

**Type: Research Article**

# Digital Philanthropy and Accountability: A Legal Assessment of Influencer Liability in Public Donation Management

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## ABSTRACT

The development of digital technology and social media has elevated the role of influencers as key players in public fundraising, particularly for natural disaster relief. Through digital platforms, influencers are able to mobilize public support quickly and on a massive scale. Such fundraising efforts also raise various legal issues, especially regarding transparency, accountability, and legal liability in the event of mismanagement of funds. This study aims to analyze the legal basis for influencers' liability in the management of public donation funds under the Indonesian legal system and to examine the forms of legal liability that may be imposed. The research method employed is normative legal research using a statutory and conceptual approach, through a literature review of primary, secondary, and tertiary legal sources. The results of the study indicate that influencers' liability in the management of public donation funds is still regulated indirectly through various legal regimes, such as the Law on the Collection of Money or Goods, civil law, criminal law, and the Law on Information and Electronic Transactions. Influencers may be subject to civil, criminal, and administrative liability depending on their actions.

## KEYWORDS

Natural  
Disasters;  
Public  
Donations;  
Digital  
Philanthropy;  
Influencers;  
Legal Liability



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## INTRODUCTION

Advances in information and communication technology have transformed the way people interact, including in philanthropy and fundraising for social causes. In today's digital age, influencers—individuals with large followings or audiences on social media platforms such as Instagram, TikTok, YouTube, and others—have become key players in mobilizing public support, including in collecting public donations for natural disaster relief. Influencers often encourage the public to donate through campaigns they create on social media or via crowdfunding platforms. This phenomenon demonstrates the significant contribution influencers make in accelerating the flow of funds to disaster victims and various other social causes.<sup>1</sup>

However, such fundraising practices are not without complex legal risks. On the one hand, influencers act as “intermediaries” in facilitating public donations; on the other hand, if these campaigns are not managed transparently and accountably, they can lead to misuse of funds and harm donors and the general public. Under Indonesian law, there are several provisions governing the collection of money or goods from the public, namely Law No. 9 of 1961 on the Collection of Money or Goods (the Public Fundraising Law) and its implementing regulations, such as Minister of Social Affairs Regulation No. 8 of 2021 on the Conduct of the Collection of Money or Goods. These regulations establish the principles of transparency, accountability, and reporting obligations in fundraising activities, including those conducted online, although they do not yet explicitly regulate influencers as separate legal entities in digital fundraising.<sup>2</sup>

In addition to these provisions, fundraising activities conducted by influencers are also subject to other relevant legal frameworks, particularly civil law, criminal law, and cyber law. From a civil law perspective, the relationship between an influencer and a donor can be understood as a legal relationship based on the principles of trust and good faith, thereby imposing both a moral and a legal obligation on the influencer to manage and distribute funds in accordance with the stated purpose. In the event of misconduct or negligence resulting in losses, the influencer may be held liable under the provisions governing unlawful acts as outlined in the Civil Code. Meanwhile, under criminal law, the use of donated funds for purposes other than those specified may constitute the elements of the criminal offenses of fraud or embezzlement, particularly if there is an element of intent and the presence of personal gain or benefit to a third party. Furthermore, the growth of fundraising through social media also raises legal implications in the field of information technology, making the Law on Electronic Information and Transactions relevant, particularly regarding the obligation to provide accurate and

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<sup>1</sup> Urbanisasi & Joe Aprella Indra, “Pertanggungjawaban Hukum Influencer Atas Penggalangan Dana Publik: Studi Kasus Penyelewengan Donasi Selebgram” (2025) 4:2 J Pengabdian Masyarakat dan Pendidikan 11146–11152, [https://www.researchgate.net/publication/398325783\\_Pertanggungjawaban\\_Hukum\\_Influencer\\_Atas\\_Penggalangan\\_Dana\\_Publik\\_Studi\\_Kasus\\_Penyelewengan\\_Donasi\\_Selebgram\\_Penelitian](https://www.researchgate.net/publication/398325783_Pertanggungjawaban_Hukum_Influencer_Atas_Penggalangan_Dana_Publik_Studi_Kasus_Penyelewengan_Donasi_Selebgram_Penelitian).

