

Unlawful Acts Related to Non-Compatibility Between Advertising Promises and Product Reality

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ABSTRAK

Perkembangan ekonomi di sektor industri dan perdagangan membawa dampak signifikan terhadap meningkatnya jumlah barang maupun jasa yang di tawarkan di pasar. Globalisasi sampai kemajuan teknologi informasi turut mendorong kompetisi yang semakin intens di kalangan pelaku usaha, yang salah satunya diwujudkan melalui media periklanan. Iklan berperan penting sebagai alat komunikasi pemasaran yang bertujuan menarik perhatian dan memengaruhi keputusan pembelian konsumen. Namun, dalam praktiknya, tidak sedikit iklan yang mengandung informasi yang tidak jujur, berlebihan, atau bahkan menyesatkan, sehingga merugikan konsumen secara langsung. Ketidaksihonestan antara janji yang disampaikan dalam iklan dan kenyataan produk yang diterima oleh konsumen menjadikan tindakan tersebut termasuk perbuatan melawan hukum (*onrechtmatige daad*) sebagaimana diatur pada Pasal 1365 KUHP. Selain itu, tindakan ini juga melanggar ketentuan dalam Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen, terutama Pasal 8 ayat (1) huruf f yang secara tegas melarang pelaku usaha menyampaikan informasi palsu atau menyesatkan dalam bentuk iklan. Dalam konteks ini, mengingat posisi konsumen yang lebih lemah dibandingkan dengan pelaku usaha, kehadiran negara sangat diperlukan untuk menyediakan perlindungan hukum yang layak. Penelitian ini mengaplikasikan pendekatan hukum normatif melalui analisis menyeluruh terhadap peraturan perundang-undangan dan doktrin hukum, serta pendekatan empiris untuk memahami praktik di lapangan. Perlindungan hukum terhadap konsumen bukan hanya merupakan bentuk pengakuan terhadap hak-hak dasar konsumen, tetapi juga mencerminkan tanggung jawab moral dan sosial dari pelaku usaha. Penegakan hukum yang tegas, edukasi konsumen, serta integritas dalam praktik periklanan menjadi elemen penting dalam menciptakan iklim usaha yang sehat dan berkeadilan.

Kata Kunci: perlindungan konsumen, perbuatan melawan hukum, iklan menyesatkan, etika bisnis, kepercayaan konsumen.

ABSTRACT

Economic developments in the industrial and trade sectors have had a significant impact on the increasing number of goods and services offered in the market. Globalization and advances in information technology have also driven increasingly intense competition among business actors, one of which is manifested through advertising media. Advertising plays an important role as a marketing communication tool aimed at attracting attention influencing consumer purchasing decisions. However, in practice, many advertisements contain dishonest, exaggerated, or even misleading information, thus directly harming consumers. The discrepancy between the promises made in the advertisement and the reality of the product received by the consumer makes this action an unlawful act (*unlawful act*) as regulated in Article 1365 of the Civil Code. In addition, this action also violates the provisions of Law Number 8 of 1999 concerning Consumer Protection, especially Article 8 paragraph (1) letter f which expressly prohibits business actors from conveying false or misleading information in the form of advertisements. In this context, considering the weaker position of consumers compared to business actors, the presence of the state is very necessary to provide proper legal protection. This research applies a normative legal approach through a comprehensive analysis of legislation and legal doctrine, as well as an empirical approach to understand practices in the field. Legal protection for consumers not only recognizes basic consumer rights but also reflects the moral and social responsibility of business actors. Strict law enforcement, consumer education, and integrity in advertising practices are essential elements in creating a healthy and equitable business climate.

Keywords: consumer protection, unlawful acts, misleading advertisements, business ethics, consumer trust.

INTRODUCTION

Economic development in the industrial and trade sectors, in particular, creates a diverse range of products and services for consumers. Globalization and advances in communications technology will expand trade between countries, making foreign and domestic products more differentiated. Consumers provide opportunities for companies to sell their products. One example is through advertisements. A consumer is any individual or group that uses goods and/or services to meet personal, family, or household needs, without the intention of trading them. In a legal context, this definition is affirmed in Article 1 number 2 of Law Number 8 of 1999 concerning Consumer Protection, which states that a consumer is any person who uses goods and/or services available in society, whether for the benefit of themselves, their family,

other people, or other living beings and not for trading. Legal experts such as Mariam Darus Badruzaman and Az. Nasution also strengthen this definition by emphasizing that consumers are the end users of a product or service. Consumer protection, on the other hand, refers to all efforts made to guarantee consumer rights from detrimental business practices. Mochtar Kusumaatmadja defines consumer protection as the entire legal principles and rules that regulate the relationship between various parties in human interaction related to consumer goods or services (Chrisdanty, 2020).

