



---

**OPPORTUNITY OR RISK? VILLAGE GOVERNMENT AND  
THE REALITY OF HANDLING INSULT CASES ON SOCIAL  
MEDIA: EVIDENCE FROM MAJASUKA VILLAGE  
GOVERNMENT, PALASAH DISTRICT,  
MAJALENGKA REGENCY**

**Taufik Hidayat<sup>1\*</sup>, Cory Vidiati<sup>2</sup>**

<sup>1,2</sup>Universitas Islam Bunga Bangsa Cirebon

Email : <sup>1</sup>dhanesa1703@gmail.com, <sup>2</sup>coryvidiati@bungabangsairebon.ac.id

---

Received: 2023-12-05 ; Accepted: 2024-01-11 ; Published: 2024-02-29

---

**Abstract**

This paper discusses the complexity of the village government in overcoming the problem of insults and defamation through social media committed by its citizens. Social media is now accessible to the wider community, so anyone can access social media. However, with the ease of accessing social media, there are positive sides and not a few negative sides, so that there are often events of unlawful acts, one of which is defamation through social media. By using a non-doctrinal approach, empirical qualitative design, primary data is collected through surveys, observations and interviews with parties related to the research and secondary data obtained from literature studies related to the problems in this paper. The research findings that the need for legal skills or the existence of village officials based on law and police scholars directs the village government away from being able to resolve citizen problems in family deliberations or with restorative justice, by resolving disputes outside the court. The direct implication is a challenge for village government officials.

**Keywords:** Defamation through social media, village government challenges, restorative justice

---



Copyright © 2024 Authors

This work is licensed under a Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International License

## INTRODUCTION

Social media is an easy-to-use Internet-based platform that allows users to create and disseminate a variety of informational content, opinions and interests in various contexts (informative, educational, satirical, critical, etc.) to a wide audience (Yusniah, Putri, & Simatupang, 2022). The use of communication technology via social media has become a basic need that cannot be avoided, especially in the business world, such as buying and selling via social media. Social media makes buying and selling easy and can be accessed by various groups, but sometimes quite a few negative things emerge in the use of social media. These negative things can be in the form of fraud, defamation and even insults which will cause disagreements between social media users.

Disputes of understanding often occur wherever we are, this can be said to be normal, because in living as neighbors in a village, noble deeds will be discussed, let alone disgraceful acts, so that we as human beings who live next door can minimize these disgraceful acts so that we can live next door to each other. safer, more comfortable and peaceful. Islam also regulates neighborly life in the Al-Quran AN-Nisa 36 to always do good to neighbors. However, in reality, living as neighbors is prone to friction, not only in the real world but also often happens on social media. When they meet face to face, they don't dare to convey it, but instead convey it via social media. Even though the law regulates every human action from the moment the mother is in the womb until the person dies, we as social creatures still more or less commit these violations.

It has been confirmed in the law through the Criminal Code (KUHP, 2023) Article 310 Paragraph (1), even if insults and/or defamation are made through social media, the law has become a Specialist Lex in Article 45 Paragraph (3) (UU ITE, 2016) contains clarity, the one who carries out investigations in cases is the Republic of Indonesia Police, but in this case the Police explain that when there is a problem that is considered "minor" in other words a dispute between neighbors or can be resolved at the village government level then complete it first at the Village level. This happens because the National Police also sort and select criminal cases that can have a long impact and create conflict in the public, even if the problem has entered the realm of the Police, then the initial stages will be the same, namely resolved through deliberation first or in other words in the form of Restorative Justice (Settlement of Cases Outside of Court).

