

*The Educational Values of E-commerce Information Technology
for the Law Protection of Citizens*

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Abstract

In Indonesia, the development of e-commerce is increasing along with the increasing number of internet and social media users. The rapid growth of e-commerce has changed the way consumers make purchases of goods and services. The growth of electronic transactions has a very positive impact on business owners and consumers, because it provides convenience, ease, efficiency and low costs. However, electronic transactions can pose risks and uncertainties that can harm both consumers and entrepreneurs. This article aims to examine the educational values of e-commerce information technology for the protection of citizens. Digital citizenship is closely related in the way in which e-commerce information technology knowledge is mastered and practiced to make significant connections. To see digital education clearly, then clear knowledge about the application of new technologies as part of the government's recommendations for legal protection is needed. This is important because citizens who are educated with knowledge of e-commerce technology will be able to promote ethical values as a democratic society. In this way, the new space will be available not only as a digital reality but also as a full-fledged society needs.

Keywords: Educational Values of E-commerce Information Technology, Ethical Behavior, Legal Protection

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Introduction

The rapid development of technology also has impacted the world economy. One of the impacts is the emergence of the digital economy. The digital economy is a concept regarding the interaction between technological developments that have an impact on macro and micro economics. Along with the development of the business world, e-commerce has become a separate necessity that can increase buying and selling transactions of goods and/or services.

To increase the company's need for e-commerce, business analysis needs to be adapted to big data. The use of big data for e-business is a strong collaborator called "Agility". Big data monitoring has received significant recognition for its ability to transform enterprise methods and its ability to incorporate a wide variety of successful tools and facilities. Leveraging big data technology to its full potential and leveraging it involves intensive tracking and information retrieval.

The continuous development of the internet and information technology has made online shopping a popular mode of purchase. Online shopping is considered convenient and uncomplicated and offers more options than buying in a traditional store. Based on data obtained from iprice.co.id, e-commerce users in Indonesia have reached hundreds of millions. The high public interest is also in line with the high number of consumer complaints that go to the National Consumer Protection Agency (BPKN).

Based on BPKN data, the number of consumer complaints against e-commerce sales during the pandemic ranks first in 2021. One of the causes for this phenomenon is that there are still many e-commerce business owners who are not aware of the obligation to protect consumer rights. This can harm consumers because the position of consumers is far from e-commerce business owners. Although the government has issued Law Number 8 of 1999 concerning Consumer Protection (UUPK) which regulates consumer rights, not all business owners understand it. In addition to consumer rights, UUPK also regulates actions that are prohibited from being carried out by business owners, such as trading in goods and/or services that do not meet the standards required by laws and regulations;

Entrepreneurs have various prohibitions that need to be considered in trading their goods and or services, but it turns out that many business owners in Indonesia do not pay attention to these regulations and lead to consumer losses. The losses that are often faced by consumers are in the form of discrepancies between the goods received and those ordered, the goods have expired, the goods sold are not in accordance with the standards set by the legislation, and so on. Consumers can also experience fraud because of fictitious sellers so that the transaction is considered never to have occurred even though the consumer has paid a certain amount of money.

Consumers prioritize cost and delivery speed with long-distance distribution of purchased products, so B2C (business to consumer) electronics consumer motivation to prioritize delivery speed is the most important purchasing criteria for consumers, followed by shipping costs and environmental information.

The development of B2C e-commerce can be influenced by the national culture. Economic and other phenomena at the national, government platform or e-business level should take into account the cultural characteristics of the target countries. Then came the dropship phenomenon which is a way of buying and selling in e-commerce where the seller does not have stock of goods and does not make deliveries. The seller does not need to have stock of

goods, because the seller only advertises the goods belonging to the supplier and if a buyer places an order, the seller simply forwards it to the supplier. This dropship phenomenon certainly has its own problems. For example, in terms of liability if the product received by the consumer is not up to standard. In addition to the dropship phenomenon, there are also problems that arise related to fraud experienced by consumers as a result of buying and selling via e-commerce carried out without going through the marketplace. So that there is no third party that monitor the transactions that occur.

In addition to UUPK, regulations regarding e-commerce buying and selling are also regulated in Law Number 11 of 2008 concerning Information and Electronic Transactions jo. Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Information and Electronic Transactions (UU ITE/ITE Law). The ITE Law provides recognition of electronic transactions and documents in relation to the law of engagement and the law of evidence. Then based on Article 3 of the ITE Law, it is said that the use of Information Technology and Electronic Transactions is carried out based on the principles of legal certainty, benefits, prudence, good faith, and freedom to choose technology or technology neutrality.