Referring to the regulationslaw Article 10 of Law No. 8 of 1999 concerning consumer protection, promotion is defined as the activity of conveying information to win consumer purchases. It plays a key role in marketing products involving four stakeholders: Business players, advertising agencies, advertising media, and consumers. Business players send product messages to advertising agencies. Advertising agencies design advertisements that are broadcast through mass media. Advertising information must be complete, clear, and honest so that consumers are not misled. Consumers have the right to information that shows not only the advantages of the product, but also the risks that may arise. It does not respond to reality and can create a false (misleading) impression that is dangerous for consumers. For example, cheap rate advertisements that do not include applicable conditions. This can mislead consumers and cause losses. According to Yusuf Shofie, there are five factors that can harm consumers, including advertising that does not match reality and damaged products (Elia, 2025).

In Indonesia, there are various regulations regarding advertising in positive law, such as the Consumer Protection Law and the Criminal Code. Protecting consumers is very important because of their position. Consumer weaker than business actors. The state plays a role in protecting consumer rights through clear and effective regulations. The weakening of consumer protection in Indonesia is not solely due to a lack of regulation, but rather the result of a complex legal system, institutions, and legal culture that do not fully favor consumers. Although Law No. 8 of 1999 concerning Consumer Protection prohibits misleading advertising (Articles 9 and 10), its implementation is often ineffective due to several structural and normative factors. The main problems and causes of weak consumer protection are: First, the lack of synchronized legal substance is a major obstacle. For example, there are contradictions in the consumer dispute resolution mechanism between Articles 54, 56, and 58 of the Consumer Protection Law, which makes it difficult for the Consumer Dispute Resolution Agency (BPSK) to carry out its functions in a final and binding manner. Second, the scattered and uncoordinated consumer

protection institutions create confusion for the public in filing complaints. Consumers often do not know where to report to—the Ministry of Trade, the Financial Services Authority (OJK), or other institutions—because there is no clear single point of contact. Third, placing regulations under the Ministry of Trade is considered philosophically inappropriate. As criticized by the Deputy Chair of the National Consumer Protection Agency (BPKN), consumers should be positioned as the antithesis of business actors, not as part of the trading system. As a result, consumer protection tends to be subordinated to economic and trade interests. Fourth, low legal literacy and consumer awareness of their rights exacerbate the situation. Many consumers are unaware that they have the right to sue for damages for misleading advertising, so businesses lack sufficient social and legal pressure. Finally, the lack of effective sanctions and weak law enforcement against advertising violations discourage businesses from deterring them. Cases like PT. Excelcomindo demonstrates that misinformation can damage public trust and cause losses, but the resolution is often neither transparent nor consumer-friendly (Fauzi & Koto, 2022).

Many advertisements violate ethics and do not comply with existing regulations, according to data from advertising watchdogs. Cases like PT. Excelcomindo, which is not in fact true, demonstrates the importance of legal protection for consumers before they are misled by advertisements. This information can be damaged by consumers, undermine trust, and cause material and immaterial losses. Thus, consumers have the right to demand responsibility for advertising that is misleading.

RESEARCH METHOD

This study uses normative and empirical legal methodologies to investigate the legal issues related to the discrepancy between advertising claims and actual product performance from a consumer protection perspective. The normative legal method involves examining relevant regulations, including the Civil Code (KUHPperdata) and Law Number 8 of 1999 concerning Consumer Protection, along with legal literature and academic concepts regarding torts, business ethics, and the principle of justice (Sari, Husain, Amalia, & dkk, 2021).

In addition, an empirical sociological approach is applied to understand the social realities that occur in practice, particularly regarding consumer perceptions of misleading advertising and how consumer protection agencies such as BPSK respond to these disputes. Empirical data is obtained through a literature review of case documentation, news media, and

relevant field findings, to describe contextually the impact of advertising discrepancies on consumers and the effectiveness of dispute resolution through litigation and non-litigation channels (Sari, Husain, Amalia, & dkk, 2021).

