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LAW ENFORCEMENT ON VIOLATIONS OF CONSUMER RIGHTS IN LIVE SHOPPING TRANSACTIONS: SOCIO-LEGAL PERSPECTIVES

PENEGAKAN HUKUM TERHADAP PELANGGARAN HAK KONSUMEN DALAM TRANSAKSI *LIVE SHOPPING*: PERSPEKTIF SOSIO-LEGAL

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Abstract

This study aims to examine the enforcement of consumer rights protection in live shopping transactions on digital commerce platforms from a sociology of law perspective. Live shopping, as a form of social commerce that combines real-time video broadcasting with direct purchasing features, has given rise to various forms of consumer rights violations, including misleading product representations, high-pressure sales tactics, inadequate pre-contractual information, and constrained access to complaint and refund mechanisms. This research employs a normative-juridical method enriched with a sociological approach, examining statutory regulations, doctrines, and secondary data through library research. The analysis is directed at the relationship between legal structure, legal substance, and legal culture, following Lawrence Friedman's legal system theory, in explaining the gap between law in the books and law in action. The findings indicate that although the normative framework for consumer protection in Indonesia, encompassing Law Number 8 of 1999, the Electronic Information and Transactions Law, and sector regulations such as Minister of Trade Regulation Number 19 of 2026, has been formulated comprehensively, its enforcement in live shopping practices remains constrained by weak legal culture among business actors and consumers, ambiguous distribution of platform responsibility, and limited institutional capacity for real-time digital supervision. This study concludes that strengthening consumer rights enforcement in live shopping requires an integrative approach that combines regulatory reinforcement with the cultivation of legal awareness among all social actors involved in the digital commerce ecosystem.

Keywords : Law Enforcement, Consumer Rights, Live Shopping, Socio-Legal.

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Abstrak

Studi ini bertujuan untuk mengkaji penegakan perlindungan hak konsumen dalam transaksi live shopping di platform perdagangan digital dari perspektif sosiologi hukum. Live shopping, sebagai bentuk social commerce yang memadukan siaran video waktu nyata (real-time) dengan fitur pembelian langsung, telah memicu berbagai bentuk pelanggaran hak konsumen, seperti representasi produk yang menyesatkan, taktik penjualan yang bersifat memaksa, informasi pra-kontrak yang tidak memadai, serta terbatasnya akses terhadap mekanisme pengaduan dan pengembalian dana. Penelitian ini menggunakan metode yuridis-normatif yang diperkaya dengan pendekatan sosiologis, dengan menelaah peraturan perundang-undangan, doktrin, dan data sekunder melalui studi kepustakaan. Analisis difokuskan pada hubungan antara struktur hukum, substansi hukum, dan budaya hukum merujuk pada teori sistem hukum Lawrence Friedman untuk menjelaskan kesenjangan antara hukum dalam tataran normatif (law in the books) dan hukum dalam praktik (law in action). Temuan penelitian menunjukkan bahwa meskipun kerangka normatif perlindungan konsumen di Indonesia yang mencakup Undang-Undang Nomor 8 Tahun 1999, Undang-Undang Informasi dan Transaksi Elektronik, serta peraturan sektoral seperti Peraturan Menteri Perdagangan Nomor 19 Tahun 2026 telah disusun secara komprehensif, penegakannya dalam praktik live shopping masih terkendala oleh lemahnya budaya hukum di kalangan pelaku usaha maupun konsumen, pembagian tanggung jawab platform yang ambigu, serta terbatasnya kapasitas kelembagaan untuk melakukan pengawasan digital secara real-time. Studi ini menyimpulkan bahwa penguatan penegakan hak konsumen dalam live shopping memerlukan pendekatan integratif yang memadukan penguatan regulasi dengan penumbuhan kesadaran hukum di antara seluruh aktor sosial yang terlibat dalam ekosistem perdagangan digital.

Kata Kunci : Penegakan Hukum, Hak Konsumen, Belanja Langsung (*Live Shopping*), Sosio-Legal.

