

Further Discussion on Case Teaching Method Via A Case of Spreading False Information Online of Some Bad Vietnam Websites and Criminal Laws of Indonesian and China

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ABSTRACT

There will be suitable criminal laws for the case of spreading false information online of some bad Vietnam websites such as: Thanh nien newspaper, Tuoi tre newspaper, giaoduc.edu.vn, vietnamnet.vn, facebook.com> Liemchinhkhoahoc, nguyenduyxuan.net, etc. In specific, Thanh nien newspaper (Thanhnien.vn) and Tuoi tre newspaper (Tuoiitre.vn) and recently, Vietnamnet.vn (online) violated during 2015-2022 period in Vietnam. By using synthesis and inductive methods, observations and experiences from other countries, authors will address this case that can be considered as internet crime (a kind of). Not only violating privacy law but also violating fake news publishing laws and slander laws. Allcott and Gentzkow (2017) worked toward a definition of "false news". Their study defines this news genre as "A news story that has no factual basis, but it presented as news". Hence, authors will both present a case teaching method for social sciences and law students (with English using) and address how Indonesia and China deal with this case. Then we also refer to Ho Chi Minh ideas on journalism to teach students in social sciences, and laws majors.

KEYWORDS

Indonesia laws; China laws; slander crime; fake news publish; Thanh nien newspaper; Tuoi tre newspaper; vietnamnet.vn; giaoduc.edu.vn.

INTRODUCTION

Case Study Methods with English Using

A case study is the in-depth, long-term investigation of one or more scientific problems discovered in real life. Data may be collected using a combination of methods such as interviews, personal observations, and document analysis.

In essence, case studies can be either positivist (used to test hypotheses) or explanatory (used to build theories). The strength of this research method is its ability to explore a range of social, cultural and political factors potentially related to the phenomenon under study that have not been explored before.

Case studies contain many qualitative analyses, which are highly dependent on the context in which the case study is located. However, the interpretation of the results is highly dependent on the researcher's ability to observe and integrate. The lack of control comparisons can create difficulties in establishing a causal relationship. At the same time, findings from a single case may not be easy to generalize to other cases.

Next, teachers can apply English for teaching case study to help them to fill the gap between good students and lazy students by improving their 4 skills in English.

In Vietnam, Uncle Ho is a great journalist, a shining example of journalistic ethics, a journalist with the noblest, truest, and best meaning of those two words.

Ho Chi Minh's journalistic thinking, style and ethics are a precious treasure he left behind for generations of journalists today and in the future.

Ho Chi Minh's journalistic thinking concretizes his thought on culture: "Culture is a fundamental aspect of society", "Culture is a front", "(The) new culture combines humor and harmony and harmony between tradition and modernity, national and international". The press is a leading army in ideological work and a revolutionary weapon.

In below section we will show roles of English in presenting case study of two Vietnam magazines (thanhvien.vn and tuoitre.vn) with Indonesia, China laws approach for dealing with posting false information online.

Research question:

Question 1: Present real situation of spreading fake news in Vietnam?

Research limitation

Authors need to make analysis for other legal case studies as well as for other markets.

LITERATURE REVIEW

First, an Indonesian cabinet member has threatened to shut down Facebook Inc. If there is any evidence the personal data of citizen is being harvested or the social media giant fails to crack down on "fake news" during election.

(source:<https://tech.hindustantimes.com/tech/news/indonesia-threatens-to-ban-facebook-over-fake-news-data-privacy-of-users-story-qOzU3iLeRtQo03eU5QLHjO.html>, access date 12/3/2022).

Second, In the letter "to the writing class of Huynh Thuc Khang newspaper" in 1949, President Ho Chi Minh stated: "The object of the newspaper is the majority of the people. A newspaper that is not liked by the majority of the population is Not worthy of being a newspaper".



Figure 1. President Ho Chi Minh

(Source: internet)

Le, K., & Nguyen, M. (2021) mentioned relation between Education and political engagement, and confirmed by (Huy, D.T.N, 2015; Tinh, D.T., Huy, D.T.N., Thuy, N.T., 2021; Le, K., & Nguyen, M., 2020).