By combining these two approaches, this study intended to produce a legal analysis that examines the form of discrepancy between advertising promises and the reality of the product received by consumers which can be categorized as an unlawful act according to Article 1365 of the Civil Code and aims to provide legal protection to consumers through litigation and non-litigation approaches in advertising cases misleading.

PROBLEM SUMMARY

1. How can the discrepancy between the advertising promise and the reality of the product received by the consumer be categorized as an unlawful act according to Article 1365 of the Civil Code?
2. What forms of legal protection can be provided to consumers through litigation and non-litigation approaches in advertising cases misleading?

RESULTS & DISCUSSION

Mismatch between Advertising Promises and Product Reality as an Unlawful Act

In modern business practice, advertising plays a central role as a means of communication between businesses and consumers. Through advertising, businesses convey information about product advantages, promotions, and various claims aimed at attracting market attention. However, in many cases, advertising information does not accurately describe the condition of the goods being sold. In the context of Indonesian civil law, the difference between the promises made in the advertisement and the goods actually received by the buyer is not only morally problematic but can also be considered an illegal offense. An example of this case is an advertisement for a beauty product owned by a TikTok celebrity named Mira Hayati. The case of Mira Hayati, known as the Golden Queen, became public attention after she was proven to distribute cosmetic products containing mercury and did not have a distribution permit from the BPOM. Products with the brands MH Cosmetic Lightening Skin and MH Cosmetic Night Cream were marketed widely through distributors, agents, resellers, and social media. Based on the results of laboratory tests by the Makassar BPOM, the products tested positive for mercury, a hazardous substance prohibited for use in cosmetics because it

can damage the skin and body health. In addition, some of the products did not have official notification from the BPOM, thus being considered to violate regulations on the safety, quality, and distribution of drugs/cosmetics.

Mira was then charged under the Health Law and sentenced to 6 years in prison and a fine of Rp1 billion. However, the panel of judges at the Makassar District Court ultimately handed down a lighter sentence, namely 10 months in prison and a fine of Rp1 billion, subsidiary to 2 months in prison. In its consideration, the judge stated that Mira's product was disturbing the public and dangerous to health, but reduced the sentence because she was polite in court, had no previous convictions, and was a mother who was still breastfeeding a baby. Her attorney initially denied this, stating that the product tested by BPOM was counterfeit, not produced by an official factory. Nevertheless, this case demonstrates the importance of strict supervision of cosmetic products to protect consumers from misleading advertising and dangerous ingredients (Elia, 2025).

Provisions regarding unlawful acts are explicitly regulated in Article 1365 of the Civil Code (KUHPerduta) (Elia, 2025), which states that any act that violates the law and causes harm to another person, requires the perpetrator to compensate for the loss. In the context of misleading advertising, a business actor can be considered to have committed an unlawful act if the elements of the act are met (*deed*), mistake (*debt*), loss (*injury*), and cause-and-effect relationships (*causal mortgage*) (Febriansyah, Kurniawan, Syahladin, Larasati, & S, 2024).

Unlawful Acts (PMH) or *unlawful* Daad is basically an act of a person who violates the law and causes harm to others, thus giving rise to an obligation for the perpetrator to compensate for the loss. According to Wirjono Prodjodikoro, PMH is an act that violates the rights of others or is contrary to the legal obligations of the perpetrator. Meanwhile, Subekti states that PMH is an act that is contrary to the law and is carried out due to someone's mistake, resulting in harm to others. Setiawan expands the definition of PMH, that it is not only limited to violations of laws, but also includes violations of moral norms, propriety, and rules of social life. In line with Article 1365 of the Civil Code, R. Subekti and R. Tjitrosudibio emphasize that every unlawful act that causes harm to others requires the perpetrator to compensate for the loss. From these various expert views, it can be understood that unlawful acts are not only limited to violations written in the law, but also include violations of social and moral norms that apply in social life (Febriansyah, Kurniawan, Syahladin, Larasati, & S, 2024).

