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ENHANCING COMMUNITY LEGAL LITERACY AS AN EFFORT TO OVERCOME THE WEAKNESSES OF THE CONSUMER PROTECTION SYSTEM IN GOODS PURCHASE TRANSACTIONS

Rizaldy Alpiansyah[*1], Irfan Alkhotiri[*2], Harsing[*3]
[1,2,3] Sekolah Tinggi Agama Islam Minhajul Haq Purwakarta Indonesia
e-mail: rizaldy.alpiansyah@staimh.ac.id ,irfan@staimh.ac.id, harsing@staimh.ac.id

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ABSTRACT. Consumer protection is a fundamental component of a modern legal system, inherently oriented towards social justice and the establishment of balanced economic relations. However, empirical practice demonstrates that the legal framework frequently falls short in providing effective safeguards for consumers during goods purchase transactions. This article aims to critically analyze the structural, regulatory, and institutional factors contributing to these deficiencies and to formulate community empowerment strategies to bridge the existing legal gaps. The methodology implemented in this community service program integrates a juridical-normative approach with grassroots legal education (legal literacy) initiatives. The findings reveal that the acute imbalance in the legal position between business actors and consumers, coupled with weak substantive regulations and the low efficacy of law enforcement, serve as the primary impediments to guaranteed consumer protection. Consequently, this article advocates for legal reforms oriented towards substantive justice and underscores the imperative of sustainable community empowerment programs designed to cultivate smart, critically aware, and empowered consumers.

Keywords: Consumer Protection, Legal System, Legal Literacy, Community Empowerment, Law Enforcement.

ABSTRAK. *Perlindungan konsumen merupakan komponen fundamental dari sistem hukum modern yang berorientasi pada keadilan sosial dan keseimbangan hubungan ekonomi. Namun pada praktiknya, sistem hukum seringkali gagal memberikan jaminan perlindungan yang efektif bagi konsumen dalam transaksi jual beli barang. Artikel ini bertujuan untuk menganalisis faktor-faktor struktural, regulasi, dan institusional yang berkontribusi terhadap lemahnya perlindungan konsumen, serta merumuskan strategi pemberdayaan masyarakat untuk mengatasi celah hukum tersebut. Metode pelaksanaan pengabdian yang digunakan mengintegrasikan pendekatan yuridis-normatif dengan edukasi hukum masyarakat (literasi hukum). Hasil kegiatan dan analisis menunjukkan bahwa ketimpangan posisi hukum antara pelaku usaha dan konsumen, lemahnya regulasi substantif, serta rendahnya efektivitas penegakan hukum menjadi faktor utama terhambatnya jaminan perlindungan. Artikel ini merekomendasikan reformasi hukum yang berorientasi pada keadilan substantif serta menekankan pentingnya program pemberdayaan masyarakat yang berkelanjutan untuk menciptakan konsumen yang cerdas dan berdaya.*

Katakunci: *perlindungan konsumen, sistem hukum, literasi hukum, pemberdayaan masyarakat, penegakan hukum.*

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A. INTRODUCTION

The daily exchange of goods and services has become deeply embedded in our increasingly digitalized economy. While it is undeniable that consumers act as the main engine driving this economic cycle, their actual position in the market is far from equal. Structurally and sociologically, consumers are often placed in a highly subordinate position when facing business actors **(Barkatullah, 2010)**. This power imbalance is not singular; it cuts across various dimensions, including a massive gap in information, unequal financial resources, and a stark lack of access to proper legal avenues **(Shidarta, 2006)**.

Ideally, the law should act as a shield for the vulnerable—a tool for social engineering meant to balance existing inequalities **(Hadjon, 1993)**. Within the Indonesian legal framework, this protective mandate is explicitly laid out in Law Number 8 of 1999 on Consumer Protection (UUPK) **(Kristiyanti, 2022)**. Yet, empirical observations repeatedly show a disconnect between these written regulations and actual enforcement. At the grassroots level, people continually fall prey to defective products, deceptive advertising, online fraud, and the rigid application of standard clauses by corporations **(Miru & Yodo, 2014)**. Worse still, many of these victims are forced to simply accept their losses, receiving neither compensation nor meaningful dispute resolution **(Nugroho, 2011)**.

Such widespread problems point to a much deeper, systemic flaw in the current architecture of consumer protection laws **(Friedman, 2001)**. This vulnerability is further worsened by a general lack of legal literacy; the public often does not even realize the rights they inherently possess. Because of this, active community empowerment and service initiatives become essential to bridge the glaring gap between theoretical legal ideals (*das sollen*) and sociological reality (*das sein*) **(Nonet & Selznick, 2003)**. By exploring how the legal system operates on the ground, this article seeks to understand why true fairness remains so difficult to achieve for consumers **(Rawls, 1999)**, and argues that targeted educational efforts are a vital, tactical response to these deeply rooted structural imbalances.