1. INTRODUCTION

The development of information technology has fundamentally changed the pattern of people's economic interactions, including the way people conduct buying and selling transactions. One form of this development is the emergence of the live shopping phenomenon, which is the practice of selling goods and/or services carried out through live video broadcasts on social media platforms and electronic commerce platforms, which allows consumers to make purchases instantly without switching applications. This phenomenon is growing rapidly in Indonesia in line with the increasing internet penetration, the popularity of platforms such as TikTok Shop and Shopee Live, and changes in people's consumption behavior that increasingly rely on digital media in making shopping decisions(Ente, 2025).

Behind the convenience and attractiveness offered, the practice of live shopping also has various legal issues directly related to the protection of consumer rights. The speed of interaction between business actors and consumers in a live broadcast atmosphere is often used to create psychological pressure through false urgency tactics, such as limited stock claims or discounts that only apply in minutes, which encourage consumers to make hasty purchase decisions without adequate information consideration. In addition, it was also found that the practice of delivering inaccurate or misleading product information, the difficulty of consumers in accessing the complaint mechanism, and the slow refund process when there is a discrepancy between the promoted product and the product received(DM et al., 2023).

Normatively, Indonesia actually has adequate legal instruments to protect consumer rights, including Law Number 8 of 1999 concerning Consumer Protection, the Law on Information and Electronic Transactions as amended by Law Number 1 of 2024, Law Number 27 of 2022 concerning the Protection of Personal Data, as well as sectoral regulations that specifically regulate trade through electronic systems. On a more technical level, the Ministry of Trade has issued Regulation of the

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Minister of Trade Number 19 of 2026 concerning the Implementation of Trade Businesses Through Electronic Systems which replaces the previous regulation and explicitly affirms the obligations of transparency, consumer protection, and the responsibilities of business actors and platform operators, including in the social commerce and live shopping business models. However, the availability of legal norms on paper does not necessarily guarantee the realization of effective protection for consumers in the practice of daily social life.

The gap between the applicable legal norms and their implementation in social reality is an important starting point for the study of legal sociology. Satjipto Rahardjo argued that law cannot be understood solely as a collection of normative rules that stand alone, but must be seen as a social institution that lives and interacts with the structure of society, cultural values, and the interests of the parties involved in this matter(Ikhsan et al., 2023). In the context of live shopping, the legal sociology approach is relevant to explain why the normatively available consumer protection rules have not been fully able to prevent or take action on consumer rights violations that occur massively in the practice of live broadcast-based digital commerce.

Previous studies on consumer protection in e-commerce have generally focused on normative analysis of regulatory compliance with e-commerce practices in general, without specifically highlighting the unique characteristics of live shopping as a form of transaction that takes place in real time and is loaded with elements of emotional persuasion. Some other studies still focus on the aspect of legal certainty alone, while the sociological dimension that explains the interaction between legal structure, legal substance, and legal culture in a digital society is rarely explored in depth(Sulistianingsih et al., 2023). This emptiness underlies the importance of this research.

Based on this description, this study aims to analyze how law enforcement against violations of consumer rights in live shopping transactions is seen from the perspective of legal sociology, focusing on the relationship between legal structure, legal substance, and legal culture, as well as social factors that affect the effectiveness of law enforcement in digital trade practices in Indonesia.

2. RESEARCH METHOD

This study uses a normative juridical method enriched with a socio-legal approach, which was chosen because it is able to bridge the analysis of positive legal norms with an understanding of the social phenomena that underlie the birth and enactment of these norms in society. The approaches used include a statutory approach, a conceptual approach, and a sociological approach to examine the interaction between law and social behavior of parties in live shopping transactions.

The legal materials used in this study consist of primary legal materials, namely relevant laws and regulations such as Law Number 8 of 1999 concerning Consumer Protection, the Law on Information and Electronic Transactions, the Personal Data Protection Law, and the Regulation of the Minister of Trade Number 19 of 2026; secondary legal materials, in the form of books, scientific journals, and the results of previous research related to consumer protection, electronic commerce, and legal sociology; as well as tertiary legal materials, in the form of legal dictionaries and other supporting references.

