

Juridical Analysis Of The People's Final Step To Seek Justice By Way Of Viral On The Media In The Perspective Of Legal Politics

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Abstract

The development of the current era requires humans to use various technologies, one of which is the internet. With social media or the internet, humans have a very important role in resolving various injustices in legal practice in this country. Because efforts to achieve justice cannot be ignored. A rule of law cannot be ignored. may be apathetic towards the struggle and every effort to uphold justice. the concept of justice is very important so that a rule of law becomes the basis for all parties, both citizens and leaders as certainty in resolving various legal problems they face. so many use social media in solving various cases of injustice what the media can reveal tends to be resolved openly and can be followed and controlled by the public. Today's media is a place for citizens to seek and realize justice in accordance with their role. This mass media also monitors law enforcement and justice in the country. this is it. the role of netizens is a very large mass in raising a case so that it goes viral it is very important without a response from netizens then a case will not go viral. The reason someone uploads to social media for the first time is because there are so many social media users and there are almost all over the world , secondly, because social media is an internet-based technology where news dissemination will be faster than word of mouth, thirdly, if it is viral in the mass media, related parties will handle it quickly. And this is what politics does law in dealing with legal cases that do not get justice before they are viral in the mass media, legal politics also influences the strength or weakness or how important the legal objectives are to be achieved.

Keywords: Justice, Viral, Social Media, Legal Politics, Indonesia.

Abstrak

Perkembangan zaman saat ini mengharuskan manusia untuk menggunakan berbagai teknologi salah satunya yaitu internet. dengan media sosial atau internet inilah manusia mempunyai peran yang sangat penting dalam menyelesaikan berbagai ketidakadilan dalam praktik hukum di negara ini. karena upaya untuk mencapai keadilan tidak bisa diabaikan. Negara hukum tidak boleh apatis terhadap perjuangan dan setiap upaya untuk menegakkan keadilan. konsep keadilan sangat penting agar sebuah negara hukum menjadi pijakan semua pihak baik warga negara maupun pemimpin sebagai kepastian dalam menyelesaikan berbagai persoalan hukum yang di hadapi. sehingga banyak yang menggunakan media sosial dalam memecahkan berbagai kasus ketidakadilan yang bisa diungkapkan media cenderung di selesaikan secara terbuka dan dapat di ikuti dan di kontrol publik. media masa kini menjadi tempat bagi warga untuk mencari dan mewujudkan keadilan sesuai dengan perannya .media massa ini juga turut memantau penegakan hukum dan keadilan di negara ini. peran warganet merupakan massa yang sangat besar dalam mengangkat sebuah kasus hingga viral sangatlah penting tanpa respon dari warganet maka sebuah kasus tidak akan viral. Alasan seseorang mengunggah ke media sosial yang pertama karena pengguna media sosial ini sangatlah banyak dan hampir ada di seluruh dunia, kedua karena media sosial merupakan teknologi berbasis internet dimana untuk penyebaran berita akan lebih cepat di bandingkan dari mulut ke mulut, ketiga jika sudah viral di media massa maka akan cepat pula penanganan yang akan dilakukan oleh pihak terkait. dan hal inilah yang di lakukan oleh politik hukum dalam menangani kasus-kasus hukum yang tidak mendapatkan keadilan sebelum di viralkan ke media massa ,politik hukum turut mempengaruhi kuat lemahnya atau seberapa penting tujuan hukum yang hendak di capai.

Kata Kunci: Keadilan, Viral, Media Sosial, Politik Hukum, Indonesia.