The complex dynamics faced by village governments in managing new challenges that have emerged in the era of social media (Tufekci, 2014), one of which is the phenomenon of insults and defamation through digital platforms (Dewanto & Wahyudi, 2023) has become an increasingly urgent and necessary issue. village government to adapt to these changes (Astutiningrum &

Kurniawan, 2018). With the rapid spread of the Internet in rural areas, social media has become the most important channel of communication and interaction. However, an active presence on social media also carries significant risks (Priatama, Onitsuka, Rustiadi, & Hoshino, 2019), especially when it comes to insults and defamation. Villages previously isolated from the digital world must now face its impacts directly ('Complex World of Online Defamation and Harassment Laws', 2023). Village governments, as local institutions responsible for the welfare of their communities, face increasingly complex challenges in dealing with these incidents. This not only protects the reputation of individuals and organizations, but also aspects of law, security and order at the local level. The existence of social media provides new opportunities for village communities to participate in digital public spaces (Darmawan, Fardiah, & Rinawati, 2020). However, on the other hand, social media also opens up new risks, where the spread of incorrect information, slander and insults can quickly damage the image and credibility of individuals and village governments (Muhammed T & Mathew, 2022).

The events that occur can be material for consideration and homework for the village government, because the village government will be a negotiator as a mediator and must get positive results, reconciling relations between neighbors so that friction does not occur again. However, if disputes over social media between residents cannot be resolved amicably, the case will be continued with the police. The impact of this report is that the village government is deemed unable to resolve the problems that exist in its village area. In order to prevent this from happening, the village government must continue to coordinate with all local leaders and the police.

## **METHOD**

Empirical qualitative design is carried out by collecting data through interviews, surveys and direct observation of events that occur. Secondary data was obtained by means of literature study in the form of laws, books, magazines, other relevant articles. This paper uses a non-doctrinal approach that analyzes directly the subject and object of the law itself.

In research conducted in Majasuka Village, Palasah District, Majalengka Regency, the author directly conducted research when there were legal problems that occurred. Before conducting this research, the author looked for the truth of the data, assisted by the local village government to obtain data and information regarding existing problems, so that when the data has been collected, the author is involved directly when a problem occurs until the problem is resolved.

## RESULTS AND DISCUSSION

### Scope of Village Government for its Citizens

Article 1 Paragraph (3) (UU Concerning Villages, 2014) states that in the government system of the Unitary State of the Republic of Indonesia, the village government carries out government affairs and the interests of the local community. Therefore, in this village government there is leadership who is usually called the village head, assisted by several village officials. Village officials tasked with guarding, maintaining security and public order (Harkamtibmas); fostering peace and order; and community protection is led by a person, namely the Head of the government section as stated in Article 9 paragraph (2) (Regional Regulation on the Organizational Structure and Work Procedures of Village Governments in Majalengka Regency, 2020). Including if there is a problem, be it a small problem to a big problem and concerns the community, the village government is obliged to accompany and at least provide input and suggestions to the community in need.

### Scope of Insults and/or Defamation

Criminal acts of insult and/or defamation often occur in neighboring human activities, meaning that these acts are very easy to find in the surrounding community. Sometimes problems arise from problems that are said to be not that big which can ultimately cause big problems. It is explained in Article 310 (Criminal Code, 2023), that the perpetrator or suspect cannot be detained directly by investigators because the threat of a sentence is less than 5 (five) years and does not qualify as an exception, however there is an article that ensnares the perpetrator of this insult more seriously if it is carried out via social media as stated as stated in Article 45 Paragraph (3) (ITE Law, 2016) every person who distributes and/or transmits and/or makes accessible electronic information and/or electronic documents which contain insulting and/or defamatory content as intended in Article 27 paragraph (3) (ITE Law, 2016) is punishable by a maximum imprisonment of 4 (four) years and/or a maximum fine of IDR 750,000,000.00 (seven hundred and fifty million rupiah).

