

The Constitutionality of the Electronic Information and Transaction Law: Towards Overcoming SARA Conflict on Social Media

Konstitusionalitas Undang-Undang Informasi dan Transaksi Elektronik: Menuju Penyelesaian Konflik SARA di Media Sosial

Gazalba Saleh

University of Narotama, Surabaya
Arief Rachman Hakim St No 51, Sukolilo, Surabaya
E-mail : gazalbasaleh68@gmail.com

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Abstract

The subsistence of the Electronic Transaction and Information Law control and manage the illicit offenses related to the multiplication of concerns that hold Ethnicity, Religion, Race, and Intergroup (SARA) . Following the idea of law developed by practicality as a way of social regeneration. It is a legal normative investigation utilizing theoretical concurrence and laws. This research is a logical description by using qualitative information examination. The study revealed that content that contains SARA issues is referred to as a hatred statement, which can be construed as an act of communication, carried out by groups or individuals in the form of aggravation and endangered to throw the scandalous actor to prison for utmost six years and a fine of 1.000.000.000 rupiahs. Additionally, the accomplishment of the permissible authority of the Electronic Transaction and Information Law can be classified as non-implementation of the law authenticity establishment as shown from the culture that was not able to go after the rules made by law. It means that this law did not yet have a legal effect. This investigation advocates that society needs to behave by following the officially permitted rules, explained in the Electronic Transaction and Information Law.

Keywords: *Legal Enforcement, Electronic Transaction, Law of Information*

Abstrak

Adanya Undang-Undang Informasi dan Transaksi Elektronik yang mengatur dan mengatur tindak pidana yang berkaitan dengan multiplikasi kepentingan yang menganut Suku, Agama, Ras, dan Antargolongan (SARA). Mengikuti ide hukum yang dikembangkan oleh kepraktisan sebagai cara regenerasi sosial. Ini adalah penyelidikan normatif hukum yang memanfaatkan persetujuan teoretis dan hukum. Penelitian ini merupakan penelitian deskripsi logis dengan menggunakan pengujian informasi kualitatif. Hasil penelitian mengungkapkan bahwa konten yang mengandung isu SARA disebut sebagai pernyataan kebencian, yang dapat ditafsirkan sebagai tindakan komunikasi, yang dilakukan oleh kelompok atau individu dalam bentuk kejangkelan dan membahayakan untuk menjebloskan pelaku skandal ke penjara selama enam bulan. tahun dan denda Rp1.000.000.000,00. Selain itu, pemenuhan kewenangan yang diperbolehkan dari Undang-Undang Informasi dan Transaksi Elektronik dapat digolongkan sebagai tidak terlaksananya penegakan keaslian hukum yang ditunjukkan dari budaya yang tidak mampu mengikuti aturan-aturan yang dibuat oleh undang-undang. Artinya undang-undang ini belum mempunyai kekuatan hukum. Penyelidikan ini mengadvokasi bahwa masyarakat perlu berperilaku dengan mengikuti aturan yang diizinkan secara resmi, yang dijelaskan dalam Undang-Undang Transaksi dan Informasi Elektronik.

Kata Kunci : Penegakan Hukum, Transaksi Elektronik, Hukum Informatika

INTRODUCTION

The existence of the internet not only changed patterns of human communication in social life, but also altered patterns of the social interface, specifically the existence of social media society, through a variety of accessible applications of societal networking such as Twitter, Facebook, WhatsApp, and Instagram.¹ The development of the internet has brought about a new world and a new community acknowledged as netizens. According to Wahid & Labi,² the internet helped humans in obtaining diverse global information, exploring cyberspace, to enter the world of cross ethnicity and differences, politics, religion, and civilization as shown in the Fig-I in which internet penetration for Indonesia is 51%.³

¹ Mainack Mondal, Leandro Araújo Silva, and Fabricio Benevenuto. (2017). "A measurement study of hate speech in social media." In *Proceedings of the 28th ACM conference on hypertext and social media*, pp. 85-94. <https://doi.org/10.1145/3078714.3078723>; Müller, K. and Schwarz, C., (2021). Fanning the flames of hate: Social media and hate crime. *Journal of the European Economic Association*, Vol 19 (4), pp. 2131-2167. <https://doi.org/10.2139/ssrn.3082972>; Dentons. (2020). 2019 PRC Data Protection & Cybersecurity Annual Report detection in Indonesian social media. *Proc. Comp. Sci.* 135, 222–229

² Wahid, A., & Labib, M. (2005). *Kejahatan Mayantara (cyber crime)*. Bandung, Refika Aditama.

³ Hoot-Suite. (2017). Internet World Stats; International Telecommunication Union (ITU). Internet Live Stats, CIA World Factbook. Facebook, National Regulatory Authorities.

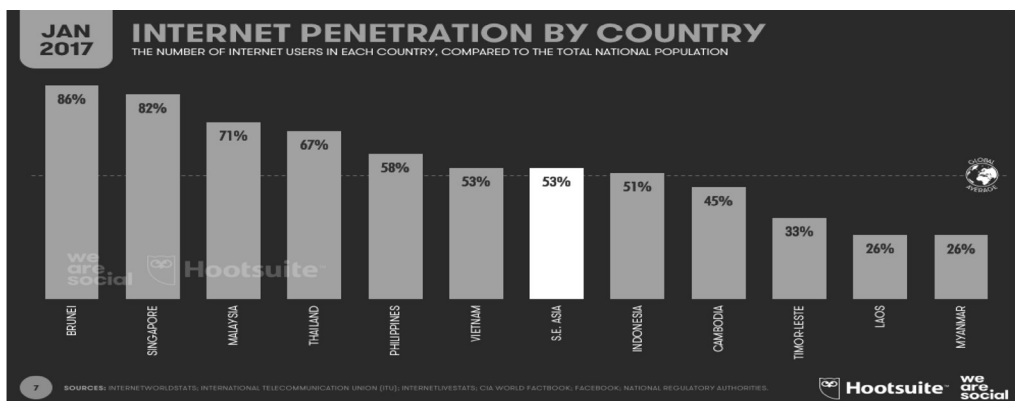


Fig-I Internet Penetration for Indonesia

The extensive utilization of the internet has brought optimistic modifications in diverse fields of social life in the social, political, cultural, and economic areas.⁴ Employing social media, people effortlessly communicate their views in writing and verbally.⁵ According to Suhariyanto,⁶ by utilizing social networking, society can express itself and is free to give suggestions and to do criticism as shown in Fig-II in which social penetration for Indonesia is 47%.⁷