Then we summarize previous studies in below table:

Table 1. Related previous studies

Authors	Year	Content, results
Bandurski	2007	While fake news is increasingly a global problem, it has been a significant issue in China for the last twenty years, misleading public opinion, weakening the credibility of the media and creating negative emotions of the Chinese citizen

Darwish and Lakhtaria	2011	In recent years, with the development of digital and Web2.0 technology, an abundance of unreliable and often fake news has increasingly appeared in the mainstream media and has had a significant impact on society
Shu, Sliva, Wang, Tang & Liu	2017	False news, then, presents not just a lack of objectivity, but the actual reporting of facts that are inconsistent with news elements (including time, place, character, cause, process, and result) or falsified, or news details
Viña	2017	Fake news can destroy the guidance of public opinion and cognitive bias for the audience
Hanly	2018	False reports published by news agencies violated truth of the news
Hattingh et al	2020	the root causes of the spreading of fake news are identified to reduce the encouraging of such false information.
Lee McIntyre	2021	The obvious danger is that someone might take a fake story for real, causing us to believe a falsehood

Historical time	History of violating
1992	Discipline and dismissal of Editor-in-Chief Vu Kim Hanh: The first major disciplinary case with Tuoi Tre newspaper was in 1992 when Ms. Vu Kim Hanh, the editor-in-chief of the newspaper at that time, was considered a "serious mistake" when she let published a number of unpublished documents related to Mr. Ho Chi Minh's private life, including documents claiming that he had a wife. (source: https://tieng.wiki/content/ , access date 10/3/2022)
Mid 2007	the case against the press was prosecuted with the charges of: "Deliberately disclosing State secrets" under Article 263 and "Abusing democratic freedoms to infringe upon the interests of the State, legitimate rights and interests of organizations and citizens" according to article 258 of the Penal Code). Meanwhile, many journalists from central and local press agencies have been summoned and questioned by the investigative police agency.
2018	PMU18 case in 2008. For the first time, many journalists were interrogated, investigated and had to go to court
2021- beginning 2022	Thanh nien newspaper (Thanhvien.vn) and Tuoitre.vn and bad editor team Nguyen Ngoc Toan/Dang Thi Phuong Thao still publish false information online causing troubles and disorder in Vietnam society
2021-2022	www.Facebook.com > Liemchinhkhoa hoc violated laws (spreading fake news) , also violated privacy laws and slander laws (criminal laws)
Beginning 2022	Giaoduc.edu.vn and vietnamnet.vn violated privacy laws and slander laws (criminal laws) Other bad websites also violated: nguyenduyxuan.net, thietbihopkhai.com, etc. And need to be punished

(source: author synthesis)

Finally, we will analyze that criminal behavior in publishing fake news, For example, many newspapers in Vietnam have been punished and fined for that in past years.

RESEARCH METHODS

Authors mainly use experiences, observations, practical situation with cases studies of publishing fake news, for example in Vietnam combined with qualitative analysis, synthesis and explanatory methods.

RESULTS AND DISCUSSION

For case study teaching method in English for students with social sciences major, we will present case students and discussion relevant topics as below:

Case studies of publishing fake news in two Vietnam magazine

(source: <https://vi.wikipedia.org/wiki/>, access date 27/2/2022)

Next, we will present many legal lessons for students in journalism field.

Educating Students in Journalism and Publishing

In addition to, we can teach students with viewpoints of President Ho Chi Minh in revolutionary roles of journals and newspapers and publishing:

During the resistance war against the French, with the cadres and students who entered the first newspaper writing class in 1949, Uncle Ho taught: "The task of the newspaper is to propagate, promote, train, educate and organize the people. to bring people to a common goal. The common goal is the resistance war and national construction" (Letter to Huynh Thuc Khang Newspaper Writing Class, 1949).

Uncle told journalists: Before putting pen to paper, writers need to be very clear about themselves, "Who are you writing for? Writing for what? How to write?" (Speaking at the Second Congress of the Vietnam Journalists Association, 1959), "Press officers are also revolutionary soldiers" (Speech at the 3rd Congress of the Vietnam Journalists Association, 1962). Because "For us newspaper writers, the pen is a sharp weapon, the article is a revolutionary pamphlet to encourage the masses to unite to fight..." (Congratulations to the Association of Asian-African Journalists, 1965.)...

Talking about his experience in journalism, Uncle Ho shared with the press: "His journalistic experience is reverse experience. He learned to write French newspapers first, then learned to write Chinese newspapers, and then later learned to write Vietnamese newspapers. That contradiction, according to him, originates from the requirements of the revolutionary task and the circumstances of each time and place. Initially, Nguyen Ai Quoc, through articles written in French, aroused French and European public opinion about the situation of colonial countries on the Indochina peninsula. After that, going to work in any country, Uncle Ho also tried to master the language of that country to write newspapers, such as Russian, German, Chinese...