The criminal act of defamation leads to an attack on another person's good name, in the form of words, expressions, or media that can lower the self-esteem or dignity of the defamed party (Puspitasari, 2017), or blaming someone for doing something and spreading it to society wide. False words, slander, defamation, ridicule, and insults are examples of reputational damage. The element of intent, the element of attacking honor and good name, as well as the element of appearing in public, all contribute to the criminal act of defamation. If the ITE Law regulates in Article 27 paragraph 3 that distributing, transmitting,

and/or providing electronic information and/or electronic documents that contain insulting and/or defamatory content. Harassing or violating someone's reputation by false statements, slander, defamation, ridicule, and insults. The offense of defamation has three elements, namely: intentional, attacking honor and good name, and in public. And Article 27 paragraph 3 of the ITE Law states that distributing and/or transmitting and/or providing electronic information and/or electronic documents that contain insults and/or defamation.

### **Village Government Challenges in Handling Insults and Defamation between Neighbors Through Social Media**

Problems in the community environment are not far from harmony between neighbors, because problems that arise in neighboring environments will continue to exist as time goes by. The dynamics of problems not only arise from ourselves, but sometimes there is social jealousy, slander, and so on. Meanwhile, insults between neighbors often occur as a result of problems that can be said to be not too big, which can then have a big impact, resulting in verbal arguments between neighbors, so that other families join in antagonizing each other.

Referring to the article in the Criminal Code mentioned above, it is only a light crime, in another quote, a light crime is a crime of imprisonment or imprisonment for a maximum of three months and/or a fine of up to IDR 7,500 (seven thousand five hundred rupiah). ) and light insults, except for certain violations of the Highway Traffic Law, violations as regulated in articles of the Criminal Code, and other laws and regulations (Simanjuntak, 1998). However, when this is done via social media, the consequences can be even more serious because it has been included in a separate law that regulates ITE, and even when it has spread to social media, more and more people are aware of the problems that exist among those in legal conflict.

The role of the village government which is needed when finding conditions like this is very important because to unite neighbors and even some families have conflicts, this is because the Police themselves emphasize that problems like this should be handled by the environment itself, because if it is brought to the legal realm later If deliberation occurs, in the end there will be a settlement outside of court (Restorative Justice) (Muhaimin, 2019).

Problem dynamics were found in Majasuka Village, Palasah District, Majalengka Regency. Observations are carried out starting from looking at the situation and conditions of how the incident first occurred and then trying to approach the legal subject of the incident. The author found that the perpetrator

insulted and/or defamed his neighbor by attacking their good name in the form of words, sentences and media that attacked their honor and could lower the self-esteem and dignity of the party whose reputation was defamed through social media, so that the victim felt like The victim of this incident, assisted by other neighbors, asked for help from the Village Government to immediately resolve this problem so that it does not happen again.

Based on the description of the incident above, the Village Government plays a very important role in handling conflicts between neighbors so as to create a safe, peaceful, serene, comfortable and conducive society, which then in legal issues that exist in the work area of the village government cannot be separated from monitoring by the authorities, namely Even though the problem is relatively minor, the police have the right to carry out investigations, it is still the institution, in this case the National Police, then the participation of the village government must be accompanied by knowledge in its field, in this case, namely legal knowledge so that when there are legal problems that arise from the community, there are few Many Village Governments are already able to know which priorities will be taken to deal with existing legal problems. The author suggests that Village Government officials in the field of Maintaining Security and Public Order have a Bachelor of Law degree.

## CONCLUSION

Acts in the form of criminal acts of insult and/or defamation have become a fundamental problem because from these problems there will be several other legal conflicts so that they are not justified by law, even though in the Criminal Code it is a light crime, it is still an unlawful act, especially Moreover, if the act is carried out using media or other means, namely social media, the threat of punishment will be even more severe.

However, criminal acts of insult and/or defamation in the community between neighbors are better resolved through amicable deliberation in order to produce harmony between neighbors. This can be done by a mediator from the Village Government so that they can mediate the incident. The challenge that arises from this incident is for the village government to be wiser in solving problems, of course it must be accompanied by knowledge in the field, in this case understanding more or less the knowledge of law because problems that arise among the community will continue to come and go.