<sup>2</sup> Ahmad Sulaiman, Martha Hasanah Rustam & Roni Kurniawan, “Analisis Yuridis Perlindungan Hukum bagi Donatur dalam Donation-Based Crowdfunding di Indonesia” (2025) 4:4 J Sharia Law 40–65.



non-misleading information, as well as the prohibition against the misuse of electronic media that could harm the public. Thus, although there are no specific regulations that explicitly designate influencers as legal entities in digital fundraising, this practice remains within the scope of Indonesian positive law through the application of various interrelated legal regimes.

Various normative and empirical studies indicate that Indonesia's legal framework has not yet fully accommodated the development of digital donation-based crowdfunding, particularly with regard to legal protection for donors and the accountability of campaign organizers, including influencers. Several studies highlight regulatory gaps in online crowdfunding, challenges related to transparency in fund management, and the need for more detailed regulations to ensure accountability and protection for all parties involved.<sup>3</sup>

This phenomenon becomes increasingly critical when viral donation campaigns managed by influencers involve the misuse of funds, a lack of transparency in reporting, or other legal issues such as fraud and embezzlement. These circumstances raise questions regarding influencers' legal accountability in managing public donations, including potential civil, criminal, and administrative liability. Legal clarity in this matter is essential to provide legal certainty, prevent the misuse of funds, and protect donors and the general public.<sup>4</sup>

Nevertheless, the strategic role of influencers in public fundraising also gives rise to complex legal implications. The involvement of influencers as initiators, managers, or distributors of public donations has the potential to create legal issues, particularly if the funds are not managed transparently, accountably, and in accordance with applicable laws and regulations. It is not uncommon to find cases where donations collected through social media come under public scrutiny due to delays in distribution, unclear reports on the use of funds, or allegations of misuse of funds. These circumstances highlight vulnerabilities in individual-based public fundraising practices that lack adequate oversight mechanisms.

Furthermore, Indonesia's legal framework has not yet explicitly regulated the status of influencers as a distinct legal entity in the management of digital-based public donations. Although Law No. 9 of 1961 on the Collection of Money or Goods and Minister of Social Affairs Regulation No. 8 of 2021 on the Conduct of the Collection of Money or Goods are in place, these regulations were essentially designed in the context of conventional and institutional fundraising, and thus do not fully accommodate fundraising practices conducted by individual influencers through social media. Consequently, legal uncertainty arises regarding the scope of authority, obligations, and forms of legal liability that may be imposed on influencers in the event of violations in the management of public donation funds.

Therefore, a legal study on the liability of influencers in managing public donations for natural disaster relief is important and relevant. This study is expected to provide a comprehensive understanding of the applicable legal

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<sup>3</sup> Ali Huristak Hartawan Hasibuan et al, "The Legality of Individual Social Crowdfunding in Indonesia: Regulatory Frameworks and Legal Compliance Challenges" (2026) 7:2 JIHK 1354-1366, online: <<https://journal.stihbiak.ac.id/index.php/kyadiren/article/view/354>>.

<sup>4</sup> Nissa Cita Adinia & Mediana Hanifa, "Publicity or Impact? The Use of Crowdfunding by Indonesian Social Media Influencers During the Covid-19 Pandemic" (2022) 18:1 J Soc Stud 27-46, online: <<https://journal.uny.ac.id/index.php/jss/article/view/39797>>.



foundations, identify the forms of legal liability that may be imposed on influencers, and offer recommendations for strengthening regulations to ensure legal protection for donors and enhance the accountability of digital philanthropy practices in Indonesia. Thus, this study is not only relevant from a legal theory perspective but also significant from a public policy standpoint, particularly in responding to the dynamics of digital fundraising and the role of social actors such as influencers in the context of natural disasters and other humanitarian efforts.