There are significant legal implications for consumers resulting from discrepancies between claims made in advertising and the goods actually sold. These implications are significant both in protecting and providing compensation for losses. If customers receive a product that does not match the information provided in the marketing, they are at a legal disadvantage. Jaang (2023) In Indonesia, consumer rights protection is regulated by Law Number 8 of 1999 concerning Consumer Protection (UUPK). Consumers are entitled to compensation, restitution, or replacement if the goods or services received do not comply with the agreement or result in losses. The following is a detailed explanation (Muskibah, 2010):

1. The Right to Comfort, Security and Safety

Consumers have the right to a guarantee that the goods/services they use are safe and do not cause harm. If they are proven to be dangerous (for example, cosmetics containing mercury, poisonous food, or electronic products exploding), consumers have the right to demand compensation or damages.

2. The Right to Correct, Clear and Honest Information

Consumers have the right to receive complete information about a product, including its composition, usage instructions, risks, and expiration date. If the information is unclear or misleading (e.g., exaggerated advertising, false labeling), consumers have the right to a product replacement or refund.

3. The Right to Choose Goods/Services According to Promises

If the product received does not match the seller's promise or advertisement (for example, size, quality, benefits are different from those offered), the consumer has the right to a refund, replacement, or free repair.

4. Right to Compensation (Article 19 UUPK)

Business actors are required to provide compensation in the form of:

- a. Money refund (*refund*)
- b. Replacement of similar goods/services with equivalent value
- c. Maintenance/repair at no additional cost
- d. A combination of the three
- e. If the business actor refuses, consumers can take legal action (through the Consumer Dispute Resolution Agency (BPSK) or the court).

5. The Right to Fair and Non-Discriminatory Treatment

Consumers have the right to receive fair service. If they are refused, discriminated against, or otherwise harmed by a business's unilateral policies, they can sue for damages. These losses can include material losses such as wasted costs, loss of product benefits, or additional costs for repairs, and immaterial losses, such as disappointment, psychological distress, or erosion of trust in commercial entities. Under civil law, consumers have the right to seek compensation under Article 1365 of the Civil Code, which regulates unlawful activities. Furthermore, Law Number 8 of 1999 concerning Consumer Protection establishes a strong legal framework for consumers to seek justice through litigation and non-litigation channels (Masturi, Herlan, Iryatin, & Mardianto, 2023).

Litigation is the resolution of disputes through the courts through a formal process based on applicable procedural law. According to Subekti, litigation is a legal remedy through a judicial institution, while Sudikno Mertokusumo emphasized that the outcome of the settlement is binding because it is a judge's decision that has permanent legal force. Litigation can take the form of a lawsuit in the District Court for civil disputes, the State Administrative Court for government administrative decisions, the Commercial Court for bankruptcy cases, or the criminal court if the business actor's actions meet the elements of a criminal offense. This route usually takes longer and is more expensive, but the results are final and binding.

In contrast, non-litigation is a dispute resolution process outside the courts that emphasizes deliberation and peaceful agreement. According to M. Yahya Harahap, this method places greater emphasis on the voluntary participation of the parties, while Suyud Margono defines it as an alternative dispute resolution (ADR) that is efficient, confidential, and oriented towards win-win solutions. Non-litigation can take the form of direct negotiations between consumers and businesses, mediation and conciliation with the assistance of a neutral third party, arbitration through official institutions such as BANI, and resolution through BPSK (Consumer Dispute Resolution Agency), which specifically handles consumer protection cases. This method is relatively faster, simpler, and cheaper than litigation.

In the context of consumer disputes, such as cases involving mercury-containing cosmetics or misleading advertising, consumers can choose a non-litigation approach through the Consumer Protection and Protection Agency (BPSK) to quickly seek compensation without the hassle of court proceedings. However, if the losses incurred are substantial or if a criminal offense, such as a violation of the Health Law, is involved, litigation through the courts can be

pursued to obtain a firm and binding decision. Thus, these two approaches complement each other, depending on the type and extent of the loss experienced by the consumer (Kamagi, 2018).

The disparity between consumers and businesses further highlights the need for legislative protection. Consumers often lack adequate access to information, leaving them vulnerable to deceptive advertising. Without strict enforcement, businesses can continue to engage in deceptive promotional methods without facing substantial consequences. The legal implications for consumers include both redress for losses and the preservation of the values of fairness, transparency, and accountability in the trading system (Rahmatullah & Subair, 2024).

The power differential between consumers and businesses is a crucial element in examining consumer protection law. In practice, businesses have far greater control over information, technology, and marketing strategies, including the ability to craft advertisements with compelling and complex narratives. Conversely, consumers often find themselves in an unequal position due to limited knowledge, access to information, and bargaining power in transactions. This imbalance results in consumers being passive and vulnerable to manipulative promotional information.