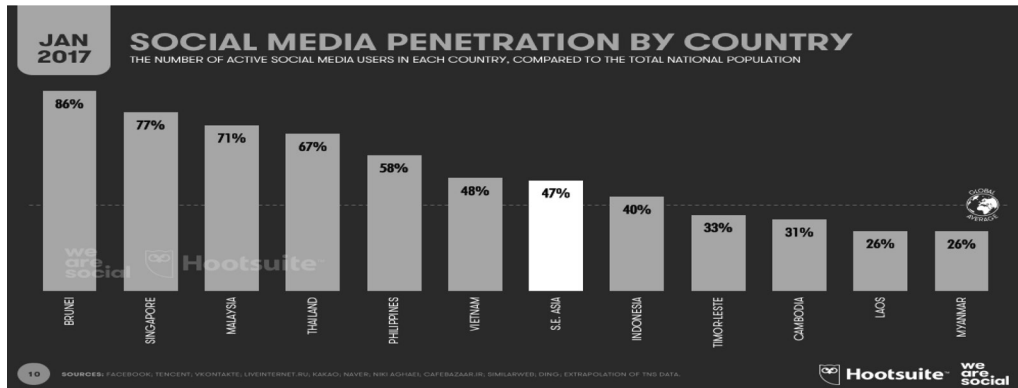


Fig-I Social Media Penetration for Indonesia⁸

⁴ Puspitasari, L. and Ishii, K., (2016). Digital divides and mobile Internet in Indonesia: Impact of smartphones. *Telematics and Informatics*, 33(2), pp.472-483; Arif, R., 2016. Internet as a hope or a hoax for emerging democracies: Revisiting the concept of citizenship in the digital age. *Procedia-Social and Behavioral Sciences*, 236, pp.4-8; Schmidt, A. and Wiegand, M., (2019). "A survey on hate speech detection using natural language processing." In *Proceedings of the Fifth International Workshop on Natural Language Processing for Social Media, April 3, 2017, Valencia, Spain* (pp. 1-10). Association for Computational Linguistics; Sudihar, A., Handayani, G. A. K. R., Pujiyono, & Waluyo. (2019). Public and private law boundaries, nexus of position within a state-owned corporation in Indonesia perspective. *International Journal of Advanced Science and Technology*, Vol. 2 8(20), 276-281.; Wiyono, Pambudi, and Reda Manthovani. "Nationalization As A Threat To The Economy Market In Visa And Mastercard Business In Indonesia." *Journal of Critical Reviews* Vol. 7, No. 1 (2019).

⁵ Neill Fitzpatrick, "Media Manipulation 2.0: The Impact of Social Media on News, Competition, and Accuracy," *Athens Journal of Mass Media and Communications* Vol. 4, No. 1 January 2018

⁶ Suhariyanto, B. (2012). *Tindak Pidana Teknologi Informasi (Cybercrime): Urgensi Pengaturan dan Celah Hukumnya*. Jakarta; RajaGrafindo.

⁷ Hoot-Suite. (2017). Internet World Stats; International Telecommunication Union (ITU). Internet Live Stats, CIA World Factbook. Facebook, National Regulatory Authorities.

⁸ *Ibid*

The extensive utilization of social media has a positive and negative impact. Social media has a constructive outcome on educational, social, economic, and political sides.⁹ In contrast, social media can be a reason for the surfacing of a diverse variety of new crimes. The negative impacts of social media include several writings or live streaming that contain contents of insult, referred to as Hate Speech or terminology of hatred. Hate speech for a picky community group or person through social media can still lead to harassment of certain people who convey such speeches of hate. Hate speech can be the reason for parallel divergences in society. The multiplication of hate speeches on social media platforms aims to be a reason for acrimony among certain groups of people founded on religion, ethnicity, intergroup, and race.¹⁰

The democratic system is romanticized as an administration structure that gives room for people to be liberally concerned in the ascendancy procedure.¹¹ This room can be in the shape of expression and freedom of judgment. Still, the idea of liberty established in social equality creates more than a few paradoxes and issues that have the prospective to intimidate the sustainability of egalitarianism itself, such as the probability for the appearance of social disintegration, social conflict, negative excesses, and segregation politics as the consequence of the strapping individuality affairs of state.¹²

The speech of hate, distributed using social media, is a crime which has been regulated in Act No. 19 of 2016 about alteration in Act No. 11 of 2008 relating to Electronic Transactions and Information law. The existence of the Electronic Transactions and Information Law, which regulates illegal offenses connected to the increase of ethnicity, religion, race, and intergroup issues utilizing social media, must stop users of social media from scattering content containing ethnicity, religion, race, and intergroup issues.

Objectives of the Study

This study seeks to answer the following sub-research and major questions:

- a. How is the spreading of hate speech and crime, prevented in Amendments to Law No. 11 of 2008 and Law No. 19 of 2016, Electronic Transactions and Information bill?

⁹ Idayanti, S., Sulistyono, A., Pujiyono, Novianto, W. T., & Ardyanto, T. (2020). The concept of human rights protecting patients' rights in obtaining health services. *International Journal of Innovation, Creativity, and Change*, (6), 381–393.