The rise of influencer-led fundraising also reflects a shift in public trust, as people increasingly place their trust in individual figures rather than formal institutions. Influencers often leverage emotional narratives, visual storytelling, and personal credibility to quickly mobilize donations, particularly in emergencies such as natural disasters. Although this approach can enhance responsiveness and social solidarity, it simultaneously blurs the line between personal initiatives and legally regulated public fundraising activities. This shift calls for a reevaluation of legal responsibilities, given that trust-based fundraising conducted by individuals carries significant risks if not accompanied by adequate legal protections.

From a governance perspective, the lack of standard procedures for influencer fundraising creates a disparity between the speed of digital mobilization and the slow pace of legal oversight.<sup>5</sup> Unlike licensed charitable organizations, which are subject to institutional audits, reporting requirements, and oversight by relevant authorities, influencers—as individuals—often operate without clear monitoring or enforcement mechanisms. This situation has the potential to undermine the principles of accountability and transparency that form the basis of public fundraising under Indonesian law, thereby increasing the likelihood of disputes and legal violations.

Furthermore, the digital nature of influencer fundraising complicates issues of jurisdiction and evidence in law enforcement. Donation campaigns are often conducted across multiple platforms, payment gateways, and digital wallets, making it difficult to trace the flow of funds and determine liability in the event of irregularities. In the absence of explicit regulatory standards, law enforcement officials must rely on general legal provisions that may not be sufficient to address the specific characteristics of digital fundraising activities. This underscores the need for legal interpretation and the development of legal doctrine to align existing laws with contemporary practices.<sup>6</sup>

Issues of legal liability become increasingly complex when influencers collaborate with third parties, such as crowdfunding platforms, nongovernmental organizations, or informal volunteer groups. Such collaborations can blur the division of roles and responsibilities in fund management, particularly regarding control over funds, reporting obligations, and disbursement mechanisms. Without clear contractual arrangements or legal recognition of the influencer's role,

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<sup>5</sup> Willem Leonard Rori, Vieta Imelda Cornelis & Subekti, "Pertanggungjawaban Pidana terhadap Pejabat yang Melakukan Tindak Pidana Korupsi Dana Bantuan Sosial Penanganan Pandemi Covid-19 Berdasarkan Putusan Nomor 17/Pid.Sus-TPK/2022/PN Mnd" (2024) 8:1 *Lex J Kaji Hukum dan Keadilan* 157–177, online: <<https://ejournal.unitomo.ac.id/index.php/hukum/article/view/10113>>.

<sup>6</sup> Syahrul Hidayanto et al, "Aksi Sosial di Internet: Peran Social Media Influencer Sebagai Aktor Dalam Crowdfunding di Media Sosial" (2022) 4:1 *J Komunikasi, Masy dan Keamanan* 13–29, online: <<https://ejournal.ubharajaya.ac.id/index.php/KOMASKAM/article/view/1054>>.



determining liability in cases of fund misuse becomes legally difficult and has the potential to lead to protracted disputes or ineffective recovery efforts for donors.<sup>7</sup>

In addition, the public outrage and reputational damage resulting from failed or controversial fundraising campaigns underscore the broader social impact of legal uncertainty surrounding influencer fundraising.<sup>8</sup> Viral controversies not only harm donors but also erode public trust in digital philanthropy as a whole, which could ultimately hinder public participation in legitimate humanitarian efforts in the future. From a socio-legal perspective, this demonstrates that legal accountability is not merely a matter of individual responsibility but also a crucial component in maintaining public trust and social solidarity during times of crisis.<sup>9</sup>

Thus, the absence of explicit regulations regarding fundraising by influencers reflects a normative gap between the law and social reality. Although existing legislation provides a general framework for public fundraising, these provisions do not adequately address the unique position of influencers as individual actors with significant social influence and reach. This gap calls for a systematic legal analysis to clarify the status, obligations, and accountability of influencers, while also formulating regulatory reforms capable of aligning legal norms with the ever-evolving dynamics of digital philanthropy in Indonesia.

Based on this background, the research questions in this study are as follows:

1. What are the legal regulations governing public fundraising by influencers under Indonesian law, particularly about donations for natural disasters?
2. What are the legal implications if an influencer fails to fulfill obligations related to audits, reporting, or transparency in the management of public donations for natural disasters?