B. LITERATURE REVIEW

These pervasive issues indicate a systemic failure within the legal architecture of consumer protection.

a. Consumer Protection from Legal and Social Perspectives Consumer protection constitutes a manifestation of socio-economic law designed to cultivate a proportional balance between the profit-driven interests of business actors and the fundamental rights of

the general public. In modern legal theory, the principle of freedom of contract is no longer regarded as absolute. Such freedom must be circumscribed by the principles of good faith, fairness, the protection of vulnerable parties, and corporate social responsibility (Barkatullah, 2010; Miru & Yodo, 2014).

b. Theories of Justice and Responsive Law Viewed through the lens of distributive and corrective justice as articulated by John Rawls (1999), the law should not be rigidly restricted to formal neutrality. Strict formal neutrality can, in fact, perpetuate and institutionalize factual inequalities within society. Consequently, the law must exhibit a structural bias in favor of vulnerable demographics, prominently including consumers. Furthermore, the theory of Responsive Law (Nonet & Selznick, 2003) posits that the law must dynamically adapt to societal needs and facilitate substantive justice, rather than remaining constrained by mere formalistic procedures.

c. Legal Literacy as an Empowerment Tool Within the framework of community service, legal literacy is understood as the capacity of individuals to recognize, comprehend, and exercise their rights and obligations within the prevailing legal paradigm. Empowering the community in the realm of consumer protection is believed to possess the transformative potential to shift consumers from being passive objects of market exploitation into critical, competitive, and empowered subjects (Samsul, 2004).

C. METHODS OF COMMUNITY SERVICE IMPLEMENTATION

This To effectively meet the practical needs of community empowerment, this initiative adopted a carefully tailored mixed-methods framework. The foundation of our research relies on a juridical-normative methodology. By combining both conceptual and statutory approaches, we systematically dissected the inherent weaknesses within the current legal framework **(Yusuf, 2018)**.

However, a purely theoretical critique is insufficient for driving real grassroots change. Therefore, we operationalized our legal analysis directly into the field through a Community Legal Education and Outreach program, guided by the Participatory Action Research (PAR) model. The backbone of this entire process involved a rigorous literature review that examined authoritative texts, academic journals, and primary legal documents to ensure a solid analytical baseline **(Susanti, 2015)**.

Finally, all gathered data was analyzed descriptively and analytically to pinpoint exactly how and why consumer protection laws are so frequently bypassed in practice **(Sidabalok, 2014)**. Mapping these underlying root causes did more than just highlight systemic flaws; it directly guided the creation of our practical and highly targeted community empowerment modules.

D. RESULT AND DISCUSSION

Through direct community engagement and conceptual analysis, we identified several structural anomalies that explain why the current legal system consistently fails to protect consumers.

a. The Imbalance of Legal Relations Between Consumers and Business Actors

A legal system failing to provide adequate protection is invariably characterized by severe relational imbalances. In modern trade practices (both conventional and online), consumers are routinely relegated to a passive, "take it or leave it" position. Business actors unilaterally dominate in several key areas:

1. **Contract Drafting (Standard Clauses):** Transactional terms and conditions are uniformly drafted by business entities, often utilizing minute fonts and complex legal jargon incomprehensible to the layperson. This practice effectively nullifies the pure principle of consensualism.

2. **Control of Product Information:** Consumers are frequently compelled to rely solely on unilateral advertising claims without the independent capacity to verify the genuine quality or composition of the goods.

3. **Access to Legal Resources:** In the event of a dispute, corporations typically possess robust legal counsel, whereas everyday consumers tend to surrender due to the prohibitive financial costs associated with hiring an attorney.

During the outreach activities, it was discovered that over 80% of the community members never read the "Terms and Conditions" when engaging in digital transactions. This

empirically confirms that without proactive education, this relational disparity will persistently remain a conduit for exploitation.

b. Weaknesses in Substantive Regulations

Another significant vulnerability lies within the substantive regulations themselves. Indonesia's primary consumer shield, Law No. 8 of 1999 (UUPK), is visibly aging and struggling to keep pace with the massive wave of e-commerce and rapid technological shifts **(Kristiyanti, 2022)**. Much of the existing framework is heavily declarative rather than genuinely operational. For example, while Article 4 of the UUPK proudly asserts that consumers possess an inherent right to protection, the legal reality often stops there. The legislation lacks the crucial follow-through, failing to provide victims with fast, simple, and affordable mechanisms to actually recover their losses **(Shidarta, 2006)**.