A. Introduction

Law enforcement can be seen as the process of making efforts to enforce and function regulatory norms in real terms as a guideline for behavior in the life of society and the state with full

responsibility and ethics.¹ Meanwhile, when viewed in terms of objects, law enforcement can have a broad and narrow meaning, namely: (1) It means broad, that law enforcement includes the values of justice which contain formal rules or values of justice that live in society. (2) It means narrowly, that law enforcement is only related to written and formal rule actions (Chaturvedi & Court, 2022). Furthermore, the meaning of the word "law enforcement" in the perspective of Indonesian jurisdiction can be interpreted as law enforcement broadly, and can also use the term law enforcement narrowly.²

Therefore, law enforcement can aim to improve order and legal certainty in society. There are some opinions that state that the powerlessness of law enforcement and justice in Indonesia today, one of which is the differentiation of positivistic legal patterns and formats.³ Then, the truth is only seen and measured more on formal and procedural aspects without weighing the sense of justice in society. Other factors that also contribute to the stagnation of law enforcement and justice are:

1. Human resources (HR) in law enforcement are not yet professional.
2. Law enforcement officials lack or do not have enough moral integrity and high commitment in realizing a sense of justice in society.
3. There are too many sense of justice for the people who are hurt.

Therefore, the debate of political pragmatic considerations, the interests of power so that the rule of law enforcement is ultimately sacrificed. Thus, it is not uncommon for purely legal issues to suddenly cease to exist, as a result of the intervention of certain interests. Even the legal irony, which is a very real act is a violation of legal, moral, and ethical norms, law enforcement officials seem to be "forced" to bear the sense of being able to take legal action, as well as the complexity and length of the law enforcement bureaucracy that⁴ arises from the reluctance of the public to report or ask for justice to law enforcement officials, which if not can be immediately carried out bureaucratic reform and paradigm change in mentality law enforcement, it will result in the emergence of new legal problems that are no less complicated in the future. As for its development, there are various factors that affect the pattern of law enforcement, namely the advancement of technological facilities, education, and lifestyle in modern society that are rational, have a high level of social openness, so as to break the complex and bureaucratic means of law enforcement in Indonesia.

The digital era is an era that provides space or great opportunities for people to take part in expressing their opinions and aspirations as citizens. Social media is one of the things that has emerged as a form of implementation for the community to seek and get legal justice. Various series of legal cases and tragedies in Indonesia that have emerged in the public eye, there is a trend in society to publicize (viralize) the legal problems faced and are generally related to efforts to seek justice such as:

1. The crime of rape in Bintaro, South Tangerang;
2. Sexual harassment and harassment of KPI (Indonesian Broadcasting Commission) employees;
3. Sexual harassment of KRL (Electric Train) passengers in Jakarta;
4. The alleged rape of three teenagers in Luwu regency, South Sulawesi;
5. The case of Ruda forced 13 students by Herry Wirawan in Bandung.
6. The extortion and rape t-shirt of a prisoner's wife in Deli Serdang Regency;
7. Sexual harassment case of Unsri students (Sriwijaya University) Palembang;
8. Sexual harassment cases of female students at the University of Riau
9. Imprisonment of a wife angry with a drunk husband in the city of Bandung;
10. "Pornographic" exhibitionism at Yogyakarta International Airport
11. The Case of the Red Kebaya Perverted Video
12. Suicide case of suspected rape in Mojokerto Regency

¹ Handayani, Emi Fast. Legal protection of citizen journalists based on information technology. *Diversi : Jurnal Hukum*, [S.l.], v. 1, n. 1, p. 1-25, apr. 2018. ISSN 2614-5936

² Arifin, Handayani, dan Virdaus, "Combating Corruption in the Procurement By The Press."

³ Handayani, E. P., & Arifin, Z. (2020). The Death Knell Of Legal Education In Indonesia: A Philosophical Review. *Suloh: Journal of the Faculty of Law, Malikussaleh University*, 8(1), 1–11. <https://doi.org/10.29103/sjp.v8i1.2491>

⁴ Chaturvedi, M., & Court, D. H. (2022). *Law on Anti-suit Injunction in India*. *International Journal of Law*, 8(3), 27–29.