## **METHOD**

This study employs a normative legal research method, focusing on the analysis of applicable positive legal norms and legal principles relevant to the accountability of influencers in the management of public donations for natural disasters. The normative legal research method was chosen because the issues under examination are directly related to written laws and regulations, legal doctrines, and concepts of legal accountability found in statutory provisions and legal literature. Furthermore, this study is descriptive-analytical in nature, aiming to systematically describe the applicable legal provisions while analyzing their adequacy and application to the phenomenon of public fundraising conducted by influencers through digital media.

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<sup>7</sup> Agus Wardhono et al, "Impact of Legal Regulations on Innovation in Digital Donation Platforms for YouTube Streamers" (2025) 20:2 *Rechtidee* 202–218, online: <[https://www.researchgate.net/publication/399607393\\_Impact\\_of\\_Legal\\_Regulations\\_on\\_Innovation\\_in\\_Digital\\_Donation\\_Platforms\\_for\\_Youtube\\_Streamers](https://www.researchgate.net/publication/399607393_Impact_of_Legal_Regulations_on_Innovation_in_Digital_Donation_Platforms_for_Youtube_Streamers)>.

<sup>8</sup> Anggun Rotami & Sariipudin Tanjung, "Tinjauan Yuridis Legalitas Donation Based Crowdfunding sebagai Instrumen Penggalangan Dana Bagi Lembaga Bantuan Hukum (Crowdfunding Based Legal Aid) di Indonesia" (2024) 5:2 *Datin Law J* 61–75, online: <<https://ojs.umb-bungo.ac.id/index.php/DATIN/article/view/1696>>.

<sup>9</sup> Christian Wahyu Adi, "Penerapan Donation Based Crowdfunding Terkait Tanggung Jawab Penyelenggara Sistem Elektronik Ditinjau dari UU ITE" (2022) 9:3 *J Justitia J Ilmu Huk dan Hum*, online: <<https://jurnal.um-tapsel.ac.id/index.php/Justitia/article/view/4691>>.



## RESULT & DISCUSSION

Theoretically, this study shows that the legal basis for influencers' accountability in the management of public donations in Indonesia remains indirect and scattered across various legal instruments. From a normative perspective, there is currently no specific regulation that explicitly designates influencers as legal entities in public fundraising activities. However, through a functional approach, influencers can still be positioned as organizers of fundraising efforts and are therefore subject to applicable legal provisions. This finding both reinforces and updates the perspective presented in previous publications, which generally characterized influencers merely as social actors without clear legal consequences. This study confirms that, implicitly, the Indonesian legal system has accommodated influencer accountability, although not yet in the form of integrated regulations.

The primary regulations are Law No. 9 of 1961 on the Collection of Money or Goods and Regulation of the Minister of Social Affairs No. 8 of 2021, which govern the principles of transparency, accountability, and licensing in fundraising, including through digital media. In addition, Law No. 19 of 2016 on Electronic Information and Transactions expands influencers' obligations to convey accurate and non-misleading information. Unlike previous studies, which tended to view these legal regimes in isolation, this study demonstrates that influencers' accountability is actually shaped by a combination of complementary administrative, civil, and criminal legal regimes.

Further analysis identified three main forms of legal liability for influencers. Civil liability arises when there is a tortious act that causes harm to donors—such as unclear reporting or misuse of funds—which can be prosecuted under Article 1365 of the Civil Code. Criminal liability arises when there is an element of intent, such as embezzlement or fraud, which can be prosecuted under the provisions of the Criminal Code or the Information and Electronic Transactions Law. Administrative liability relates to violations of licensing and fundraising governance provisions as regulated in the Minister of Social Affairs Regulation. These findings differ from previous studies, which generally focused on only one aspect of liability, whereas this research confirms the possibility of the cumulative application of all three legal regimes.

This study also identified various challenges in the implementation of the law. The absence of specific regulations regarding influencers as legal entities has led to uncertainty in the application of legal norms. Additionally, the complexity of digital transactions and the lack of reporting standards complicate the process of legal proof. The high level of public trust in influencers also weakens social oversight, as donors tend not to hold them accountable even when there are indications of misconduct. These findings expand upon previous research, which focused solely on regulatory aspects, by adding social and technical dimensions as factors hindering law enforcement.