¹⁰ Davidson, T., Warmesley, D., Macy, M. and Weber, I., (2017), May. Automated hate speech detection and the problem of offensive language. In *Proceedings of the International AAAI Conference on Web and Social Media*, Vol. 11, No. 1, pp. 512-515.

¹¹ Yatim, M.A.F., Wardhana, Y., Kamal, A., Sorinda, A.A., Rachim, F. and Wonggo, M.I., (2016, October). A corpus-based lexicon building in Indonesian political context through Indonesian online news media. In *2016 International Conference on Advanced Computer Science and Information Systems (ICACSIS)*, pp. 347-352.

¹² Bowman, C. (2017). Data Localisation Laws: An Emerging Global Trend. *Jurist*. Retrieved from jurist.org/commentary/2017/01/Courtney-Bowman-data-localisation/Citizenship in The Digital Age Elsevier. *Procedia-Social and Behavioral Sciences*, 236(5).

- b. To what extent is Hate Speech on Human Rights?
- c. What is the Effect of Hate Speech Texts in Social Media?

METHOD

An experiential examination supports normative research. Normative research is conducted by investigating library materials. This study is a juridical, normative investigation supported by a field investigation. This examination uses a case-study approach and is not limited to investigation on appropriate laws. The secondary and primary data have been used in this study. Data is gathered through observation, theory comparison, and literature study. Secondary data obtained from a variety of sources.

RESULT AND DISCUSSION

How is the spreading of hate speech and crime, prevented in Amendments to Law No. 11 of 2008 and Law No. 19 of 2016 on Electronic Transactions and Information bill?

Content that contains ethnicity, religion, race, and intergroup issues is also called the speech of hate, which can be deduced as an act of contact carried out by a group or individual in the form of aggravation to other groups or individuals in terms of a variety of features such as skin color, race, disability, gender, citizenship, sexual orientation, and religious conviction. Based on the Police Circular Letter No: SE / 06 / X / 2015 on Management of Hate Speech, from a legal viewpoint, Speech of Hate includes behavior, words, performances, or writing that are forbidden since they can activate acts of prejudice and violence either from the victims of the action or the perpetrators of the statement and have a humiliating impact on humanity and human dignity.¹³ The range of speech of hate crimes includes illegal insults as synchronized in the Code of Criminal, also called criminal acts of honor.¹⁴ In certain conditions, as Article 156 A of the Criminal Code, Article 156, and the requirements of Article 28 section (2), it is the public area, which is included in ordinary offenses.

Forms of Hate Speech can be in the form of acts for criminals synchronized in the Code of Criminal and other criminal requirements outside the Code of Criminal, counting:

¹³ Hernoko, A.Y. and Ghansam, A. (2017). "The Application of Circumstance Abuse Doctrine (Misbruik Van Omstandigheden) on Judicial Practice in Indonesia" *Journal of Advanced Research in Law and Economics*, Vol. 8 No. 7. p.2128.

¹⁴ Sjahdeini, S. R. (2009). *Kejahatan & tindak pidana komputer*. Jakarta, Pustaka Utama Grafiti.

- a. **Insulting:** Insulting is attacking one's good name and honor.¹⁵
- b. **Defamation of honor:** In the Penal Code, it is called the act of honor or libel someone by expressing somewhat both by writing and orally.¹⁶
- c. **Defamation of provocation:** Article 310 sections (1) of the Criminal Code, explains: Defamation is condemning a group or person with the purpose that the allegation will be multiplied.¹⁷ The defamation by correspondence is synchronized in Article 310 section (2) of the Criminal Code. If the allegation is made in picture or writing, it is called slighting with a letter.¹⁸
- d. **Unpleasant deeds:** Unpleasant deeds are treatments or actions that offend others. Criminal offenses for disagreeable acts have been formulated in Article 335 of the Criminal Code, susceptible with utmost incarceration of a one-year or utmost fine of 4500 rupiahs. Anyone illegally utilizes unpleasant treatment or violence, or utilizing the menace of violence, both towards other people or the person himself. Anyone forces others to not do, do or permit somewhat with the menace of written defamation.
- d. **Provoking:** it is an act carried out to stimulate annoyance by evoking violence, inciting, irritation and sufferers have unenthusiastic emotions and thoughts.¹⁹ Article 160 of the Criminal Code regulates agitation.²⁰
- e. **Spreading of false news:** Propagation news, where the story is false news.²¹

Article 157 of the Indonesian Criminal Code states: "(1) Whoever broadcasts, demonstrates, or pastes writing or painting in public that contains a statement of feelings of hostility, hatred, or contempt between or against groups of the Indonesian people, with the intention of making the contents known or better known to the public, shall be punished by a maximum imprisonment of two years and six months." (2) If the guilty party commits the crime in time to carry out his quest and it has not yet been five years since his sentence became permanent as a result of that type of crime, the person concerned may be barred from carrying out the search." Article 310 of the Criminal Code, which reads: (1) Whoever deliberately attacks someone's honor or reputation by accusing something, which means clearly so that it is known to the public, faces a maximum prison

¹⁵ Susilo, R. (2019). *Kitab Undang-undang Hukum Pidana serta komentar-komentarnya lengkap pasal demi pasal*.

¹⁶ *Ibid*

¹⁷ *Ibid*

¹⁸ *Ibid*

¹⁹ Nasional, D. P. (2008). *Kamus besar bahasa Indonesia pusat bahasa*. Jakarta: PT Gramedia Pustaka Utama.

²⁰ Susilo, R. (2019). *Kitab Undang-undang Hukum Pidana serta komentar-komentarnya lengkap pasal demi pasal*.

