value for universal literature, even though it is understood by intellectuals that universal literature grows as a reflection of dialectical philosophy. This problem is realized by Malay intellectuals that provisions should be given to Malay as a land of rationalization and science in the Malay world which is full of ethics and aesthetics. In line with this focus on championing Malay rights and privilege [5].

The development of information technology also contributed to changing the pattern of personality behavior of the Malay nation. Technological culture has positive and negative impacts. Malay people must be wise and prudent in dealing with the development of technological science, lest these developments actually plunge into bad things.

Malay people should be aware and see the development of the world around them, so they will not be immersed in static traditional life. Malay people as an Indonesian nation must rise up and participate in the pursuit of the progress achieved by other nations, but the progress being pursued must not deprive Malay people of their identity. Malay people must contribute positively and constructively in the era of development and technological development.

The provocative nature of hoax culture must be examined first, do not be lulled in the use of information media from technological advances. The problem of hoaxes is a matter of self-esteem. Self-esteem is a milestone that always wants to be upheld, so that everyone is self-aware and self-aware. Malay people must be really careful in responding to every social change in their culture.

A. Religious and Malay Customs

Cultural systems that most affect the lives of the Malays is the religion and customs. Religion is a source of Malay customs. The framework of manners and manners in the society is the norm of Islam which has become the norm. There are various restrictions, prohibitions and things that are considered "indecent". Violations in this regard constitute a major disgrace and are considered un civilized. Riau Malay Customary is to maintain the harmony of morality and manners with honesty, as the strength of the writing.

There are several types of objectionable, i.e., blindfolded, demeaning, and generally called "bad". Malay community attach great importance to ethics in the association. Efforts to prevent the culture hoax by indigenous Malays of Riau, can be seen from the couplets of twelve chapter 5: "If you want to know the people of the nation, look to the wisdom and Language" does that, a good language to be used in the life of the nation, in order not to create disintegration. Other expressions from Tenas Effendy [6]:

- *Hidup sekandang sehalaman* (Living in a cage all night).
- *Tidak boleh tengking menengking* (No shrill whelp).
- *Tidak boleh tindih menindih* (Cannot overlap).
- *Tidak boleh dendam kesumat* (No grudge can be grudging).
- *Pantang membuka aib orang* (Unyielding people's disgrace).
- *Pantang merobek baju dibadan* (Never tear a shirt in the body).
- *Pantang menepuk air di dulang* (Never patted the water on the pan).

- *Hilang budi karena Bahasa* (Loss of mind because of language).
- *Habis daulat karena kuasa* (Sold out by virtue of power).
- *Pedas lada hingga ke mulut* (Spicy pepper to the mouth).
- *Pedas kata mejemput maut* (Spicy words say death).
- *Bisa ular pada taringnya* (Snake poison on the fangs).
- *Bisa lebah pada sengatnya* (Bee poison on the sting).
- *Bisa manusia pada mulutnya* (Humans poison in his mouth).
- *Bisa racun boleh diobat* (Poison can be treated).
- *Bisa mulut nyawa padannya* (Mouth poison could be a solid word).

One expression of the demands of social life would be limiting the Malay community in daily life. The phrase above is a claim which requires the Malays to be more careful in the words. For information that is not certain of its truth or that causes harm to the person, it should not be published.

Islam is a major influence in the Malay culture when compared with customs. In the terminology of custom, tradition and custom that real life is holding the Malays are the Qur'an, hadith and fiqh. The principle in Islam is that we should not disgrace our brothers and sisters, but rather encourage them to cover up our brotherhood. In addition, in Islam it prohibits slanderous slander. So this should be a reference for people wilt in the face of developments in technology and information in order to prevent the emergence of hoax news.

B. Malay Literature

Malay literature is a foundation. Old Malay literature is regional literature which records all aspects of Malay life, both physical and spiritual, in various forms. The literature develops in accordance with the development of its supporters from the simplest level through oral form. Affections that describe the value of Malay existence and describe aesthetics are expressive repositories. One form of communication in Malay society is meta-communication, which is communication that does not use words, but by deeds. Example: sulking.

Efforts to prevent hoax culture based on Malay literature, can be seen from the advice taught to us is "Silence is gold". So that the news hoax, it should not be disseminated if we do not know clearly the origin of the news.

C. Malay Personality

Malay culture focuses on weighing as a supra-system and the focus of socialization in customs is to maintain harmony, while the principle of reality is the moral teachings of religion and manners to maintain honesty derived from religious teachings.

The personality of the Malays if examined psychoanalysis then the cultural problem is a super ego. In addition, culture has a social role in shaping the personality of Malays. There are 3 elements of personality [7]:

- The element id, which is the outward form. Human nature is the same as animals, which do not have consideration of time, place, or logic.
- The element of ego, which is the integration of one's personality.
- Super ego, namely social and cultural norms.

Efforts to prevent hoax culture based on Malay personality can be seen from the message conveyed by Tenas Effendy, namely [8]:

- *Bila kebenaran tiada dijaga* (If the truth is not guarded).
- *Hilanglah adat terbuang lembaga* (Disappeared custom wasted institutions).
- *Aib dan malu sudah taka da* (Disgrace and shame are already not available).
- *Sesame saudara laga melaga* (Fellow brothers fight match).
- *Akhirnya hidup dalam celaka* (Finally living in wretch).

In Malay people, there is an attitude of "sulking" and "running amok". According to M. Daud Kadir, these two patterns of behavior are "self-defense" forms of behavior. To avoid feeling offended because of incompatibility with others. When the social interaction that occurs turns out to make his name tarnished or dropping his pride, then a Malay will answer it by doing "amok". Events that can cause a Malay to run amok for example are the pollution of his daughter, his wife is taken away by someone, his wife is oblique or his relatives are insulted by someone. The social shame caused by these things is generally not easily eliminated in a short time [9].

Malay culture, Malay customs and Malay customary law, of course, must be able to be a protective device or filter against hoaxes that can cause slander or provoke, spread untrue news and cause disintegration of the nation in Indonesia. Customary law is a rule of human habits in community life which basically starts from values that grow, develop, and accepted by the community [10]. Ethics of Malay people has given shares in the association of the nation, so the development of information technology should be done several ways, namely:

- Live and disseminate expressions, proverbs, and so on which contain manners through print, mass media and other social media;
- Translating and disseminating proverbs, expressions and manuscripts that contain teachings;
- Write a textbook that teaches manners with a frame of reference philosophy and values contained in the proverbs, expressions, rhymes, and so on starting from the basic level.

Through the methods above, it is hoped that it can help prevent the occurrence of hoax culture in the Indonesian nation's environment, especially Malay people.

IV. CONCLUSION

Malay customary law contributes to the formation of national cultural character, especially Malay people. Malay customary law which is based on Islamic teachings contributes to courtesy in community relations. With regard to hoax activities, it is certainly one of the actions that is not appropriate to be carried out in daily interactions, because the impact is very large on the disintegration of the nation. So that Malay traditional law norms that are born from expressions that have a lot of messages and point out teaching for Malay people, should really be maintained and used as guidelines in daily life. Malay customary law must be able to become a fortress for Malay people to face the digital era that is influenced by technological developments.

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