Figure 2. Ho Chi Minh and publishing activities

(source: internet)

Uncle Ho read and wrote newspapers until the day before he left in September 1969. Through more than 2,000 articles of various genres, in any circumstances, President Ho Chi Minh considered the press as an information channel with a mission to fully propagate the guidelines and guidelines of the Party, Government, education. cadres, guiding the people,

organizing movements, expressing opinions on all current issues of the country and the world.

Implementing his teaching on journalism and newspaper writing, for decades, the Party and State have wholeheartedly and tried their best for those who have shed blood, sacrificed and contributed a part of their body to the Fatherland Front. country, including a team of journalists who have now become a powerful team, with 41,000 journalists in the whole country, is a typical team that has been studying and following Uncle Ho in morality, style, work, to the articles that reach readers, listeners, viewers.

Recalling Uncle Ho's sacred teachings on the 95th anniversary of Vietnam's Revolutionary Press Day to see that, through the stages of the revolution, in any situation, Uncle Ho always thought of the press. , the impact of the press. He taught how to do, how to treat people for journalists, or the MIND, the STRATEGY of journalists. Now, with the responsibility of writers and soldiers on the ideological and cultural front of the Party, first of all, they must be those with the highest Party character.

(source: <https://tcnn.vn/news/detail/47966/Loi-day-cua-Chu-tich-Ho-Chi-Minh-voi-nguoi-lam-bao.html>, access date 23/3/2022)

Indonesia and China Approaches on Privacy Laws and Slander Via Spreading False Information Online

First, information technology media also has negative impacts on its users. Problems that often occur are the absence of control and tend to be misused for acts of crime such as human trafficking, the spread of hoax news, provocation, slander, hacking, data breach especially banks, and other cyber-crimes (Z. F. Aditya and S. Al-Fatih, 2017).

In Indonesia, the hoax outbreak has become a national problem which has resulted in divisions, political instability, and security disturbances. Many cases of hoaxes that occurred in Indonesia triggered a wave of demonstrations and hostilities between groups, which resulted in national instability, especially nearing the political year. In 2016 for example, the case of the spread of hoax news through facebook by editing transcript of the incumbent governor Basuki Tjahja Purnama (Ahok) conducted by Buni Yani, triggered a wave of demonstrations 411 and 212. Millions of Muslims from all over Indonesia came to Jakarta and held demonstrations demanding the resignation of Basuki Tjahja Purnama for alleged blasphemy based on video spread by Buni Yani. This case resulted in political instability that is long enough, and the potential for unrest was very high ahead of Jakarta governor election and forced the government issued an emergency status for the capital, Jakarta. Although in the end, the two main actors in this case in prison based on the decision of judicial action. Ahok was sentenced to 1 year eight months for being proven to have committed blasphemy during the election campaign for the Governor of DKI Jakarta, and Buni Yani was sentenced to 1.5 years in jail for being proven to be editing videos and spreading them.

Miko Ginting, Researcher at the Center for Indonesian Law and Policy Studies/Pusat Studi Hukum dan Kebijakan (PSHK) stated that hoax spreaders could be subject to criminal sanctions in accordance with Article 14 and 15 of Act Number 1 of 1946 concerning Criminal Law Regulations with a prison sentence of 2 to 10 years. Meanwhile, if referring to the IET Law, hoax information disseminators can be subject to imprisonment sanctions and fines

Based on Article 27 paragraph (3), 28 paragraph 1 and paragraph (2). The criminal prison threat can reach 4 to 6 years and a fine of between 750 million and 1 billion rupiahs. Hoax

information disseminators can also be subject to complaint offenses under Article 301 and 311 of the Criminal Code on the basis of defamation.

Especially for ASN/PNS (civil servants), these sanctions can increase if referring to Article 7 paragraph (2) and paragraph (3) of Government Regulation Number 53 of 2010 concerning Discipline of Civil Servants. Sanctions imposed can be in the form of a Light Discipline Penalty in the form of verbal reprimand until a Severe Discipline Penalty in the form of dismissal from an ASN/PNS (civil servants) status with disrespect. The many legal products that can trap these hoax spreaders often make judges confused and cannot carefully examine the evidence. This condition makes the judge's decision regarding the hoax case in Indonesia also less good and multiple interpretations (Al-Fatih & Aditya, 2019).