Businesses can freely determine advertising content, choose distribution platforms, and structure promotional schemes in such a way that consumers are encouraged to make purchases without having the opportunity to evaluate them objectively. Furthermore, consumers lack an equal evaluation mechanism to verify the veracity of advertising content before a transaction occurs. This is why legal protection is a crucial instrument for bridging this structural gap and promoting equitable legal relations (Elia, 2025).

Conflict resolution procedures are also affected by this imbalance. Often, consumers who feel aggrieved are unaware of their legal options, such as filing a complaint with the BPSK (Regional Consumer Protection Agency) or pursuing a civil lawsuit. Furthermore, psychological factors such as fear of facing large corporations, disproportionate costs, and lengthy settlement times discourage consumers from asserting their rights. Therefore, consumer protection is not sufficient through regulation alone; it also needs to be complemented by educational efforts, advocacy, and empowerment to enable consumers to become active and empowered legal subjects.

The principles of distributive justice and legal proportionality are essential foundations for consumer protection, particularly when there is an imbalance of information and power between businesses and consumers. Distributive justice emphasizes that every individual has the right to fair access to goods, services, and legal protection, without discrimination based on social or economic status. In the consumer context, this principle requires that the state and businesses not only produce safe and appropriate products but also ensure that consumers have equal rights to obtain information, file complaints, and obtain compensation for losses. When businesses advertise misleadingly, consumers, as the less advantaged party, must receive legal protection that is not only formal but also substantive and socially just (Widiarty, 2024).

Meanwhile, the principle of legal proportionality serves as an evaluative tool for legal actions taken to resolve consumer disputes. This principle requires that sanctions or compensation imposed on business actors be proportionate to the degree of error and the resulting losses. In the case of misleading advertising, proportionality ensures that business actors are held not only legally accountable, but also morally and socially. For example, if consumers suffer significant losses due to false information in advertising, the form of redress provided must reflect the magnitude of those impacts, whether through financial compensation or reputational restoration (Fatmawati, 2024). Thus, the principle of proportionality not only maintains harmony between duties and rights, but also stops corporate actions from abusing their influence and ensures that consumer protection is applied fairly and effectively.

Forms of Consumer Legal Protection through Litigation and Nonlitigation

Forms of Consumer Legal Protection through Litigation and Non-litigation there is are two main ways to provide legal protection to consumers who have been deceived by advertising: non-litigation and litigation. While non-litigation includes out-of-court dispute resolution procedures such as mediation and arbitration, litigation involves legal action taken through the court system or through the Consumer Dispute Resolution Agency (BPSK). Both forms are equally important in providing access to justice for consumers and are state instruments for ensuring comprehensive protection of consumer rights (Fauzi & Koto, 2022).

Through a litigation approach, consumers who suffer losses due to inappropriate advertising can file a lawsuit based on the provisions of Article 1365 of the Civil Code concerning unlawful acts (Chrisdanty, 2020). The lawsuit can be filed in district court with a demand for compensation for the losses suffered. In some cases, the lawsuit may also include a

request for transaction cancellation, restoration of the consumer's reputation, and additional sanctions if the business actor's intentional misconduct is proven. Litigation is considered more formal, procedural, and has definite enforcement powers, but it also tends to be more time-consuming and expensive (Muskibah, 2010).

In contrast, a non-litigation approach presents a more efficient and inclusive alternative solution. Consumers can file complaints with the BPSK, which is tasked with facilitating dispute resolution through mediation, conciliation, or arbitration. This mechanism is considered faster and less expensive, and provides a space for consumers to resolve issues without the pressure of the court process. Furthermore, institutions such as the Regional Consumer Protection Commission (KPKD) can also provide advocacy and facilitation in consumer disputes. A non-litigation approach supports the principle of distributive justice by expanding access to legal protection for consumers who lack the ability to pursue formal channels (Tampubolon, 2016).

These two forms of protection complement each other within the national legal system. Litigation provides legal certainty through court decisions, while non-litigation offers more humane and responsive solutions. Within the consumer protection framework, the effectiveness of both approaches depends on regulatory support, consumer awareness, business integrity, and the support of dispute resolution institutions. Therefore, a healthy and transparent business climate can be achieved if legal protection through litigation and non-litigation is implemented consistently and proportionally.