²¹ *Ibid*

sentence of nine months or a maximum fine of four thousand five hundred rupiah for defamation. (2) If it is done by writing or depicting broadcast, displayed or posted in public, then threatened for written libel with a criminal imprisonment for a maximum of one year and four months or criminal a maximum fine of four thousand five hundred rupiah. (3) Does not constitute libel or written defamation if the actions are clearly in the public interest or because he was forced to defend himself. Criminal Code Article 311 states that (1) If the person who commits the pollution or pollution-related crime It is permissible to use written evidence to prove what is alleged. It is true, but it hasn't been proven, and accusations have been leveled. In contrast to what is known, he is threatened. Slander is punishable by up to four years in prison. (2) Revocation of rights based on article 35 no. 1 – 3 can dropped. If the spread of hate speech has resulted in social conflict, members of the Indonesian National Police (Police) must follow the following guidelines when dealing with the situation: Law Number 7 of 2012 Concerning Conflict Management Social an then Regulation No. 8 2013 of the Head of the State Police of the Republic of Indonesia on the Technical Handling of Social Conflict.

All acts of Criminal-Code have a contact on acts of discrimination, violence, or social difference; also accomplish the essentials in acts of speech of hate.²² Article 28 (2) expresses the offense of loathing, and it reads: "Everyone intentionally and without the right to allocate information intended to incite hatred or aggression of certain groups of people and individuals based on belief, civilization, between, race and groups ". This article proves whether the information detached is intended to aggravate repugnance and opposition or not.²³

Article 28 subsection (2) of the Law of Electronic Transactions and Information, as compared to the Criminal Code, the Law of Electronic Transactions and Information encloses a slight additional about the capacity of speech of hate; abhorrence concerning religion, ethnicity, between groups, and race. The cybercrime governing law is the Law of Electronic Transactions and Information (Burkhardt, 2018; ICLG, 2020). Article 28 subsection (2) of the Law of Electronic Transactions and Information can be utilized as a lawful basis to entangle executors of speech of hate devoted by the internet or online media because, at present, it is extensively carried out (Sunder, 2018). The speech of hate in Article 28 subsection (2) of the Law of Electronic Transactions and Information is dissimilar

²² Citron, D. K., & Norton, H. (2011). "Intermediaries And Hate Speech: Fostering Digital Citizenship For Our Information Age," *Boston University Law Review*. Conference on Media Literacy. Queenstow.

²³ Suhariyanto, B. (2012). *Tindak Pidana Teknologi Informasi (Cybercrime): Urgensi Pengaturan dan Celah Hukumnya*. Jakarta; PT. RajaGrafindo Indonesia.

from the expressions in common, albeit the Speech of Hate contains attacks, hate, and flames.²⁴ Chapter-IX Criminal Rations of the Law of Electronic Transactions and Information in Article 45-A subsection (2) of the Criminal-Code, clarifies the criminal endorsements against the executors of speech of hate:

“Each person who fulfills the elements referred to in Article 28 subsection (1) or subsection (2) shall be sentenced to utmost incarceration of 6 years and an utmost fine of one billion rupiahs”.

Even though criminal sanctions are susceptible alongside executors of speech of hate or scattering content that encloses ethnicity, religion, race, and intergroup as predetermined in the Law of Electronic Transactions and Information, the realism in the society depicts amplification in this kind of offense. The continuation of the Law of Electronic Transactions and Information has not been capable as an indication of social regeneration to guide the society to be extra submissive and have excellent lawful consciousness. When the rule, both unwritten (verbal) and written law has no compulsory power for the society because the society does not abide by the rule, then there is somewhat wrong with the lawful structure. According to the legal-system theory from Lawrence Friedman, the failure or success of rule enforcement depends upon the legal structure, legal substance, and lawful ethnicity.²⁵

The material of the commandment is intimately connected to the accomplishment regulation of law. Indonesia produces regulations and contentious laws. The resultant administration is seen in the welfare of certain groups, pays no attention to the protection and rights of those considered feeble, and is believed to be mismatched with the principles of righteousness living in culture (Jurriëns & Tapsell, 2017). The material of the Law of Electronic Transactions and Information, after being altered to progress the lawful content of the act, the lawful spirit of the Law of Electronic Transactions and Information leaves more than a few lawful troubles that will considerably cause complexities in their accomplishment. Significantly, modifications to the Law of Electronic Transactions and Information are not so much important. Article 28 subsection (2) of the Law of Electronic Transactions and Information is a plague for netizens, particularly for those who are at probability and forever give an assessment of policies formulated by the government and are utilized to catch individuals or a group

²⁴ Anam, M. C., & Hafiz, M. (2015). Surat Edaran Kapolri Tentang Penanganan Ujaran Kebencian (Hate Speech) dalam Kerangka Hak Asasi Manusia. *Jurnal Keamanan Nasional*, Vol. 1, No. 3, h 341–364.

²⁵ Friedman, L. M. (1975). *The Legal System: A Social Science Perspective*. New York: Russel Sage Foundation.

who generate content that condemns policies formulated by the government. Regulation enforcement organizations have not constantly made functional the Law of Electronic Transactions and Information in real cases that happens in the society which affected the regulation enforcement of the Law of Electronic Transactions and Information. According to Marzuki,²⁶ lawful confidence is not only the survival of common rules that put a boundary for the society in captivating action alongside persons in culture but also the rule must be put into practice constantly after the resonance of the rule.

The preceding feature manipulating the efficiency of the Law of Electronic Transactions and Information validity is the lawful traditions. Lawful traditions cover the principles that lie beneath the appropriate rule, the principles which are theoretical commencements of what is measured excellent to be pursued and felt awful so evaded.²⁷ Lawful traditions are intimately connected to community lawful consciousness. The advanced lawful consciousness of the society will generate a high-quality lawful civilization and can alter the grassroots state of mind about the rule. The stage of society observance with the commandment is one pointer of the performance of the rule. The legal structure, legal substance, and lawful customs are consistent and cannot be alienated. The accomplishment of these three rudiments chains each other to generate an orderly, safe, peaceful, and peaceful way of life.