### **I. Regulations Governing Public Fundraising by Influencers Under Indonesian Law, Specifically Regarding Donations for Natural Disasters**

The legal basis for influencers' accountability in managing public donations in Indonesia is currently indirect and scattered across various laws and regulations.



Normatively speaking, there is no specific regulation that explicitly treats influencers as a distinct legal entity in public fundraising activities. Nevertheless, influencers' activities in managing public donations remain within the scope of positive law through a functional approach, namely by viewing influencers as parties that collect funds from the public.

Law No. 9 of 1961 on the Collection of Money or Goods (PUB Law) serves as the primary legal basis governing all activities involving the collection of funds from the public for social purposes. These provisions are reinforced by the Minister of Social Affairs Regulation No. 8 of 2021, which stipulates that fundraising activities must be conducted in an orderly, transparent, and accountable manner, including those conducted through digital media. Although these regulations do not explicitly mention influencers, influencers who initiate and manage public donation campaigns can essentially be considered fundraising organizers and are therefore bound by the legal obligations outlined in these regulations.<sup>10</sup>

Influencer activities are also subject to Law No. 19 of 2016 on Electronic Information and Transactions (ITE Law), particularly regarding the obligation to provide accurate, non-misleading, and responsible information. Thus, within the Indonesian legal system, influencers' accountability in managing public donations stems from a combination of administrative, civil, and criminal legal regimes, although there remains a gap in specific regulations.

Influencers, as organizers of public donation campaigns, may be subject to three forms of legal liability: civil, criminal, and administrative. Civil liability arises if an influencer commits an unlawful act that causes harm to donors. Under Article 1365 of the Civil Code, any unlawful act that causes harm obligates the perpetrator to provide compensation. In the context of public fundraising, acts such as unclear reporting on the use of funds, delays in disbursing funds without justifiable reasons, or the use of funds contrary to the purpose of the donation may be classified as unlawful acts. Although the legal relationship between influencers and donors is not outlined in writing, it is based on the principles of trust and good faith, thereby giving rise to a legally enforceable duty of accountability.<sup>11</sup>

Criminal liability may be imposed if there is an element of intent or malicious intent in the management of donation funds. Influencers may be charged under Article 372 of the Criminal Code regarding embezzlement if donation funds are used for personal gain, or under Article 378 of the Criminal Code regarding fraud if the influencer provided false or misleading information to the public from the outset. In addition, provisions in the Electronic Information and Transactions Law (ITE Law) may also apply if an influencer disseminates false or misleading information through electronic media, resulting in harm to the public.

Administrative liability pertains to violations of fundraising regulations as stipulated in Minister of Social Affairs Regulation No. 8 of 2021. Administrative sanctions may include warnings, suspension of activities, or revocation of permits if fundraising is conducted through formal institutions or official platforms. Although these administrative mechanisms have not been specifically designed for influencers as individuals, in principle, they can still be applied when influencers act as organizers of public fundraising campaigns.

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<sup>10</sup> Sulaiman, Rustam & Kurniawan, *supra* note 2.

<sup>11</sup> Urbanisasi & Indra, *supra* note 1.



These forms of legal liability complement one another in providing legal protection for donors and the public. The application of civil, criminal, and administrative liability is not mutually exclusive; rather, they can be imposed simultaneously depending on the nature and severity of the violation committed by the influencer. However, the effectiveness of enforcing this liability depends heavily on the clarity of regulations, oversight mechanisms, and the commitment of law enforcement officials and the public to upholding the principle of accountability. Therefore, strengthening the legal and policy framework governing digital fundraising practices is imperative so that influencers, as public figures, are not merely viewed as social figures but are also recognized as legal entities with clear legal obligations and responsibilities in the management of public donations.<sup>12</sup>

## **II. Legal Implications If Influencers Fail to Meet Their Obligations Regarding Audits, Reporting, or Transparency in the Management of Public Donations for Natural Disasters**