These various events make strong evidence that social media has a big role in conveying social justice demands in society or *social justice warriors*. The trend of delivering SJW to the community through social networks is also becoming more and more prevalent. This is evidenced by the increasing viralization of cases in the social community, one of which is in the media of twitter, instagram, facebook, youtube which has emerged as a forum for people's aspirations. The benefits, values, and functions of social media have expanded, one of which is in law enforcement providing information to related parties and the public about various crimes and crimes. Based on the above background, the author is interested in knowing scientifically about the flow of viral information that occurs, especially the direction of legal action in order to create public justice after being viral through social media which is a struggle to demand legal justice through public pressure using social media facilities.

B. Research Methods

This study uses normative juridical motto with the support of a sociological approach.⁵ The normative juridical approach is used to analyze legal norms related to the right of the public to obtain justice and freedom of expression through the mass media as stipulated in the 1945 Constitution of the Republic of Indonesia, Law = Law Number 40 of 1999 concerning the Press, and Law Number 19 of 2016 concerning Information and Electronic Transactions (ITE).

A sociological approach is used to understand the phenomenon of society that makes the mass media the last means of fighting for justice, especially when the formal legal system is considered not to provide adequate certainty or protection. According to Soerjono Soekanto (2012), a sociological approach in legal research is important to look at the effectiveness of law in society and the reciprocal relationship between legal norms and social behavior.

This research data is sourced from secondary data in the form of primary, secondary, and tertiary legal materials obtained through literature studies and document analysis. Primary legal materials include relevant laws and regulations, while secondary legal materials are obtained from books, scientific journals, and articles that discuss legal politics and social justice phenomena in the mass media. The data was analyzed in a descriptive qualitative manner by interpreting the relationship between the concepts of political law, justice, and the social reality of the people who carry out "viral justice" as a form of criticism of weak law enforcement.⁶ This analysis also aims to find how Indonesia's legal politics respond to the dynamics of the digital society in fighting for justice.⁷

D. Discussion

Justice in the view of law is often interpreted as legal justice (legal justice) is justice that has been formulated by law in the form of rights and obligations, where violations of this justice will be affirmed through the legal process. Therefore, in principle, law and justice are two very different things. Law is only part of the effort to achieve justice in society, but it is not exactly the same as justice. While justice does include law, law is not the only way to create justice. As has happened in recent years where people seek and find justice through their own unique ways, one of which is using public media.

Justice must be realized in all walks of life. so inevitably justice must color human behavior and life in relation to God, with fellow individuals, with society, with the government, with nature, and with other creatures created by God. Although justice is seen as a normal thing for human life, sometimes justice is only the subject of endless debates for example: what is justice, how does justice exist, where is justice when a person gets justice, how to get justice and many more complicated questions about justice, so that justice appears only as a discourse of debate. Therefore, law and justice are separated, then justice is considered as the opposition and the law. When society demands justice, the law is so reactive by rationalizing legal procedures, quality of certainty and other reasons.

⁵ Arifin, Zainal, E. P. Handayani, and S. Virdaus. "Deradicalization of pluralism understanding of the Pancasila ideology through social media." In the Scientific Journal of Pancasila and Citizenship Education 7, no. 1 (2022): 161-170.

⁶ Handayani, Emi Puasa, and Zainal Arifin. "The Application of the Regulation of the Supreme Court of the Republic of Indonesia Number 1 of 2016 concerning Mediation Procedures during the COVID-19 Pandemic (Study at the Religious Court of Kediri Regency)." Journal of Civil Procedure Law 6, no. 2 (2020).

⁷ Marzuki, Peter Mahmud. Legal Research. Jakarta: Kencana Prenada Media Group, 2017.

People are so apathetic to the law because the law has lost trust. People prefer their own way to resolve conflicts that interfere with social interests.

