

Consumer Rights to Information in the Middle of Media Hegemony

Shidarta^{1*}, Imelda Martinelli²

¹Business Law Program, Law Department, Bina Nusantara University, Jakarta, Indonesia

²Faculty of Law, Tarumanagara University, Jakarta, Indonesia

Abstract. This paper discusses citizens' rights to information as consumers of mass media and social media. They are consumers of information, and that information is a determining factor in their political choices. Media owners and managers have the power to intervene in the flow of information, so that consumers' rights to correct information are at risk of being violated. Because the owners and managers of these media have the technology that determines, and because the number of those who have this kind of power is not large, then this hegemony actually manifests in the ruling class in a country, even in the world we live in now. Antonio Gramsci, in his theory of hegemony, has explained this. Of course, the danger will be more vulnerable to emerging democratic countries, such as Indonesia. Therefore, the question of what the future holds for consumers' rights to information in the midst of this media hegemony is important to answer. In this article, the authors conclude that the future of consumer rights to information can be saved by strengthening the role of the middle class. The hope of saving consumers' right to information is to give the middle class an opportunity to continuously voice their interests. The government can still control it, but it must be on a measurable legal basis. On the other hand, the massive number of social media users in Indonesia is its own strength to deal with oligarchs and media hegemony, both at the domestic and global levels.

1. Introduction

The struggle for hegemony over the flow of information in the world was affected by Russia's invasion of Ukraine, even for countries distant from the battle's epicenter in Central Europe. Indonesian cable television subscribers have been unable to receive television broadcasts such as Russia Today (RT) for some time. From early March 2022 till a few weeks later, RT viewers will see the following statement on the television service managed by Firstmedia (under the ownership of Indonesia's Lippo Group): "Sorry, we are temporarily unable to broadcast this channel due to the geopolitical situation, this broadcast is currently being broadcast, having broadcast problems. Thank you for your understanding."

For viewers in Indonesia who are constantly surrounded by news from Western media or tend to be pro-Western, such as the BBC, France24, ABC, Al-Jazeera, and even TRT, the news from RT is slightly able to balance the information intake that is currently heating up in Ukraine [1]. However, this balance has been deliberately ignored by Western countries which are pressuring Western-affiliated companies to take action against Russia. US media companies Google, Facebook, and Twitter have stopped the spread of what they call "disinformation" and demonetized ads shown on Russian government media accounts. Spotify is even rumored to have closed its

offices in Russia early. EU Council President Ursula von der Leyen has previously said that the EU cannot allow massive propaganda and disinformation to continue circulating, pouring out toxic lies that justify wars waged by Putin or sowing the seeds of division in the EU. For this reason, the Council decided to suspend the distribution of disinformation from Russian government-owned channels such as RT and Sputnik throughout the European Union [2].

Of course, there is a certain logic behind the decision of an owner or manager of a pay television channel that is bound by an agreement with consumers to distribute news or entertainment, to suddenly stop its service on the grounds of the geopolitical situation that shows siding with one of the interest groups. On that basis, a question arises that this paper wants to answer, namely, what is the future of consumer rights to information amid this hegemony of mass media and social media, especially in the context of Indonesia as one of the newly emerging democratic countries? This paper will answer this question by using a framework of thinking, namely Antonio Gramsci's theory of hegemony. The hegemony includes that of mass media and social media.

2. Literature Review

In this paper, several concepts need to be clarified. The concept of mass media has a different meaning from the concept of social media. Mass media is media whose

* Corresponding author: shidarta@binus.edu

message content is created and communicated in one direction by the owner or manager of the media, while the public is only the audience of the messages. Television and radio media such as BBC, France24, ABC, Al-Jazeera, TRT, RT, and TVRI fall into this category. Conventional and digital newspapers and magazines also use mass media formats. This is different from social media which positions the public as both audience and content creators. This means that there is a two-way flow of communication. Social media is very dependent on the function of computer-based technology. Facebook, Twitter, Instagram, Youtube, Reddit, Wikipedia, and Pinterest, are examples of social media [3].

The concept of the consumer is deliberately put forward here, not just the concept of the audience which is interpreted as a member of society in general. This is because consumers are end-users who have more specific rights than the audience. In many countries, the Consumer Protection Act stipulates what consumer rights are. One of them is the right to information or the right to be informed [4]. By positioning this audience as consumers, they have more definite protection and can sue various parties using private law and public law procedures.

The right to information is an important part of consumer rights in consumer protection law and cyber law. One of the basic rights of consumers declared by President Kennedy in 1962 is the right to be informed, which refers to the right of consumers to obtain correct information from the business actors [5]. Understanding consumers today is certainly not possible only limited to consumers of conventional goods and services. The object of consumer transactions also includes news received from content creators and channeled through mass media and social media platforms.

Hegemony is an important concept conveyed by, among others, Antonio Gramsci. According to him, hegemony occurs because the ruling class always tries with its power to force the class below it. However, the hegemony of the ruling class is not only carried out by coercion but also by spreading ideology. According to Gramsci, the foundation of a ruling class is equivalent to the creation of a worldview (*Weltanschauung*). The ideology that is propagated is that the leader is in power because he gets the approval of the led [6]. It is this ideology that ensures the agreement remains and the ruling class remains popular.