Although the ITE Law has an important meaning, the existence of the ITE Law is also considered not to be able to solve the existing problems, because the ITE Law is a regulation that only regulates the outer shell so it does not regulate in depth. For example regarding the issue of personal data, several articles in the ITE Law have regulated the protection of personal data used during electronic transactions. However, these provisions are still general in nature and in the implementation require more technical provisions. Therefore, the provisions regarding the protection of personal data contained in the ITE Law still require further regulations that are more detailed in nature.

Furthermore, regarding the technicalities of complaints that are not clear, the ITE Law has mentioned prohibited actions such as misuse of personal data, fraud, and so on. However, in reality, these problems cannot be solved using the ITE Law alone. Then until now the aggrieved party is still experiencing difficulties in terms of the complaint mechanism. Apart from consumers, business owners may also experience losses caused by consumers. For example: if the consumer has bad intentions by ordering a number of goods and or services but the consumer does not pay a certain amount of money.

Various problems that arise along with the increase in e-commerce require legal protection for the risks that may occur in practice. In fact, even though government regulations and the ITE Law have been updated, various forms of violations still continue to occur, especially cases of fraud, tax compliance, and the threat of cybercrime.

Based on the problems above, it is necessary to educate consumers and business owners in Indonesia, especially in terms of buying and selling via e-commerce. So in this article, we will discuss the problem What is the educational values of e-commerce information technology for the law protection of citizens ?

Literature review

The definition of E-commerce is a trading system via the web online using communication networks and computers to carry out business processes. Electronic commerce is a business that takes place in an electronic network such as the internet. In the global pandemic,

companies must strategically build e-commerce and corporate platforms along with offline methods for supply as consumers turn online to avoid infectious diseases and increasingly engage in sustainable consumption behavior, thereby providing a new perspective on the important role of PEEP (Perceived Effectiveness of commerce Platform) and economic benefits and set an additional point to further explore the sustainable consumption behavior of customers in borderline conditions of pandemic fear.

Consumer protection by the United Nations in the Guidelines for Consumer Protection, for the benefit of consumers (legitimate needs): 1) Protection of consumers from hazards to their health and safety; 2) Promotion and protection from consumers socioeconomic interests; 3) Availability of adequate information for consumers to give them the ability to make the right choices according to their personal wishes and needs; 4) Consumer education; 5) Availability of effective compensation efforts; 6) Freedom to form consumer organizations or other relevant organizations and provide opportunities for these organizations to voice their opinions in the decision-making process concerning their interests. Consumer rights are universally recognized and must be protected and respected, namely i) security and safety rights; ii) the right to information; iii) the right to vote; iv) the right to be heard; and v) the right to the environment. Free trade is a universal marketing discipline. Marketing concepts from a global marketing perspective have changed from time to time with stages 1). focus on better products based on internal standards and values; 2) marketing focus is shifted from products to customers by updating the marketing mix (product, price, promotion and place); and 3). a new concept of marketing into a strategic concept. In a global market, citizen consumer protection is important because citizen consumers have universal and specific rights. In the world of education, technological developments is done by using multiple applications of e-commerce information technology.

According to Assael (1997), consumer learning is a change in behavior that occurs as a result of past experiences. Consumers get various experiences in purchasing products and what product brands they like. Consumers will adapt their behavior based on their past experiences. Some basic elements in learning include motivation and reinforcement. In motivation, it can be split into directed learning and incidental learning. Directed learning occurs when learning is the main target during information processing whereas incidental learning occurs when learning is not the target of processing. In reinforcement, consumers can get a positive or negative response. A positive response can increase the probability of repurchasing while a negative response can reduce the existing positive response. Learning theories include: Classical conditioning, Instrumental conditioning, Cognitive learning as a psychological response and Passive learning

The development of a Category Theory model that concentrates on understanding the emotional intelligence of managers and leaders and maps it towards the emotional intelligence of customers so that gaps and expectations can be narrowed using emotional intelligence. Management of high emotional intelligence can successfully increase client enthusiasm and reduce consumer dissatisfaction in the financial sector. Emotional intelligence is one of the main strategies that must be followed in any e-commerce to increase business growth.