Poor law enforcement makes the oppressed community unable to get out of the problems they are experiencing, often a person who needs justice is almost completely ignored. From this, it can be seen that the law is sharp downwards and blunt upwards. In fact, it often happens, with the intention of seeking justice, only justice seekers become victims of formal law enforcement. This reality makes the enforcement of justice far from the values of true justice and sometimes even pokes into the sense of justice itself. As is known, the term justice is always opposed to the term injustice. Where there is a concept of justice, there is also injustice. For example, in various criminal cases that have gone viral lately where the community has gotten a space for justice after public pressure through the viralization of cases on social media. Justice is actually related to conscience, not definitions and not formalities. Justice is closely related to the daily life praxis of human beings. It is not a matter of legal theories as applied by law enforcement officials. Apparently, according to legal theory, the verdict is good, scientific argumentative. However, in fact, it has not touched the sense of justice that lives in society.

The development of communication and information technology is progressing so rapidly. Now many people easily become amateur journalists and commentators on social media. Although not all of them get the basic knowledge in this field. Interestingly, social media plays an important role in achieving a sense of justice quickly. This is because social media is a propagandist media where users can easily participate, share and create content. Social propaganda is propaganda that refers to and spreads to the state of public opinion or public opinion without the appearance of that propaganda. For example, a number of societies try to integrate the behavior of their members according to their patterns in themselves and spread their lifestyles. Furthermore, in the perspective of the theories of justice assessment on the phenomenon of the struggle to seek social justice or social justice warriors (SJW) as follows: "This theory of social comparison was formulated by Festinger (1950, 1954), basically this theory argues that the process of mutual influence and competitive behavior in social interaction is caused by the need to self-evaluate and this need can be fulfilled by comparing oneself with others" (Cahyaningsih & Handoyo, 2019).

There are two things that can be compared, namely, opinion (opinion) and ability (ability). Everyone has the drive to judge their own opinions and abilities by comparing them with the opinions or abilities of others. Then, that way people can know if their opinion is right or not and how far they have the ability. When viewed in the legal phenomenon of the virality of recent criminal cases, it can be obtained that judging from existing cases, before sharing their stories (victims), it becomes a last resort (disclaimer). This is because in real life they have not received the justice that should be fulfilled. In terms of basic needs, there are currently four major technological trends that the courts must be able to anticipate, namely: (a) Mobile computing; (b) Cloud computing; (c) Big data; and (d) social media. As for the development of these four technological trends as a 'nexus of forces'. Furthermore, in relation to social media, this technological trend supports personal relationships between individuals. Social media is an internet-based application that functions to increase and accelerate the rate of information sharing. In addition, social media also encourages easy access for users and stimulates everyone to publish their writings.

Through social media, the public's interest in engaging in debates related to cases is inevitable and the trend is increasing. Through social media, there is great access for the public to express their considerations, where previously access was hampered by administrative legal procedures. As a two-way platform, social media is very strategic for amplifying and organizing social issues/movements. In my experience, the best way to start caring and getting involved is to identify the social issues/movements that are most in line with the principles/values that we believe in and close to, continue by looking for as much information and references as possible about those issues/movements, and start networking with people who share the same concerns.⁸

People use social media to carry out an action that will then go viral to find spaces for justice. There are at least several reasons why netizens prefer to go viral on a problem through social media:

4. Cahyaningsih, F., & Handoyo, S. E. (2019). Pengaruh Perbandingan Sosial, Perhatian, Dukungan Emosional, Dan Stimulasi Positif Terhadap Minat Kewirausahaan. *Jurnal Manajerial Dan Kewirausahaan*, 1(2), 207. <https://doi.org/10.24912/jmk.v1i2.5080>

First, because social media users are many and almost all over the world; Second, because social media is an internet-based technology where the spread of news will be faster than word of mouth; Third, if it has gone viral on social media, it will also be quickly handled by the relevant parties; and Fourth, if the lower community is in the viral case, of course it will be known to everyone because of the case that is raised or the case that befalls someone.