The data collection technique is carried out through library research, which is by tracing, collecting, and reviewing laws and regulations, literature, and research results that are relevant to the topic of consumer protection law enforcement in live shopping transactions. The data that has been collected is then analyzed in a qualitative descriptive manner, by describing and interpreting the relationship between the applicable legal norms and the social reality of live shopping practices, using the theoretical framework of Lawrence Friedman's legal system which distinguishes three components of law, namely legal structure, legal substance, and legal culture, as the main analysis instrument.

3. RESULT AND DISCCUSSION

A study of law enforcement on violations of consumer rights in live shopping transactions shows that the problems that arise do not solely stem from the vacuum of legal norms, but are more

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rooted in the gap between the applicable legal provisions and the social reality in digital trade practices. The following description presents a discussion of several main themes that explain the gap from the perspective of legal sociology.

a. Law in the Books and Law in Action in Live Shopping Consumer Protection

In terms of law in the books, the legal framework for consumer protection in Indonesia is actually quite comprehensive. Article 4 of Law Number 8 of 1999 concerning Consumer Protection expressly regulates consumers' rights to true, clear, and honest information about the condition of goods and/or services, the right to have their complaints heard, and the right to receive compensation if the goods or services received are not in accordance with the agreement(Alfarisi & Hakim, 2019). This provision is strengthened by the Regulation of the Minister of Trade Number 19 of 2026 articles 10 and 16, which specifically require business actors to trade through electronic systems, including social commerce and live shopping feature operators, to provide consumer complaint services and ensure transparency of product information and transaction fees.

However, in law in action, these provisions often do not work as they should. In the practice of live shopping, product information is often conveyed orally and spontaneously by the host in a very fast tempo, making it difficult for consumers to verify the truth at that moment. Promotional claims such as large discounts for a limited time or statements that a product is genuine and certified are often submitted without supporting documents that consumers can access directly. The gap between the norm that requires information transparency and the practice of delivering fast and persuasive information is at the heart of the problem in the enforcement of consumer protection laws in live shopping transactions(Ayu et al., 2022).

b. Legal Structure, Substance, and Culture as Determinant Factors

Referring to Lawrence Friedman's theory of the legal system, the effectiveness of law enforcement is determined by the interaction of three components, namely legal structure, legal substance, and legal culture. In terms of legal structure, institutions that are authorized to supervise and enforce consumer protection laws, such as the Directorate General of Consumer Protection and Commercial Order and the National Consumer Protection Agency, still face limited institutional capacity to supervise transactions that take place in real time and in very large volumes every day. Supervision of live broadcast content requires a high response speed, while conventional supervision mechanisms tend to be responsive to complaints that have been received, not preventive to ongoing violations(Indah et al., 2025).

In terms of legal substance, although consumer protection norms are already in place, provisions that specifically regulate the unique characteristics of live shopping, such as the limitation of sales persuasion tactics, standards for disclosure of information during broadcasts, or the obligation to document broadcast recordings as evidence, are still not regulated in detail and operationally. The ambiguity of such norms opens up space for business actors to interpret their legal obligations loosely, while consumers find it difficult to prove violations due to the lack of official documentation of what is conveyed during broadcasting.

In terms of legal culture(Taufiqurahman et al., 2024), this factor seems to be the most decisive in explaining the weak enforcement of consumer protection laws in live shopping transactions. Indonesia's consumer legal culture in online shopping still tends to be permissive, where many consumers choose not to take the official complaint route even though they suffer losses, because they consider the relatively small value of losses compared to the time and energy that must be spent to take care of complaints. On the other hand, the legal culture of business actors is also not fully compliance-oriented, most still place the orientation of short-term profits and the achievement of live broadcast sales targets above compliance with consumer protection standards.

c. The Role of Social Actors: Business Actors, Platform Operators, and Consumers

Law enforcement from the perspective of legal sociology cannot be separated from the role of the social actors involved in the legal relationship. Business actors, both as merchants and as hosts of live broadcasts, have a central role in determining the quality of information received by consumers.