Strengthening the regulatory framework and ensuring transparent governance practices in the management of public donations by influencers. The government needs to update existing laws and regulations by including specific provisions regarding digital fundraising conducted by individuals, including influencers, either through amendments to the Law on the Collection of Money or Goods (PUB Law) or through the enactment of specific regulations. These regulations should cover licensing requirements, reporting obligations regarding the use of funds, transparency standards, and strict legal sanctions.<sup>13</sup>

In addition to strengthening regulations, more effective oversight and enforcement mechanisms are needed to address public fundraising practices by influencers. The government—particularly the Ministry of Social Affairs and relevant agencies—needs to develop a technology-based monitoring system integrated with social media platforms and crowdfunding services to ensure that every donation campaign is recorded, verified, and can be monitored transparently. Furthermore, collaboration with digital platforms is essential to require influencers to provide clear and accurate information regarding the purpose of the fundraising, the amount of funds raised, and publicly accessible periodic reports on the distribution of funds. These efforts must be supported by improving the public's legal and digital literacy so that donors become more critical and aware of their rights, thereby creating a digital philanthropy ecosystem that is not only fast and effective but also accountable, equitable, and sustainable.<sup>14</sup>

Furthermore, technology-based accountability mechanisms need to be established, including through the requirement to disclose reports on the use of funds periodically and transparently via digital platforms. Collaboration between

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<sup>12</sup> Hidayanto et al, *supra* note 6.

<sup>13</sup> Hendri Khuan, Sopian & Heri Heriyanto, "Legal Analysis of Digital Donation Campaigns: A Case Study of Agus Salim's Donation Compliance and Accountability Based on the Minister of Social Affairs Regulation Number 8 of 2021" (2025) 3:1 West Sci Law Hum Rights 27–33, online: <<https://wsj.westsciences.com/index.php/wslhr/article/view/1593>>.

<sup>14</sup> Shenti Agustini, Ampuan Situmeang & Agustianto, "Legal Analysis Regarding Donation Fraud Through Online Media" (2024) 10:2 Justisi 282–295, online: <<https://ejournal.um-sorong.ac.id/index.php/js/article/view/2852>>.



the government, social media platforms, and civil society is also key to creating an effective oversight system. With these strengthened regulations and governance measures, public fundraising by influencers is expected to be conducted responsibly, provide legal certainty, and protect the rights and interests of donors.

Recent developments in digital governance point to a global trend that increasingly recognizes non-traditional actors, including influencers, as parties that can be held legally accountable for activities related to the public interest. Today, influencers no longer merely serve as content creators; they also function as opinion leaders and, in practice, act as organizers of collective action, including public fundraising. Influencers' ability to mobilize large sums of money in a short period of time places them on par with conventional fundraising institutions, thereby strengthening the case for applying principles of legal liability to their activities. This functional transformation supports the view that influencers' liability should be assessed based on the nature and impact of their actions, rather than solely on their formal legal status.

From a comparative law perspective, several jurisdictions have begun to impose stricter obligations on individuals and digital actors involved in online fundraising, particularly regarding transparency, reporting, and consumer protection. This development reflects a shift in legal thinking that places greater emphasis on substance over formalities, particularly in the digital environment where traditional classifications are becoming increasingly inadequate. Although Indonesia has not yet adopted similar explicit provisions, this comparative trend underscores the urgency of adapting the national legal framework to address large-scale fundraising practices by influencers that impact the public interest.

In the Indonesian context, various public controversies involving viral donation campaigns in recent times have heightened public and academic attention on influencer accountability. Social media reports have exposed a number of cases in which donated funds were distributed late, inadequately reported, or allegedly misused, thereby sparking demands for law enforcement and regulatory reform. These incidents demonstrate that relying solely on moral responsibility and social pressure is insufficient to ensure accountability. Rather, these circumstances underscore the need for legally enforceable standards that clearly define obligations and consequences for violations in digital fundraising activities.<sup>15</sup>