Information and Transactions Law has a tactical position in the conservation of the outlook and facing confronts of the democratic system in Indonesia by applying limitations to the thought of liberty.²⁸ Lawful validity is the survival of detailed standards. The standard is suitable if it is a shape of a declaration that supposes the attendance of the set has a compulsory power from side to side the demands of endorsements against somebody whose proceedings are ordered, regulated, or forbidden. The suitable rule is the standard, which grants punishment. Regard and Related to the stipulation of content allocation containing ethnicity, religion, race, and intergroup, the necessities of the Law of Electronic Transactions and Information are applicable commandments.

It is significant to be acquainted with between gelding and validity is a dissimilar subject. Validity is considered as the commandment of rational thoughts. On the contrary, the organization is connected to legalist lawful thoughts. In the

²⁶ Marzuki, P. M. (2008). *Pengantar ilmu hukum*. Jakarta: Kencana Prenadamedia Group.

²⁷ Soekanto, S. (2008). *Faktor-Faktor Yang Mempengaruhi Penegakan Hukum*, Jakarta: PT. Raja Grafindo Persada.

²⁸ Ahmad Tholabi Kharlie, Fathudin, Muhammad Ishar Helmi. (2019). "The Role of the Law on Electronic Information and Transactions in Overcoming Challenges of Democracy in Indonesia" *International Journal of Advanced Science and Technology*, Vol. 28 No. 20, pp. 1178-1184.

background of rule enforcement, there are definite indications for example the practice of law enforcers, the behavior of officials, legislation, documents, and jury verdicts in an explicit scaffold that is unspoken as an exacting orientation tacit as rule.

Hate Speech on Human Rights

In the human rights framework, the point of contact for hate speech is at two discourses of rights: a) freedom of religion or belief; b) freedom of expression and opinion; and c) protection of race and ethnicity. Through the International Covenant on Civil and Political Rights and a number of other documents, the global community has agreed on boundaries for both rights, so that the limitation of a right (expression and opinion) to protect certain rights (freedom of religion) should not be viewed in a dichotomous framework.²⁹

The right to religion or belief (in the language of the Covenant, it is referred to as “rights of thought, conscience, and religion”) is a strong foundation upon which the existence of freedom is protected. In fact, Article 4 of the Covenant confirms that it is one of the rights that cannot be limited under any circumstances. This demonstrates the significance of these rights in human life. The human rights regime, as one of the normative frameworks that has been firmly established and recognized by the global community, regards this right as important, because only with this guarantee can everyone, anywhere, at any time, and in any situation, exercise their right to worship and practice their beliefs. It is given freely and without coercion.³⁰

On the other hand, the freedom of expression and opinion is a right that is guaranteed to exist under the human rights framework. This is supported by hundreds, if not thousands, of documents at the international, regional, and national levels. However, according to Article 19 paragraph (3) of the Covenant on Civil and Political Rights, the right to express this opinion is not absolute. In other words, while freedom of expression is a “widely accepted right,” it is not without constraints. The limitation in this case is on the expression of that opinion, with strict and detailed provisions, rather than on the right to think or argue, which cannot be excluded or limited. The United Nations Human Rights Committee emphasized that restrictions on the right to express oneself can be

²⁹ Durham, W. Cole and Brett G. Scharffs, (2019). *Law and Religion: National, International, and Comparative Perspective*, New York: Aspen Publisher.

³⁰ Nowak, Manfred. (2004) “Permissible Restriction on Freedom of Religion or Belief”, dalam Tore Lindholm, et.al., ed., *Facilitating Freedom of Religion or Belief: A Deskbook*. USA: Martinus Nijhoff Publisher.

used to respect and maintain the reputation of others, specifically someone who is an individual as part of or member of a community, such as religion or ethnicity.

The Covenant is particularly relevant in the context of hate speech and hostility. Article 20 of the International Civil-Political Treaty states that: (1) any propaganda for war must be prohibited by law; (2) any act that promotes hatred on the basis of nationality, race, or religion that constitutes incitement to discrimination, hostility, or violence must be prohibited by law; and (3) any act that promotes hatred on the basis of nationality, race, or religion that constitutes incitement to discrimination, hostility, or violence must be prohibited by law.

Article 20 of the Civil Code Covenant is distinct based on its character because it is restrictive and does not assert a specific right, with other articles of the Covenant. The limitation in Article 20 is also distinct from the limitation in Article 19 (3), which can be carried out by the State in certain circumstances, and in 19 (3), the State must submit information on a regular basis, including the reasons for carrying out the restriction. While Article 20 does not require states to communicate with the Committee, it does require that they do so when execute the plan.

In order to abolish all forms of discrimination, States Parties must prohibit all forms of incitement to hatred under domestic law, including incitement to discrimination that does not result in violence based on national, racial, or religious identity, as stated in paragraph (2) of Article 20 above. Restrictions on these aspects of identity determine whether or not incitement can be punished. For example, incitement against women, according to Manfred Nowak, does not fall into this category, despite recent developments in human rights discourse including different sexual orientations in one of the categories of incitement.

The term “hate speech,” or “hate speech” in Indonesian, is a term closely related to minorities and indigenous people,¹¹ that afflict a specific community and can cause them great suffering, while (people) who others don't care. It can cause psychological as well as physical suffering, afflicting many minority groups and local people in practice. The last few examples show that uttering hatred has resulted in violence against specific groups, such as Coptic Christians in Egypt, Muslims in Myanmar, and immigrants in Greece, and the genocide in Rwanda, which is still remembered as one of the most significant crimes against humanity in modern history.

This background, at the very least, encourages the international community and a number of countries to enact a ban on hate speech, even if such a ban does not necessarily criminalize it. Some countries focus on preventing hate speech and using dialogue methods, while others classify it as a felony act that can be prosecuted civilly.