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The inequality of knowledge (asymmetric information) between business actors who fully control product information and consumers who only receive piecemeal information in a short period of time, increases the potential for violations of consumers' rights to correct and honest information.

Platform operators, on the other hand, occupy an ambiguous position in the relationship of legal responsibility. Platforms often position themselves as providers of technical means and not as parties directly responsible for the content of broadcasts and the veracity of claims submitted by business actors(Novita & Santoso, 2021). In fact, as an electronic system operator, platforms have the technical capacity to moderate content, provide a mechanism for verifying product claims, and facilitate more responsive dispute resolution between consumers and business actors. The lack of clarity in the division of legal responsibilities between business actors and platforms is what makes it difficult to enforce law when consumer rights are violated.

Meanwhile, consumers as protected parties also have a role that cannot be ignored. The low level of digital literacy and consumer legal literacy causes many consumers to be unaware of the rights they have, including the right to request written evidence of claims submitted during the live broadcast, as well as the right to file objections through official mechanisms that have been provided by laws and regulations. This condition confirms that the effectiveness of law enforcement does not solely depend on the compliance of business actors, but also on the level of awareness and active participation of consumers in demanding their rights.

d. Challenges and Strategies for Strengthening Law Enforcement

Based on the description above, it can be understood that the main challenge of law enforcement in violation of consumer rights in live shopping transactions is multidimensional, including structural, substantial, and cultural dimensions. Therefore, strengthening law enforcement cannot be done only through a normative juridical approach alone, but requires an integrative strategy or collaborating with each other to achieve legal certainty. In the dimension of legal structure, it is necessary to strengthen the institutional capacity of supervision through the use of automatic content monitoring technology, so that supervisory institutions are able to detect indications of violations more quickly without having to wait for consumer complaints(Muslim et al., 2023).

In the dimension of legal substance, it is necessary to develop more detailed technical guidelines regarding the standards for delivering product information in live broadcasts, including the obligation to document and keep broadcast recordings as evidence that can be accessed in the event of a dispute. As for the dimension of legal culture, which Friedman sees as the most decisive factor for the success of law enforcement in society, continuous efforts are needed to foster legal awareness, both through consumer education about their rights in online shopping, and through fostering legal compliance for business actors and platform operators as part of their social responsibility in the digital commerce ecosystem.

This finding confirms that the enforcement of consumer protection laws in live shopping transactions is ultimately not only a matter of norm certainty, but also a matter of how these norms are lived, understood, and run by society as part of a legal culture that continues to evolve along with the transformation of the digital economy(Zakiyah & Junaidi, 2026).

4. CONCLUSION

This study shows that law enforcement against violations of consumer rights in live shopping transactions cannot be understood solely through a normative approach, but needs to be analyzed through a legal sociology perspective that places the law as part of people's social lives. Although the legal framework for consumer protection in Indonesia, which includes Law Number 8 of 1999 concerning Consumer Protection, the Law on Information and Electronic Transactions, and Regulation of the Minister of Trade Number 19 of 2026, has been formulated relatively comprehensively, its application in the practice of live shopping still faces a gap between law in the books and law in action.

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This gap is mainly due to the weak capacity of the legal structure to conduct real-time supervision, the blurring of legal substance that specifically regulates the unique characteristics of live shopping transactions, and the legal culture that is not fully compliance-oriented, both in terms of business actors, platform operators, and consumers. The knowledge gap between business actors and consumers, the ambiguity of platform responsibilities, and the low legal literacy of consumers also weaken the effectiveness of consumer protection law enforcement in the practice of live broadcast-based digital commerce.

This study recommends the need to strengthen integrative law enforcement, which combines strengthening the institutional capacity of digital supervision, the preparation of more operational technical guidelines regarding information standards in live shopping broadcasts, and the growth of legal awareness and culture among all social actors involved(Hukum et al., 2023).

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