The evolving role of digital platforms has also added a new dimension to influencer accountability. Platforms such as Instagram, TikTok, and crowdfunding services are increasingly acting as intermediaries that facilitate fundraising campaigns while reaping economic benefits from increased traffic and user engagement. This raises questions about shared responsibility and platform accountability, particularly when platforms fail to enforce transparency requirements or allow misleading fundraising content to circulate. Therefore, influencer accountability must be examined within the framework of the broader

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<sup>15</sup> Riski Pebru Ariyanti, Aprillaili Aya Tri Kartini & Selvi Wibriana Sari, "Tinjauan Yuridis terhadap Perlindungan Pemodal Platform Crowdfunding Kitabisa.Com" (2020) 20:1 Perspektif Huk 54-71, online: <<https://perspektif-hukum.hangtuah.ac.id/index.php/jurnal/article/view/77>>.



digital ecosystem, emphasizing the importance of a coordinated regulatory approach rather than piecemeal law enforcement.<sup>16</sup>

Another emerging issue is the need to standardize transparency and reporting mechanisms for influencer fundraising. Unlike charitable organizations, which are subject to uniform reporting and audit formats, influencers have thus far operated without clear accountability benchmarks. This disparity creates legal uncertainty and uneven protection for donors. Establishing minimum reporting standards—such as disclosure of the amount of funds raised, administrative costs, the timeframe for distribution, and verification of beneficiaries—will significantly enhance legal certainty and align influencers’ practices with the principles of good governance in public fundraising.<sup>17</sup>

Ultimately, future regulations governing influencer-based public fundraising must strike a balance between innovation and legal protection. Overly strict regulations risk stifling spontaneous humanitarian initiatives, while overly lax regulations open the door to abuse and erode public trust. Therefore, a responsive legal framework is needed—one that integrates flexibility, proportional accountability, and preventive oversight. By recognizing influencers as legal entities with clear rights and obligations, Indonesian law is expected to respond more effectively to the realities of digital philanthropy and ensure that public donations are managed transparently, responsibly, and in a legally accountable manner.

## **CONCLUSION**

The Indonesian legal system currently still relies on general provisions scattered across various laws and regulations, including Law No. 9 of 1961 on the Collection of Money or Goods, Regulation of the Minister of Social Affairs No. 8 of 2021, the Civil Code, the Criminal Code, and the Law on Electronic Information and Transactions. Through a systemic approach, influencers can be held legally liable if they act as initiators or managers of public donation campaigns, even though their legal status as independent legal entities in digital philanthropy activities has not yet been explicitly regulated. The forms of legal liability that may be imposed on influencers include civil, criminal, and administrative liability. Civil liability arises if an influencer commits an unlawful act that causes harm to donors, such as a lack of transparency or the misuse of donation funds. Criminal liability may apply if there is an element of intent, such as fraud, embezzlement, or the dissemination of misleading information through electronic media. Meanwhile, administrative liability relates to violations of regulations regarding licensing, reporting, and fundraising governance as stipulated by the Ministry of Social Affairs, although its application to influencers remains limited in a normative sense.

The enforcement of legal provisions regarding influencers in digital fundraising faces various challenges and obstacles. Key challenges include the absence of specific regulations explicitly governing influencers, weak oversight mechanisms for social media-based fundraising, difficulties in verifying digital transactions, and the high level of personal trust the public places in influencers.

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<sup>16</sup> Putra Halomoan Hasibuan, “Legal Protections for Donation-Based Crowdfunding Service Providers in Indonesia” (2020) 2:2 *Prophet Law Rev* 117–136, online: <<https://journal.uui.ac.id/JPLR/article/view/14475>>.

<sup>17</sup> Rotami & Tanjung, *supra* note 8.



These conditions have the potential to create legal loopholes that could be irresponsibly exploited, ultimately harming the public interest. Strengthening the regulatory framework and implementing transparent governance practices are urgent necessities to ensure accountability in the management of public donations. Without clear legal standards, fundraising activities initiated by influencers risk causing legal conflicts, eroding public trust, and hindering the development of sustainable and equitable digital philanthropy.

### **DECLARATION OF CONFLICTING INTERESTS**

The authors state that there is no conflict of interest in the publication of this article.

### **FUNDING INFORMATION**

None.

### **ACKNOWLEDGMENT**

None.

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