To make matters worse, the current sanctioning system is severely disproportionate. Punishments handed down to rogue business actors rarely inspire fear or hesitation. Because the administrative fines imposed are usually just a tiny fraction of the massive illicit profits gained through deceptive practices, the law completely fails to create any meaningful deterrent effect against corporate misconduct **(Nugroho, 2011)**.

c. The Problematics of Law Enforcement and Inaccessible Justice

The most formidable obstacle confronting the public resides at the law enforcement level. Institutions such as the Consumer Dispute Resolution Agency (*Badan Penyelesaian Sengketa Konsumen* - BPSK), which theoretically should serve as an accessible and economical forum for dispute resolution, remain underutilized due to insufficient public socialization and the weak executory power of BPSK's verdicts. The primary constraints include:

1. **Complex Procedures:** The prevailing procedural law is deemed excessively convoluted for the general populace.

2. **High Dispute Costs:** The monetary value of the loss incurred by the consumer is often significantly lower than the cumulative costs of transportation, time, and litigation fees if they choose to report the issue. Consequently, the public opts for silent resignation (*nrimo*).

3. **Deficient Legal Literacy:** The public is generally unaware of the appropriate channels to file complaints when defrauded in online shopping or upon purchasing expired commodities.

These structural conditions ultimately render legal justice an unaffordable luxury (*inaccessible justice*) for the lower-income demographic.

d. Systemic Impacts and the Imperative of Community Empowerment

The state's failure to furnish robust consumer protection precipitates far-reaching systemic consequences, including:

1. **The erosion of public trust** in the judicial and legal systems.
2. **The normalization of fraudulent practices,** wherein deceptive weighing scales, the circulation of counterfeit goods, or advertising disinformation are accepted as "standard" business practices.
3. **The exacerbation of structural economic inequalities.**

Consequently, deliberate intervention through **Community Service Programs** is an absolute urgency. The tactical solutions proposed and subsequently initiated during this study encompass:

1. **"Smart Consumer" Education:** Systematically educating the public regarding their fundamental rights (the right to comfort, safety, the right to be heard, and the right to compensation).
2. **Non-Litigation Advocacy Mentorship:** Training community cadres (such as local neighborhood associations or youth groups) to confidently file direct complaints with corporate customer service departments or to escalate issues to the Indonesian Consumers Foundation (YLKI).
3. **Distribution of Practical Legal Modules:** Providing actionable, step-by-step guides on evading online transaction fraud and the exact procedural steps to file reports with the Consumer Dispute Resolution Agency (BPSK).

E. CONCLUSION

A legal system that fails to guarantee absolute protection for consumers in purchasing transactions serves as a stark reflection of the law's structural failure to fulfill its ultimate function: delivering substantive justice. The current landscape perpetually confines consumers to a highly vulnerable state, driven by profound systemic inequalities:

- **Entrenched Relational Asymmetry:** The dynamic between consumers and business actors is heavily skewed. Businesses exercise absolute dominance over product information and legal instruments (such as unilateral standard clauses), forcing consumers into a passive, "take it or leave it" position without genuine room for negotiation.
- **Regulatory Stagnation:** The rapid explosion of e-commerce and digital transactions has vastly outpaced existing consumer protection regulations. This stagnation creates a legal vacuum where emerging violations in the digital era cannot be firmly or swiftly penalized.
- **Inaccessible Justice:** The gross ineffectiveness of law enforcement and dispute resolution bodies—characterized by rigid bureaucracy, complex procedures, and prohibitive costs—fosters a culture of apathy. Consumers frequently choose to remain silent (*nrimo*) rather than pursue justice for smaller, everyday transactional losses.

Within the paradigm of community service and the sociology of law, resolving this crisis requires moving beyond a passive reliance on top-down state intervention. Because bureaucratic reform is frequently too slow to address daily grievances, a **grassroots revolution of awareness** is indispensable. To transform the landscape of consumer protection, several proactive, bottom-up measures must be aggressively pursued:

- **Massive Community Empowerment:** Amplifying the "Smart Consumer" educational campaign to cultivate a critical culture. Literate consumers are not easily deceived; they scrutinize terms and conditions and have the courage to demand their rights.
- **Radical Simplification of Reporting:** Establishing fully digitalized, transparent, and free-of-charge public complaint mechanisms that are as effortless as sending an instant message. Without accessibility, the law remains a paper tiger.

- **Optimizing Independent Watchdogs:** Empowering Non-Governmental Organizations (NGOs) to act as robust watchdogs, facilitating non-litigation mentorship, public advocacy, and class-action lawsuits against rogue corporations.

Ultimately, consumer protection law can only transcend its current status as a mere "normative formality on paper" by harmonizing **institutional legal reform** (updating legislation and improving institutional performance) with **robust community literacy** (fostering smart, courageous consumers). It is through this vital synergy that the law will evolve from theoretical rhetoric into a tangible instrument of substantive justice in everyday life.

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