This popularity is obtained through various facilities that are offered to the people at large. In the context of the current movement of information flows, these facilities are in the form of easy access to data and information as well as communication using very cheap technology [7, 8]. This worldview is an ideology that is perceived as present based on the approval of all users of the mass media and social media. In practice, such consent does not fully occur as the strong demand to establish and enforce legislation on the protection of personal data and the right to be forgotten [9, 10]. Media hegemony, therefore, is a form of the power of the media owners as the ruling class. There are not many of them, so in more contemporary terminology they are often referred to as oligarchs. These two terms will increasingly be used interchangeably today. The new hegemony, known as media oligarchy,

can be ascertained as a global phenomenon, whose influence is increasingly visible during the political crisis related to the war between Russia and Ukraine.

Castells [11] says that the concentration of ownership in the media is not new. History has long been full of such examples, including when the Church fully controlled the publishing of the Bible and the government-controlled mail delivery system. In the 20th century in the United States emerged "the big three networks" ABC, CBS, and NBC which dominate radio and television. Also shown are Reuters (UK), Havas (France), and Wolf News (Germany) which make cartels that dominate the transmission of international news. On page 76 of this book, Manuel Castells presents a schematic (figure) showing the ownership relationships of top corporations, such as Viacom, CBS, Time Warner, Yahoo, Apple, Google, NBC, Disney, Newscorp, and many others, both through investment strategies and partnerships. The next development of these companies is moving to diversify platforms.

3. Methods

This paper is entirely a literature review. The reading materials obtained are secondary materials that are relevant to the issue in question. Gramsci's theory of hegemony was deliberately chosen to strengthen the analysis, but the author does not intend to test this theory against the questions posed. Thus, in this paper, there is no hypothesis that must be proven.

4. Results and Discussion

What is the condition of this media hegemony in Indonesia and its implications for consumers' rights to the information? Because the technology used by the owners or managers of mass media and social media in Indonesia is highly dependent on the West, there are two layers of the ruling class identified.

First, there is hegemony or oligarchy at the local level that controls the flow of information in the country. Tapsell [12] once explained that initially, the development of the media in Indonesia gave hope for the improvement of the pillars of democracy after the fall of the Suharto regime. However, from day to day, the mainstream media are increasingly losing public trust in Indonesia due to the concentration of ownership in the hands of political figures and they are partisan in determining the content of information disseminated in the media. This situation has prompted the birth of alternative platforms such as Kompasiana, Liputan 6, and Indonesiana which support public debate and are often monitored by the mainstream media. This seems quite encouraging at first glance, but it does not mean that the alternative platform is in a safe area [13].

Although the situation is not the same, the phenomenon of blocking like this is reminiscent of what happened internally when the Indonesian government blocked the Internet in Papua, whose case was brought to the Constitutional Court. The common issue lies in the issue

of everyone's right to information. All of the above actions affect everyone's access to adequate and balanced information. The inaccessibility of the RT (although perhaps temporarily) as an alternative source of information from the mainstream media is also the termination of the right to that information. Here it is seen how absurd it is when one group unilaterally judges that news from other media has experienced disinformation so that it deserves to be restricted or even blocked. The termination of this right will be more complicated if the practice spreads to restrictions in social media spaces. The ability to take unilateral action like this occurs because the flow of information in the world is indeed under the strong influence of large corporations affiliated with the political forces in power. This is what is now seen as "the new rulers of the world". The Ukraine dispute demonstrates that media hegemony or in more subtle terms, "concentration of media ownership", has played a significant role.

Second, there is hegemony at the global level which is also controlled by oligarchs who are no less powerful. The ideology spread by the owner of this global hegemony is the same tone as the ideology promulgated by the domestic ruling class. This happens because the global oligarch traps all media owners or managers in a relationship of dependence on the technology they create and implement.

The flow of information on social media that seems two-way, in fact, also does not work as assumed. The stream is filtered on behalf of various purposes, especially commercial purposes. At a certain point, the most extreme, the ruling class can dictate the information or at least stop the flow of information that is considered different or claimed to be informative. In the end, media owners or managers, both mass media and social media, have the power to control the flow of information under the pretext of certain geopolitical situations.

Without realizing it, the consumer's right to information can fall into just a consumer's right to hear. At this point, there is no longer any significant difference between mass media and social media because the flow of information is controlled by one hand, namely the hand of the ruling class.

Then what is the best way for countries that want to escape from this hegemony? If we agree that this hegemony is dangerous for the life of democracy that is being built in developing countries, such as Indonesia, then the best way is to open up opportunities for middle-class groups in the country to use the media in healthy public debates, but little by little looking for a way to get rid of dependence on the hegemony of the outside media. According to Shidarta and Koos [4], the information received by consumers must be information that is worthy of being accepted by consumers in general. These consumers in this context must have average intelligence, not be consumers who are too stupid or too smart. This picture is in line with consumers who are in the middle-class position. Universities need to play a role in the creation of this alternative communication technology, assisted by the government through the ease of licensing.