Next, in China, The first issue to be addressed her has perhaps the greatest moral and ethical implications. Chinese publishers seem to be lacking a legal consciousness (Cheng, 2006) and a sense of social responsibility (Oriol, 2018). Some Chinese media outlets, especially the local news publishers, do not have a good understanding of the state's laws and policies and misunderstand or unilaterally understand relevant policies. For example, the publisher published the above three news without strict censorship. Some news seemingly "powerful" and they can attract the eyes of

The audience, but violated the principle of news authenticity, as well as the right to know the masses of the audience and interferes with the order of publishing.

The lack of such moral consciousness is further compounded by the abnormal sense of competition between Chinese press agencies (Ogden, 2015). These publishers are more concerned with the financial and competition benefit of publishing these news stories than the validity of the stories themselves (*Zongjun (Tom) Jiang, 2018*).

Then, students can discuss below case questions:

Question 1: Preset summary of spreading fake news case of Vietnam magazines and very bad websites above?

Question 2: Present Indonesia laws approaches for handling false news, slander and privacy laws in case of above bad websites and journalism?

CONCLUSION

Based on above approaches, teachers can use English as foreign language to teach students in social sciences and esp., journalism major.

In a letter to Southern intellectuals, including journalists, (letter dated May 25, 1947) President Ho Chi Minh wrote: "Your pen is also a sharp weapon in your life. the main occupation, exorcism, which cultural and intellectual brothers must do as well as heroic soldiers in the resistance war to fight for the right of reunification and independence for the Fatherland.

In both the wars of independence and reunification for the Fatherland, Vietnamese journalists did what Uncle Ho expected of them through these passionate letters. But Uncle Ho's saying goes beyond the scope of the task of "resistance against foreign aggression" that Vietnamese patriotic journalists need to perform.

How to write honestly and dare to accept the price for the honesty of your pen, that is really difficult, because it touches all aspects of the journalist's life, the very real gains and losses of life. journalist life.

The fact that journalists are assaulted when they go directly to the scene of "hot spots" to report or write articles is, after all, only a small part of the price that journalists must accept when they want to be a journalist. honest and conscientious journalist.

"Providing support, exorcism", Uncle Ho only set out a 4-word mission for journalists, but it almost covers the entire career of true journalists. Now, we all know, even "pro-main" is not easy, let alone "exorcism".

Because you have to know what is "main" to be "pro" right, because sometimes between "main" and "ta" is not simply "white" and "black", but there are also intertwined points, areas. Mixed "sticky bean paste" forces journalists to be sharp and conscientious to distinguish them.

Before a case, it is necessary to distinguish right and wrong, to measure the levels of right and wrong, to write an article that matches Uncle Ho's criteria of "pro-main" and "exorcism". If journalists get confused right from the start, don't expect them to get honest and positive articles.

(source: <https://www.bqllang.gov.vn/danh-sach-khach-vieng.html?id=2940:ve-mot-cau-noi-cua-bac-ho-voi-bao-chi>, access date 23/3/2022).

Applying case teaching methods with using English for social sciences students: In above section we present an example of legal case study of some Vietnam magazines.

Case Study is a method of studying real-life situations and events in which we can apply what we have learned to learn, analyze, and dissect problems, in order to help us learn and work. Adding efficiency.

Case study is the most common method where learners are provided with descriptions of organizational problems or problems, or situations, and each person will analyze the situations for themselves. Anticipate problems and present their solutions, then discuss in groups to find the most practical and convincing solution.

In education, case studies are often seen as the place between theory and practice. Case study is a popular learning method applied at business universities to help learners understand and remember what they have learned. For students majoring in business, marketing, and business administration... Case Study helps learners to perfect their problem-solving ability and skills of a manager.

When implementing the case study method, the practitioner not only needs to have a complete knowledge base but also apply the necessary skills of a strategist.

Last but not least, teachers encourage students to use English. As Students' English level and background are not the same evenly, so, with weak classes, teachers have to spend a lot time to teach grammar and vocabulary.

In the mean time, they need to pay attention that:

- The number of students in a large class leads to difficulties in organizing activities to practice speaking skills.
- The time spent on the subject is limited, in when the volume of lessons and knowledge is too much

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