Educational innovations in learning methods include formulations on organizing teaching materials, delivery strategies, and managing activities by taking into account goals, obstacles and individual characteristics in order to obtain effective results, efficient results and create learning attractiveness. Appropriateness in carrying out educational innovations is very likely

to create many conducive and fun learning conditions so that learning activities (instructional activities) can take place effectively and efficiently in facilitating the achievement of a component that will determine the creation of conditions during the learning process. Learning using information technology has been embedded in the era of globalization and the cultivation of educational values needs to be further developed by 1) working while learning; 2) cultivate personality into a dynamic, confident, courageous, responsible and independent personality; 3) learning in every available opportunity; 4) good deeds are always applied. Values that are starting to disappear in the era of globalization include cultural values, formal juridical value and religious value. The cultivation of these values needs to be strengthened to elevate the dignity of the nation. Culture and national beliefs are interrelated but not all effects between the dimensions of culture and trust are mediated through the disposition to believe, but people's culture can also directly influence the context-specific perception of online store beliefs.

Social media, with its ability to safeguard individual privacy and freedom, has been able to override the impact of some traditional cultural dimensions on consumers' online purchasing decisions and overall s-commerce activity. Consumers with a high collectivism orientation tend to rely heavily on in-group information sources for their decisions regarding s-commerce adoption.

Some things that must be prepared to overcome the existing challenges include a) Preparation of a more innovative learning system for individuals who are more competitive and skilled in the aspects of data literacy, technological literacy and human literacy. b) Reconstruction of educational institutional policies that are adaptive and responsive to the era of globalization in developing the required transdisciplinary sciences and study programs. c) Preparation of responsive, adaptive and reliable human resources. d) Rejuvenation of infrastructure and development of education, research and innovation infrastructure also needs to be carried out to support the quality of education, research and innovation. The ability to use information technology is one solution to prepare a competent millennial generation.

Approach Method

The approach method used is the normative juridical method or doctrinal legal research, where legal research is related to problems in e-commerce in Indonesia. This study uses secondary data obtained from primary and secondary legal materials. Sources of business law include the principle of contractual agreements from involved parties where each party must comply with the agreed rules and the principle of contractual freedom where business owner can make and determine the contents of the agreement they previously agreed. In general, sources of business law based on Indonesian legislation include: Trade Law (Trade Code); Regulation Legislation outside the Criminal Code, Civil Code and Trade Code; Civil Law (Civil Code) and Public Law (Criminal Economy/Civil Code). Meanwhile, the implementation of e-commerce activities in order to provide legal certainty and legal protection for stakeholders refers to Law no. 11 of 2008 concerning Information and Electronics (UU ITE), the e-commerce Road Map (Electronic-Based National Trading System Roadmap) of 2017-2019 and Presidential Decree Number 74 of 2017. The development of information and communication technology has caused e-learning to become wider with learning whose implementation is supported by technology services such as video-audio, smartphones, computers and the internet, by combining technological tools in the learning process.

Discussion

In general, e-commerce can refer to all forms of trade transactions using electronic media connected to the internet. Through e-commerce, sellers do not need to meet with buyers to make trade transactions. Until 2017 - 2020, hundreds of millions of Indonesians have become e-commerce users with the following details: 96,532,300 Shopee users, 84,997,100 Tokopedia users, 31,409,200 Bukalapak users, 22,674,000 Lazada users, 18,695,000 Blibli users, 4,785,000 JD ID users, and the rest are other e-commerce users such as Zalora, Sociolla, etc. Then according to Wearesocial and Hootsuite data, around 90% of internet users in Indonesia have shopped online. Based on this data, it can be seen that the community has a very high interest in digital economic activities. Apart from e-commerce, buying and selling online can also be done directly between sellers and buyers without going through the marketplace.

In the process of buying and selling transactions by e-commerce, there are often defaults by the parties. From the buyer's side, they usually default in the form of late payments, not making payments, making payments but not in accordance with what was agreed. Meanwhile, from the seller's side, they usually default in the form of sending goods that are not in accordance with what has been agreed, delays in delivery of goods, etc. Seeing so many violations committed by the parties, the parties need to understand rights, obligations, legal protection and e-commerce education.

Knowledge of user risk perception as a personality trait, as well as techniques that enable prediction of customer needs and preferences. Human factors play an important role in social and economic processes, the topic of personality can be applied in various fields of contemporary world science. Certain e-Shop functionality is preferred by certain user groups. The Machine Learning approach treats data as the unknown, and it is primarily focused on prediction rather than inference and aims to predict unobserved outcomes or future behavior. Thus, knowing consumer risk perceptions and applying Machine Learning methods to predict user preferences makes it possible to optimize certain features in e-Commerce. Emotionally stable people tend to behave confidently and calmly, and use a rational approach to problem solving. They also prefer to have different shipping options and more secure payment methods. Perceived risk is positively related to consumers' preference to track their order status and view on-time delivery prices. It is also very important for online customers to view detailed product photos to reduce the possibility of disappointment.