In terms of terminology, two terms are frequently used in international human rights law: “incitement” (incitement) hatred) and “hate speech.” The former term is used more frequently by the UN Human Rights Committee than hate speech. In practice, there are differences between experts and the country’s legal system; those who prioritize the words themselves, those who see the impact on humanity and human existence, and those who see the impact on other people who are called for by the hate speech. Indeed, there are many opinions that this definition of hate speech or incitement arises, which in many cases is actually used by the State to limit freedom of expression, which in fact has a political background, rather than to prevent discrimination or violence due to hate speech.

At the same time, hate speech or incitement differs from utterances (speech) in general, even if the utterance is hateful, offensive, or blazing. This distinction is based on the intention of an utterance, which is intended to have a specific impact, either directly (actually) or indirectly (stop at the intention). If the utterance is delivered with zeal and enthusiasm and ends up inspiring audiences to commit violence or harm people or other groups, Susan Benesch defines incitement to hatred as a successful act.

According to the description above, the problem of hate speech is not an easy thing to understand, because in concept or practice, it is frequently applied differently, both at the global level and in practice in world countries.

However, there is universal agreement that every utterance, statement, or incitement intended to discriminate against or commit violence against a specific person or group based on racial, ethnic, or religious background, or even sexual orientation, is a violation of humanity and human rights. As a result, these actions must be prohibited by the state and, if necessary, affirmed in national criminal law.

This brings up the second complication, which is that hate speech is very close to the guarantee of the right to opinion and expression, which is widely recognized by human rights standards. Errors in assessing and allocating the size of hate speech-related speech, utterances, or statements will have an impact on restrictions on freedom of expression. Instead, regardless of the aspects of the

statement that contain hate speech, open the faucet of expression as wide as possible, allowing the community to be in a situation of mutual hatred, mutual suspicion, intolerance, discrimination, and even violence against certain weaker groups.

The Effect of Hate Speech Texts in Social Media

Media literacy is a set of perspectives that people use to actively expose themselves to the media in order to interpret the meaning of the messages they encounter.³¹ According to Aufderheide and Firestone (1993), media literacy is the ability to reach messages in a variety of forms, analyze them, and forward them. Media literacy is more than just reading individual media messages; it is also the act of creating messages and the delivery process through which they are delivered.

A study demonstrates habitual forms of media use and socialization media for the development of media competency. There is broad agreement on the need for competence media in order to effectively use digital media, as well as the potential of digital media as a learning medium. Particularly in relation to interactive internet technology, which has become a new requirement in many occupations and for college students tall. Higher education can help students develop the skills and knowledge needed to use digital media as a learning resource. In modern society, Competence in the use of digital media is not evenly distributed across different social and economic strata in modern times. If ethical violations occur, the various meanings and interpretations of hate speech texts in the media can cause difficulties in handling. This logic holds that the definition of text Hate speech must be appropriate and in context. Is hate speech based on facts/reality, or is it only in the form of public opinion that is not supported by data and facts that are validated for their existence?

As a media text, any content should ideally be preserved and minimized in its impact on society. One example of a hate speech text case that had a wide impact was when the Madurese and Dayak tribes clashed in the city of Sampit, West Kalimantan (January 1999). The conflict arose solely because he was provoked by a text in the local media that reads “sape” (ox), which was spoken by a certain tribal figure to another tribe. Text on local media is interpreted as swearing hate speech by other tribes in the region, sparking a horizontal conflict between the two tribes that has resulted in many victims.

³¹ Potter, W. J. (2005). *Media Literacy*. London: Sage.

Another incident was the July 2017 burning of a mosque in Tolikara Regency, Papua, which was also sparked by the hate speech text ethnicity, religion, race, and intergroup on social media. It's the same with Persija Jakarta supporters clashing with Persib Bandung over hate speech posted on social media by Persija Jakarta supporters (22 May 2017). Hate speech in the form of hoax posts This sparked clashes, which resulted in attacks on police security. Using several examples of cases that have already been stated, qualitatively, it can be interpreted that, rather than constructing a vehicle for criticism in public spaces such as social media to provide a positive view of different parties, certain parties, whether intentionally or unintentionally, tend to use hate speech text as ammunition to attack opponent's weakness.

Hate speech texts posted in public places on social media serve a more basic purpose. That goal can have economic, political, or both tendencies, whichever is most advantageous to the ordering actor.

Hate speech texts are largely the result of a business capital industry, rather than the work of individuals. Depending on the circumstances, the actors can reap multiple benefits, either economically, politically, or both. This business model is impossible to legalize, and they prefer to play by the rules. Many parties believe that hoax information in the form of speech text hatred in the public sphere of social media today has threatened Indonesian values and democratic freedom. This phenomenon is not due to a flaw in the technology used, but rather to a lack of awareness among technology users about global information and communication technology (ICT). Saracen, for example, was discovered in a Syndicate case in 2017. This demonstrates that, as conceptualized in this article, hoax information in the form of hate speech texts has been produced into a business capital industry.

The hate speech text information industry is organized similarly to the legal industry. The hoax capital industry has created and distributed information through agents, who then recruit followers as consumers. The spread and existence of speech hoaxes This hatred is influenced by economic value, which benefits the actors involved financially. For starters, the actors create economic value because the business is operating. Second, they gain the value of political power because their goals and objectives of weakening the opposing party are met. Despite having a complete organizational structure, as happened with the Saracen, the operational system is illegal.

These operational systems are generally designed in such a way that they are similar c As in the United States Presidential Election, the business concept

of hate speech text on social media has been evolving globally (2017). Text hate speech in international media, including social media, can be read as evidence of Donald Trump's victory over Hillary Clinton. One of Trump's political campaigns that went viral on social media at the time was his opposition to "Muslim immigrants" entering the United States.³²

We have also witnessed a similar phenomenon in the implementation of The Indonesian presidential election (2014), which was fraught with communist and ethnicity, religion, race, and intergroup issues. The last hot topic was the DKI Jakarta gubernatorial election in April 2017, which focused on the issue of Jakarta Bay reclamation, until the Saracen case was revealed. The Saracen Group, which is suspected of being a producer, has received profits from certain donors in exchange for his services in producing hate speech texts directed at specific figures/parties/groups/institutions.