Based on data sources and objective studies from online media news sources in various social media platforms, it can be explained as follows:

1. The crime of rape in Bintaro, South Tangerang;

This case was revealed after 1 year when the victim told about the bitter incident he experienced in mid-August 2019. Because there was no strong evidence, AF (the victim) then shared his story through his Instagram account. He revealed his story while including a photo of what he believed to be the perpetrator, taken from CCTV footage around his house. The victim revealed the identity of the suspected perpetrator with the initials RI. After the incident, the victim looked for CCTV and collected the perpetrator's data. After committing an obscene act, the perpetrator had terrorized her by sending her a message via Instagram. then after this case went viral in the mass media, it began to find a bright spot and the investigation of the investigation seemed to begin to bear fruit.

2. Sexual harassment and harassment of KPI employees of the Indonesian broadcasting commission

A person with the initials MSA who was a victim of bullying and sexual harassment that occurred at KPI has experienced this incident since 2011 since he was hired to work. then in 2014 Koorban was often scolded, insulted, intimidated, insulted and told to buy food by his seniors. 2015 began to get sexual violence. 2016 The victim was often sick due to mental down and trauma due to continued being disturbed. 2017 The victim complained to Komnas HAM but was only directed to report to the police because it was considered to be in the criminal realm. 2019 the victim reported to the Gambir police, but the police actually encouraged him to complete it to the office internally first. 2020 the victim reported to the police but the results were still nil. So in 2021 the victim made a confession through social media so that it became viral, only on September 1, 2021 was his report received and on September 2 KPI summoned 7 suspected perpetrators.¹⁰

3. Sexual harassment of KRL passengers in Jakarta.

A female passenger on the Jakarta KRL major Bogo was sexually harassed on a KAI Commuterline train. 2 days in a row this woman then gave herself up to tell her experience to social media, after her post reaped a lot of public responses, PT KCI contacted the victim.

4. Alleged rape of three teenagers in Luwu Regency, South Sulawesi

This case occurred in 2019 which began to emerge after the victim's mother told a story uploaded by the multatuli project through a website spread by various social media accounts. This case was publicized to the media because the victim's mother felt that she did not get justice and was accused of having mental disorders and mental health.

5. The case of Ruda forcing 13 students by Heri Wirawan in Bandung, West Java

This case has occurred since 2016 which was carried out in a house by Heri Wirawan as the owner of the Islamic boarding school to his students until there were several who had become pregnant and gave birth to a child. children born from his depraved deeds were then used to make money by asking for help here and there and were also employed. this case was only revealed in 2021 after a Kompas tv journalist named Nong Darol Mahmadah opened his voice to social media so that this case received public attention and was further examined.

6. The case of extortion and rape of the prisoner's wife.

This case occurred in May 2021 when a man or husband of MU was dragged into a drug case but was previously invited to go around by officers and asked for 150 million if he wanted to be free but he had no money and finally surrendered, then a wife met Bripta Rahmat who was then invited to meet at the hotel and rape and extortion of the victim who was heavily pregnant Then the North

¹⁰ Arifin, Z. ., Handayani, E. P., & Bayhaqi, N. G. . (2025). PEMBERATAN HUKUMAN PELAKU TINDAK PIDANA KEKERASAN SEKSUAL DI KAMPUS: Menuju Penegakan Hukum Yang Adil Dan Berperspektif Korban. *HUKMY : Jurnal Hukum*, 5(1), 880–892. <https://doi.org/10.35316/hukmy.2025.v5i1.880-892>

Sumatra Regional Police Chief Inspector General Panca Putra Simanjuntak removed the Kutalimbaru Police investigator, Deli Serdang, North Sumatra who was suspected of molesting the wife of a drug case suspect.