The educational values of e-commerce information technology for consumer protection aims to increase consumer awareness, ability and independence to protect themselves; elevating the dignity of consumers by preventing them from the negative access of the use of goods and/or services; increasing the empowerment of consumers in choosing, determining, and demanding their rights as consumers; create a consumer protection system that contains elements of legal certainty and information disclosure as well as access to information; raise awareness of business owners regarding the importance of consumer protection so as to grow an honest and responsible attitude in doing business; and improve the quality of goods and/or services that ensure the continuity of the business of producing goods and/or services, health, comfort, security, and safety of consumers. The introduction of information technology that is not only in regional centers but also in remote areas will lead to a significant increase in the volume of e-commerce. This will lead to significant changes in other areas such as in the banking sector.

Protection before the transactions is carried out through the making of laws and regulations such as UUPK in the hope that there will be restrictions governing the transaction process. Meanwhile, protection after the transaction can be carried out through the District Court or through the Consumer Dispute Settlement Agency. In the event that a business owner is in default, based on Article 19 paragraph (1) of the UUPK, business owners are responsible for providing compensation for damage, pollution, and/or consumer losses due to consuming goods and/or services produced or traded. Then the compensation can be in the form of a refund or replacement of goods and/or services with a similar or equivalent value, or health care and/or the provision of compensation in accordance with the provisions of the applicable laws and regulations.

Consumer privacy is a public policy issue that has received substantial attention. Consumer privacy protection is the integration of business standards, ethics and public policies to reduce the inevitable erosion of privacy. The crime of fraud is regulated in Article 378 of the Criminal Code. However, the element of fraud in Article 378 of the Criminal Code is still in the form of conventional fraud, namely fraud that generally occurs and is used in all things that exist in the real world. The use of Article 378 of the Criminal Code is not appropriate if it is used to ensnare criminal acts of online fraud, due to limitations regarding the types of evidence based on the Criminal Procedure Code. In addition to the Criminal Code, the crime of fraud is regulated in the ITE Law.

Based on Article 28 paragraph (1) of the ITE Law, it is stated that anyone who intentionally and without rights spreads false and misleading news that results in consumer losses in electronic transactions is threatened with a maximum imprisonment of 6 (six) years and/or a maximum fine of Rp. 1 billion rupiah. Although the ITE Law does not specifically state the existence of a criminal act of fraud, but implicitly there are elements that are almost the same as the criminal act of fraud which is generally regulated in Article 378 of the Criminal Code. In other words, an act can be criminalized if it fulfills the elements of a criminal act that can become the standard or basis for it to be said that an act is a criminal act. It can be said that the ITE Law is still not perfect or still unclear to be used as a basis of reference for acts of fraud, this is because the act of fraud itself has various forms.

Based on the problems above, clearer regulations are needed in order to protect consumers from fraud. As stated by Mochtar Kusumaatmadja, the purpose of law is ultimately directed at providing protection to human interests. Therefore, legal protection for the community must be realized in the form of legal certainty. So that the government should form laws and regulations that can protect citizens, especially people who use electronic transactions from fraud, so that legal certainty can be realized. Learning the business of buying and selling via e-commerce requires education with the internet so that fraud does not occur and prevention and legal protection can be carried out against crimes both individuals and corporations. The Industrial Revolution 4.0 has changed life leading to globalization which has increased productivity and efficiency in the modern world which is characterized by Cyber Physical Systems, Internet of Things and Networks.

The rapid development of digital technology also has a negative impact, namely the increase in digital crimes such as cyber crime and corporate crime. The rapid progress in the economic field has led to many crimes being committed by white collar crimes or professionals. Cyber Physical Systems and the Internet of Things can be used for learning facilities via zoom and YouTube about buying and selling using the internet, such as when buying and selling occurs, when default happened, fraud and how to provide legal protection for consumers and

business owners, as well as how to get damages, compensation or replacement and when it expires.

Based on the current condition of consumers, it appears that the position of consumers is still very weak compared to the position of producers because the position of consumers is always on the side of the disadvantaged, it is necessary to empower consumers. Consumer empowerment can be carried out through adequate consumer protection laws and become relevant in consumer transactions which are divided into 3 stages, namely pre-purchase, during purchase and after purchase. Consumers empowerment must be work on in order to have a balance with the position of producers who have been far superior. Consumers actually have the potential to have a balanced position with producers due to the dependence of producers' business progress on consumers and consumers can even outperform producers if consumers unite.