These political economy actors collaborate with agents and buzzers, who have a large social media following and market. The agents' tasks include provoking news, clarifying issues, and playing hashtags via the creation of fake accounts and the syndication of buzzer accounts across various media platforms. The more negative political news one consumes, the more negative political identification one develops. On the other hand, the greater one's trust in the media, the greater one's attachment to the information conveyed.

This condition has the potential to raise concerns among prospective voters about election activities and elections in general, so that the results of surveys conducted prior to elections can be inversely related to the actual election results. All sensitive issues can be linked during a political event and debated in the public sphere of social media, so that it becomes viral and has the potential to influence public opinion.

The opposing party's economic and political decisions are influenced by public opinion constructed on social media. Phenomena like this can give economic events political meaning as ammunition in the concurrent regional elections (2018), as well as ahead of the general election and the 2019 Presidential Election. It is assumed that this potential will interfere with democratic freedom of expression in the context of the use of public space in social media. Freedom of expression in the public sphere on social media is a democratic global community demand.

³² Ghana, Nazila, "Intersectionality and the Spectrum of Racist Hate Speech: Proposals to the UN Committee on the Elimination of Racial Discrimination," in *Human Rights Quarterly*, Volume 35, Number 4, November 2013.

The presence of public space on social media today not only has the potential to alter the pattern of communication between people (netizens). On certain media platforms, social space is transformed into a cyber-democratic public space. Individuals can make decisions thanks to information freedom and dialogue space. The ideal concept of democracy in the public sphere is a free space for every citizen to communicate their opinions and dialogue logically without any pressure from any party.

With the advancement of Information and Electronic Transactions and internet networking, public space has now permeated into the form of social media. Because of its global nature, freedom can be limitless. As a result, other intervention forces, such as economic-political, social, cultural, technological, and other global powers, can easily enter the space. Certain political and economic pressures have the potential to push social media further away from its role as a provider of communicative and democratic public space (public sphere).

The Constitutional Court Interpretation on Ethnicity, Religion, Race, and Intergroup (SARA)

The term “intergroup” according to the Constitutional Court is one category that recognizes the existence of differentiation social, in addition to the categories of ethnicity, race, and religion. Categories “ethnic” and “race” refers to a given condition or factor that cannot be changed by humans who bears the tribe or race in question, and becomes an inherent identity lifetime. Religion is not a given factor such as ethnicity and race, but a choice human, but because of its sacred nature and anthropologically it contains values which is difficult to change so that it tends to become a lifelong identity someone who adheres to it.³³

The “tribe” category becomes a forum for entities, including the Javanese, Acehese, Jambi, Minang, Kubu, Sundanese, Sasak, Bugis, Sumbawa, Bali, Ternate, Waigeo, Danny, and so on. The “race” category became a forum for the Mongoloid racial entities, Malay, Melanesoid, and so on. The category “religion” becomes a forum for entities that adhere to the religion of Islam, Christianity, Catholicism, Hinduism, Buddhism, and Confucianism. Outside of these three categories, the Court is of the opinion that there are still many again other categories that have not all been accommodated by law, for example domicile, profession/livelihood, groups who are members of the organization certain and so on.

³³ Decision Number 76/PUU-XV/2017 regarding the Testing of Law Number 11 of 2008 concerning Information and Electronic Transactions as amended with Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Information and Electronic Transactions against the 1945 Constitution of the Republic of Indonesia p.68

The condition of diversity that is well managed by the state, among others by acknowledging and protecting it legally, it will be possible the creation of honest and trusting interactions. Furthermore, the honest nature and such mutual trust, supported by the availability of noble norms/values as guide, as well as the development of collaborative networks between individuals and/or between groups, undoubtedly strengthens social capital that will enable the Indonesian nation-state achieves its highest goal, which is to protect all the Indonesian nation and all of Indonesia's bloodshed, promote prosperity public, educate the nation's life, and participate in carrying out world order.

The term "intergroup" according to the Court is not terms that are firm and clear in meaning. The term cannot be immediately known meaning, in contrast to the terms "ethnic", "religion", and "race", which together with the term "intergroup" the four are placed parallel and even gave rise to a popular abbreviation in the community, namely SARA. Even though it's not bright and firm does not mean that the "intergroup" does not exist.

It is true that historically the origin of the term "intergroup" This is due to the classification of the population which tends to be segregative as a result of the application of Article 163 and Article 131 of the Indische Staatsregeling (IS) during the Dutch East Indies, which classified the population into in several groups and each group is subject to the law different. But the trauma of history should not obscure reasoning of legal consequences arising from the disappearance of the term "intergroup" in the law positive, namely the emergence of a legal vacuum that leads to uncertainty law.

The term "intergroup" in the a quo Petition clearly does not refer to "intergroup" as referred to in Article 163 and Article 131 IS, but on the sociological reality of the existence of "other groups" outside the tribe, religion, and race. Legal reasoning about the inevitability of the existence of the term The "intergroup" should also not be obscured by the trauma that arises as a as a result of negative application of the term as inherent in the acronym SARA in the past.