In addition to academics in the university environment, the middle class in Indonesia comes from young people, who are the motors that foster the era of the digital economy. Their number is only around 52 million, which means one out of every five Indonesians [14], but they have been able to prove that they have been able to survive very well when the covid-19 pandemic hit Indonesia for the last two years. The allegation that the hegemony of political and economic power is oligarchic can be refuted more or less if the size of this middle class can continue to be significantly increased.

According to Winters [15], the middle class is the strength of civil society in the research on oligarchy and democracy in Indonesia. He claimed that the situation in the United States and Indonesia was similar due to linkages between the political class, riches, and media. The distinction is twofold: in Indonesia, civil society has a smaller role than in the United States, and the rule of law is weaker. These two things, however, should not make us overly pessimistic.

As previously stated, the rise of the middle class has a substantial quantitative impact. The issue is with the quality of their participation in sustaining a healthy flow of information on consumers' right to information. The unpleasant experience of Indonesia's 2019 presidential election has demonstrated the actual danger that arises when Indonesian society is divided into two factions that blaspheme one other. Because it has a primeval and caustic nuance, the quality of information built by each group is not very informative. This split is extremely plausible, but the Indonesian people will swiftly learn from their 2019 experience and become more informed consumers over time. When the presidential election of 2019 comes around, the mass media oligarchs, especially television owners such as Metro TV and TV One, had clearly lost their independence, thus drastically reducing their reputation. Owners of mass media certainly learned a lot from this experience. Here again, the middle class will play a very important role in directing the format and substance of social media milling about in their hands.

It must be admitted that the legal system in Indonesia in general has developed in a much better direction, although it is not as optimal as many legal observers expect. The indicator can be seen in the culture of the judiciary in Indonesia, which is becoming increasingly open. For example, the Supreme Court has given a positive signal to become more professional, for example by publishing decisions on the agency's official website and by activating a chamber system with judges who are more selected according to their expertise. The Constitutional Court also plays a fairly positive role in judicial review, so that some controversial laws can be prevented from being enforced.

Indeed, there is a potential that the government will always try to be in control so that at some point it will declare it has the authority to control the flow of information. This is where the legal system plays a role in laying down signs, namely when the government can intervene and under what conditions the government cannot. It is undeniable that in the short term this hegemony, especially from the global level, will continue to intervene with consumers, but if the domestic layer has

been strengthened by reducing the hegemony of the domestic media, then there is high hope that the right of Indonesian consumers to correct and balanced information will more secure.

Datareportal [16] reports that Indonesia, which has the population of 277.7 million or the 4th largest population in the world, has 204.7 million internet users as recorded in January 2022. Among those internet users, there were as many as 191.4 million social media users. They are all consumers which means they are also a market that cannot be ignored. If the government is aware of this strength, then this market provides a very strong bargaining position for Indonesia.

From the perspective of Gramsci's theory of hegemony, the consumers of mass media and social media will be the determinants of the political direction of a country [17]. The electability of a political figure is largely determined by their popularity in front of media consumers. Various phenomenal events in the world, such as the Arab Spring, Brexit, and the election of President Donald Trump, are often cited as evidence of the power of media consumers to intervene in political direction. If this consumer power becomes the direction followed by politicians who hold the reins of power, then the voices of these consumers are positioned as the people's approval. They will take a political stance on the basis of the majority vote given by the people. However, popular consent also has many dimensions. One of them is emotion. Media, especially social media, plays a very important role in playing consumer emotions. This means that the information provided or circulated on social media determines the political attitudes of citizens. The voices of netizens are the same as the information they consume.

The rulers of the state, who were previously imagined by Gramsci to be the only determinants of the direction of state politics because they were the pinnacle of the ruling class, have now turned into the second class if they are not willing to cooperate with the parties determining the flow of information. The new rulers of the world today are the owners and managers of the media. State sovereignty is no longer fully in the hands of political rulers as conventionally understood. Thus, political rulers and media oligarchs who conspire to divert the flow of correct information, will be the winners on the political stage. Various political analyses which conclude that democracy will die have all taken up the thesis as stated above [18,19].

Behind all that, there is one action that must be taken now, which is to raise awareness to as many people as possible that even if there is a reduction in state sovereignty, it is the ruling class that cannot be biased in controlling the flow of information to consumers from that information. The trick is to maintain the quality of the information because only with the right information can any correct decision be made. For this reason, the forming and law enforcement authorities must begin to pay attention to the phenomenon of media oligarchy in the country so that their presence does not exceed the normal limit so and in the end, it kills consumers' rights to information.

5. Conclusion

The future of consumers' rights to information amidst the hegemony of mass media and social media, especially in the Indonesian context, is in danger of being reduced by media hegemony at both global and domestic levels. As Gramsci said, this hegemony arises not only by coercion but also by the spread of ideology. This awareness must be possessed by consumers who are the recipients of the flow of information from the owners and managers of the media so that they can strengthen themselves by strengthening their middle-class ranks as a counterweight to the ruling class. This strengthening of the domestic position is the first step to strengthening Indonesia's position at the global level. In addition, a democratically built legal system is an important requirement to strengthen the position of consumers.

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