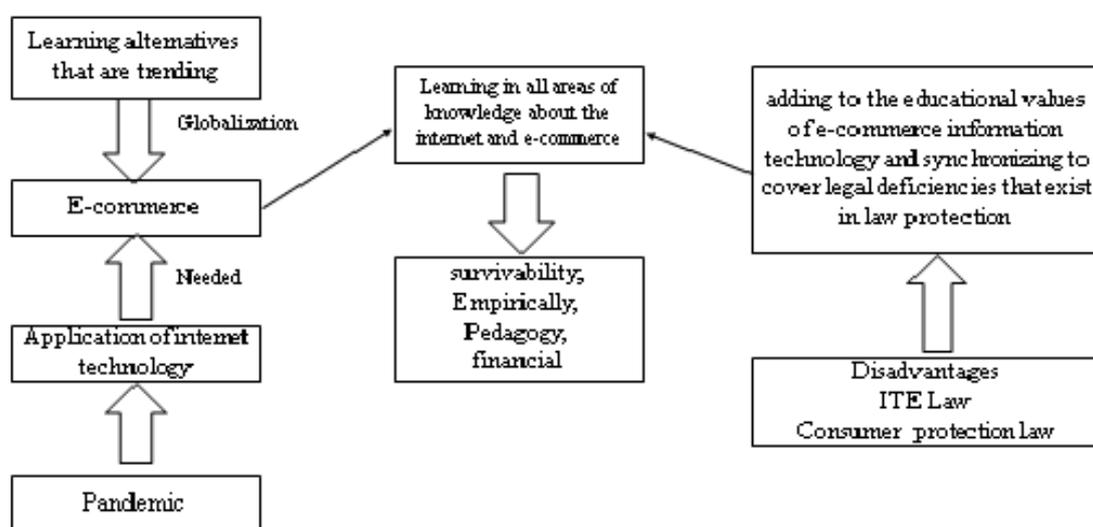


Figure 1: The Educational Value of e-Commerce Information Technology
Source: Researcher analysis (2022)

The pandemic that has hit the world has made changes in life that will change human habits, which they must learn in all fields of knowledge about the internet and e-commerce, about the ability to survive, empirically, pedagogically, financially. This learning is important to know about the internet because the internet can prevent crime even though it can also be used to commit crimes so that learning in the world of e-commerce business can increase one's knowledge not only to commit crimes but also to prevent crime. Learning is changing rapidly, resulting in a shift for learning agents to master and apply e-commerce information technology. Shifts in the learning process from the classroom to anytime and anywhere, from paper to online and physical facilities to network facilities.

The development of e-commerce information technology makes the notion of e-learning broader, namely learning whose implementation is supported by technological services such as video-audio, smartphones, computers and the internet. Learning agents use multiple applications, combining technological tools in the learning process. Weaknesses in the ITE Law and the Consumer Protection Law must add to the educational values of e-commerce information technology and synchronize them to cover legal deficiencies that exist in legal protection.

Conclusion

E-commerce buying and selling is increasingly common causing a need in skills using the internet which change conventional buying and selling directly. Fraud of buying and selling in e-commerce is increasingly common, so learning to buy and sell is also performed online, namely with zoom or youtube. Conventional offenses regulated in the Criminal Code cannot be used to follow e-commerce fraud, so there is a need for a breakthrough in e-commerce as well as for learning legal protection against e-commerce fraud. The educational values of e-commerce information technology use multiple technology applications which are continuous education based on the learning process, namely Learning to know, Learning to do, Learning to be and Learning to live together.

The educational values of e-commerce information technology for consumer protection aim to increase consumer awareness, ability and independence to protect themselves; elevating the dignity of consumers by preventing them from the negative access of the use of goods and/or services; increasing the empowerment of consumers in choosing, determining, and demanding their rights as consumers; create a consumer protection system that contains elements of legal certainty and information disclosure as well as access to information; raise awareness of business owners regarding the importance of consumer protection so as to grow an honest and responsible attitude in doing business; and improve the quality of goods and/or services that ensure the continuity of the business of producing goods and/or services, health, comfort, and security of the consumers.

Consumers need to act intelligently by being careful before buying the goods and/or services needed, buying as needed during purchase, and after purchasing by keeping proof of payment and a warranty card. In addition to having rights, consumers are also obliged to follow the instructions for using information, have good intentions, not to violate the rights of business owners. The government should form laws and regulations that can protect citizens, especially people who use electronic transactions, from fraud so that legal certainty can be realized. The results of this study find the educational values of e-commerce information technology for financial learning based on the ability to understand existing regulations and are globally connected for the sake of sustainable system changes for the legal protection of citizens.

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Commercial Code

Code of Civil law

Criminal Code

Law number 8 of 1999 concerning Consumer Protection

Law number 11 of 2008 concerning Information and Electronic Transactions

Law number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning
Information and Electronic Transactions