## REFERENCES

- Astutiningrum, D., & Kurniawan, T. (2018). Village Governments Must Adapt to Changes in Social Media Where Citizens Dispute Through Social Media – Google Search.
- Complex World of Online Defamation and Harassment Laws. (2023). Retrieved 21 November 2023, from <https://lawdit.co.uk/readingroom/online-defamation-and-harassment-laws>
- Darmawan, F., Fardiah, D., & Rinawati, R. (2020). Utilization of Social Media in Developing Community-Based Internet on Village. Proceedings of the 2nd Social and Humaniora Research Symposium (SoRes 2019). Presented at the 2nd Social and Humaniora Research Symposium (SoRes 2019), Bandung, Indonesia. Bandung, Indonesia: Atlantis Press. <https://doi.org/10.2991/assehr.k.200225.058>
- Dewanto, H., & Wahyudi, S. (2023). Defamation Through Social Media as a Cyber Crime. *KnE Social Sciences*. <https://doi.org/10.18502/kss.v8i3.12854>
- Muhaimin, M. (2019). Restoratif Justice dalam Penyelesaian Tindak Pidana Ringan. *Jurnal Penelitian Hukum De Jure*, 19(2), 185. <https://doi.org/10.30641/dejure.2019.v19.185-206>
- Muhammed T, S., & Mathew, S. K. (2022). The Disaster of Misinformation: A Review of Research in Social Media. *International Journal of Data Science and Analytics*, 13(4), 271–285. <https://doi.org/10.1007/s41060-022-00311>
- Peraturan Bupati Majalengka Nomor 104 Tahun 2020 Tentang Susunan Organisasi dan Tata Kerja Pemerintah Desa di Kabupaten Majalengka. (2020). Retrieved from <https://peraturan.infoasn.id/peraturan-bupati-majalengka-nomor-104-tahun-2020/>
- Priatama, R., Onitsuka, K., Rustiadi, E., & Hoshino, S. (2019). Social Interaction of Indonesian Rural Youths in the Internet Age. *Sustainability*, 12(1), 115. <https://doi.org/10.3390/su12010115>
- Puspitasari, R. (2017). Judicial Review of Criminal Defamation According to the Law of Electronic Information and Transaction: A Case Study of Flourence Saulina Sihombing. *Yustisia Jurnal Hukum*, 6(3), 637. <https://doi.org/10.20961/yustisia.v6i3.17074>
- Simanjuntak, T. (1998). Penerapan KNIAP Dalam Proses Penyidikan Tindak Pidana. Dinas Hukum Polri, Jakarta.
- Tufekci, Z. (2014). Social Movements and Governments in the Digital Age: Evaluating a Complex Landscape. *Journal of International Affairs*, 68(1), 1–18. Retrieved from <https://www.jstor.org/stable/24461703>

- Undang-undang (UU) Nomor 1 Tahun 2023 tentang Kitab Undang-Undang Hukum Pidana. (2023). Kemenkumham RI. Retrieved from <http://peraturan.bpk.go.id/Details/234935/uu-no-1-tahun-2023>
- Undang-undang (UU) Nomor 6 Tahun 2014 tentang Desa. (2014). Retrieved from <http://peraturan.bpk.go.id/Details/38582/uu-no-6-tahun-2014>
- UU No. 19 Tahun 2016 Perubahan Atas Undang-Undang Nomor 11 Tahun 2008 Tentang Informasi Dan Transaksi Elektronik. (2016). Kemenkumham RI. Retrieved from <http://peraturan.bpk.go.id/Details/37582/uu-no-19-tahun-2016>
- Yusniah, Y., Putri, A., & Simatupang, A. (2022). Perkembangan Teknologi Komunikasi dan Informasi: Akar Revolusi dan Berbagai Standarnya. *Da'watuna: Journal of Communication and Islamic Broadcasting*, 3(2), 330–337. <https://doi.org/10.47467/dawatuna.v3i2.2460>.