7. Imprisonment of a wife angry at a drunk husband in the city of Bandung:

On November 16, the case occurred when a husband reported his wife scolding her often drunk husband with recorded evidence of his wife getting angry and nagging. Some of the law enforcement that occurred were: (a) The Attorney General's Office responded to the news of a wife who was sentenced to one year in prison for scolding a drunk husband in Karawang, this case previously received public attention. Attorney General ST Burhanudin then intervened and ordered the Deputy Attorney General for General Crimes to conduct an examination. The findings of the special examination show that since the pre-prosecution and prosecution stages, the Karawang District Prosecutor's Office and the West Java High Prosecutor's Office do not have a sense of crisis; and (b) the Panel of Judges of the Karawang District Court handed down a free verdict to Valencya, a wife who was sentenced to 1 year in prison for nagging (scolding) her husband who was often drunk.

8. Sexual harassment case of Universitas Brawijaya students

September 28, 2021 A female student who was doing thesis guidance experienced sexual harassment which at first the victim did not dare to report but after finding out that there were 2 of her friends who also experienced the same thing, finally she felt to report the incident she experienced to the South Sumatra Police, but this did not find a bright spot so she dared to vent on social media after this case went viral on Social Media, "Unsri Student Admits to Experiencing Sexual Harassment by Lecturer During SK Guidance" so from the campus, namely the Rector of Unsri, also raised the monastery and the report was received.

9. Sexual Harassment Case of University of Riau Students.

This case occurred on November 27, 2021 while conducting Thesis proposal guidance. after experiencing the incident, the victim told the incident in a video lasting 13 minutes 24 seconds, as soon as the video was uploaded by the public in an uproar and this confession video went viral on various social media and received the attention of netizens and the next day got The next day, the victim with the support of her closest people reported the sexual harassment she experienced to the Pekanbaru Police, Friday, November 5, 2021. The Pekanbaru Police immediately investigated the report and looked for witnesses and clues that would be needed during the investigation process.

10. The Case of Exhibitionism at Yogyakarta Airport.

A woman named Fransisca Candra shows off her breasts and vital organs at the airport. This case has occurred since 2017 but because there is no CCTV and airport police at this airport, this case is not quickly handled. but the perpetrator until based on the examination, it is known that the perpetrator recorded the incident on July 18, 2021 and uploaded the video to Twitter on November 30, 2021. after this video went viral, this woman was secured by the Cyber Sub-Directorate of the Special Crime Directorate of the DIY Police

11. The Case of the Red Kebaya Perverted Video

This case was carried out by a man with the initials ACS from Surabaya and a woman with the initials AH from Malang, East Java. who allegedly deliberately made this content. video sensational and was offered by the Twitter account belonging to the suspect AH, namely @aintursivt and @meamira. After causing a stir and unsettling in the community, the two perverted video actors were secured by the East Java Police Special Criminal Investigation Directorate (Ditreskrimsus) on Sunday, November 6, 2022.

12. Suicide case of suspected rape student in Mojokerto Regency, East Java

A student named Novia Widyasari Rahayu, 23 years old, a student of the University of Brawijaya Malang from Perum Japan Asri, Sooko District, Mojokerto Regency, was found dead next to her own father's grave. The victim allegedly ended her life by drinking poison. a news circulating that Novia Widyasari chose to end her life allegedly depressed because of her romantic relationship with her lover who was a police officer who did not want to be responsible for her actions and instead told her to abort her pregnancy. However, this also went viral on social media/Twitter, because a number of netizens revealed the upload that was allegedly written by the victim before

committing suicide so that after this case circulated on social media, there was only a prosecution, namely that the perpetrator was examined by the Propam to investigate the case.

D. Conclusion

Based on the results of research and analysis of the study from this paper, a conclusion can be drawn, namely: (a) The virality of trending cases can be interpreted as a community effort to seek responsive and fast legal justice; (b) Social justice workers (SJW) are able to become an effective public propaganda tool in fighting for a sense of justice in society through contemporary digital social media; and (c) Justice spaces are driven by technological developments to become transformative law enforcement channels in accordance with the principles of the demands of community justice development.

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