Property protection theory (Philipus M. Hadjon) Consumer protection is a conceptual framework that explains the philosophical and legal basis for the need for legal intervention to protect consumers from harmful business practices. This theory is based on the assumption that consumers are in a less powerful position compared to business entities, both in terms of knowledge, bargaining power in negotiations, and access to legal remedies. Therefore, the state is obliged to implement regulations and conflict resolution processes to maintain equal legal relations between the parties involved (Shidarta, 2000).

Law Number 8 of 1999 concerning Consumer Protection (UUPK), which explicitly states that consumer protection encompasses all efforts to ensure legal clarity in order to provide protection to consumers (Article 1 point 1 of the UUPK), reflects this idea within the positive legal framework in Indonesia. This protection includes the right to correct information, comfort

and safety, and compensation in the event of losses caused by the goods or services used (Sidabalok, 2010).

This theory also emphasizes the importance of preventive and repressive legal protection. Preventive protection aims to prevent violations by establishing information standards, prohibiting misleading advertising, and educating consumers. Meanwhile, repressive protection is implemented through litigation and non-litigation mechanisms, such as civil lawsuits under Article 1365 of the Civil Code or resolution through the Consumer Dispute Resolution Agency (BPSK) (Jaang, 2023).

According to Satjipto Rahardjo, he explains the Theory of Responsibility/Liability Theory. Legal liability arises when a party suffers a loss due to the actions of another party. In the context of advertising overclaims, businesses are responsible for compensating consumers for providing misleading information. This aligns with Article 19 of the Consumer Protection Law, which requires businesses to compensate consumers for losses.

Apart from the theory above, there is also the theory of Utilitarianism (Jeremy Bentham & John Stuart Mill). This theory judges right and wrong based on the greatest benefit to the greatest number of people. Advertising that overclaims harms many consumers, thus contradicting the utilitarian principle. Strict advertising regulations aim to protect consumers so that social benefits are greater.

Thus, consumer protection theory not only serves as a normative basis for developing regulations but also as an ethical foundation for building a fair and sustainable trading system. In cases where advertising promises do not match product reality, this theory strengthens consumers' legitimacy to assert their legal and moral rights.

CONCLUSION

First, ads serve as a means of communication between businesses and consumers. However, discrepancies often arise between advertising claims and product reality, which under Indonesian civil law can be categorized as an unlawful act (PMH) under Article 1365 of the Civil Code. A clear example is the case of Mira Hayati (Ratu Emas), which marketed cosmetics containing mercury without BPOM approval, thereby harming consumers.

Unlawful acts include violations of laws, the rights of others, norms of propriety, and morality (Wirjono Prodjodikoro, Subekti, Setiawan). In the context of consumer protection, Law No. 8 of 1999 guarantees the right to security, correct information, a choice of goods as

promised compensation/redress, and fair treatment. Dispute resolution can be pursued through litigation (court) or non-litigation (BPSK, mediation, arbitration), depending on the extent of the loss and the criminal element.

The information imbalance between businesses and consumers places consumers in a vulnerable position. Therefore, legal protection is necessary to ensure distributive justice (equal access to consumer rights) and the principle of proportionality (sanctions/compensation commensurate with losses). Therefore, consumer protection is not just a matter of formal regulation, but also empowerment, education, and substantive justice to prevent consumers from continuing to fall victim to misleading advertising.

Second, consumer legal protection can be achieved through litigation (lawsuits in court under Article 1365 of the Civil Code) or non-litigation (BPSK, mediation, conciliation, arbitration). Litigation provides legal certainty through binding decisions, although it is more formal and expensive, while non-litigation is faster, cheaper, and more inclusive. Both complement each other in ensuring consumers' access to justice.

In a way theoretical, The Legal Protection Theory (Philipus M. Hadjon) emphasizes that consumers as weak parties need state intervention to obtain certainty, security, and compensation in accordance with the Consumer Protection Law. This protection includes preventive efforts (prohibition of misleading advertising, education) and repressive (dispute resolution). The Responsibility Theory (Satjipto Rahardjo) requires business actors to compensate for losses in accordance with Article 19 of the Consumer Protection Law, while the Utilitarianism Theory (Bentham & Mill) considers misleading advertising to be contrary to the greatest social benefit. Thus, these theories emphasize that consumer protection is not only a normative aspect, but also ethical and social, to ensure a fair, healthy, and sustainable trading system.

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