That further, it is important for the Court to explain that the term "intergroup" is seen as harmful or bad, one of them is because the implementation is feared to be arbitrary. Universally when a statutory regulation is applied arbitrarily, such a thing is definitely bad and dangerous. However this is a matter of applying the law, for which legal remedies are available to deal with it, so that it is not a constitutionality issue norm. Constitutional problems actually arise when the term

“intergroup” is abolished, namely the existence of a legal vacuum that results in uncertainty law,

The question then is what if it is related to Article 28E paragraph (3) and Article 28G paragraph (1) of the 1945 Constitution? Article 28E paragraph (3) in conjunction with Article 28G paragraph (1) of the 1945 Constitution expressly states that everyone has the right to express opinions and are protected in the exercise of human rights. Phrase “expressing opinion” includes the dissemination of information both orally as well as through certain media, including through technological means networked computers which are popularly known as social media (social media). But such freedom is not without limits. Freedom expressing opinions is limited by the obligation to respect human rights other people as regulated in Article 28J paragraph (1) of the 1945 Constitution. According to Court Article 28E paragraph (3) in conjunction with Article 28J paragraph (1) of the 1945 Constitution mandates that every opinion must be accompanied by full responsibility morals and laws to always present the truth. This is also in line with the meaning of the rule of law and legal protection as stated in Article 1 paragraph (3) and Article 28D paragraph (1) of the 1945 Constitution.

Considering that the term “intergroup” because it accommodates various entity that has not been regulated by law, then when it is removed/removed from Article 28 paragraph (2) and Article 45A paragraph (2) of the ITE Law will negate/eliminate legal protection for various entities outside the three categories, namely ethnicity, religion, and race. The absence of such legal protection has the potential to violate Article 27 paragraph (1) and Article 28D paragraph (1) of the 1945 Constitution.

That the term “intergroup” is formed from the combination of the words “inter” and “intergroup”. the word “group”, which is the word “group” in the Indonesian Dictionary the same as the group (Hasan Alwi et al, 2001:368). When group interpreted as a group (people) who have the same attributes or characteristics certain, then the term group/group will also include/include ethnicity, religion, and race. Whereas in the phrase SARA, the legal position of the term “tribe”, the term “religion”, the term “race”, and the term “intergroup” are placed as equals meaning that each does not cover each other or one does not become subordinate another.

According to the Court of repetition or the impression of overlappin unavoidable because of the limited vocabulary that can represent phenomenon of

the diversity of entities due to the process of social differentiation. That matter is not a violation of the 1945 Constitution. Because the purpose is precisely to fill the legal vacuum so that there is no violation of the Constitution 1945. However, if it is necessary to emphasize and when it has been If the most appropriate vocabulary is found, it is possible to do it change or replacement of the term “intergroup” by legislators at a later date, which will then be used as terminology law in accordance with the context in which it applies.

Even in criminal law, it is said that one of the elements the objective of a crime is the existence of an unlawful nature (*wederrechtelijkheid*). Corruption, anti-Pancasila, stealing, robbing, for example, is an unlawful act. People who are proven to do various actions and has been sentenced to a court decision with the power of permanent law, it certainly doesn't make sense to feel offended or harmed, and it is impossible to ask for legal protection based on the provisions of Article 28 paragraph (2) and Article 45A paragraph (2) of the ITE Law. It's different when a certain person or group is suspected or disseminated information that he is a criminal or corruptor or anti-Pancasila without any proof legally. The person or group suspected of doing so has the right to protected based on the provisions of Article 28 paragraph (2) and Article 45A paragraph (2) UU ITE.

Considering whereas the Petitioners argue that there is ambiguity the meaning of “group” because apart from being used in Article 28 paragraph (2) and Article 45A paragraph (2) of the ITE Law, the word “group” is also used in Article 156 of the Book Criminal Law (KUHP). Against this argument, the Court believes that Article 28 paragraph (2) and Article 45A paragraph (2) of the ITE Law are regulations that are more specific in nature than the provisions of Article 156 KUHP. According to the Court, the use of the same term/word by two laws different is not a mistake let alone a violation of the constitution, as long as they have different contexts and such differences can be easily known through contextual interpretation.

This is so, if you look closely, it will be clear in the formulation each article where Article 28 paragraph (2) and Article 45A paragraph (2) UU ITE regulates crime in the context of distributing electronic information, while Article 156 of the Criminal Code emphasizes the expression of feelings of hostility, hatred, or public humiliation. Accordingly, the Court is of the opinion that the use of the term “group” in the ITE Law and in the Criminal Code does not cause confusion because the two have a clear difference in context.

However, if the use of the term “group” in the Article 28 paragraph (2) and Article 45A paragraph (2) of the ITE Law as well as in Article 156 of the Criminal Code allow ambiguity, *quod non*, according to the Court, this is the problem of harmonization of terms/words that are part of a norms in laws and regulations that are not actually resulting in a shift in the meaning of each term/word in the the relevant laws and regulations, so that it is not is a matter of constitutionality of norms.

CONCLUSION

In *précis*, the objective or intention of speech of hate is to attack someone’s reputation either it is based on background or content that results in damage to one’s social representation or status. Content containing ethnicity, religion, race, and intergroup issues is called the speech of hate, which can be construed as an act of announcement carried out by a group or an individual in the shape of defamation, provocation, or abuse to other groups or individuals in terms of a variety of features for example color, race, disability, gender, citizenship, sexual orientation, and faith as devised in Article 28 subsection (2) and susceptible with utmost incarceration of 6 years or/and a fine of one billion rupiahs. Lawful strength of the Law of Information and Electronic Transactions, judging from the factual and legal strength, Law of Information and Electronic Transactions has no lawful strength. The law has not compulsory authority for the society yet, which is seen from the society’s fulfillment to perform after the lawful regulations embark in the Law of Information and Electronic Transactions.

Law enforcement officers’ prevention efforts in response to the rise of hate speech on social media. Police of the Republic of Indonesia, as one of the law enforcement officers, has the authority to take preventive measures. Laws Enforcing Parties Spreading Hate Speech on Social Media Related to Freedom of Opinion and Law Number 19 Years 2016 Concerning Amendments to Law Number 11 of 2008 Concerning Information and Electronic Transactions. If preventive measures fail to solve various problems caused by hate speech, members of the Indonesian National Police, as one of the apparatus law enforcers, can carry out law enforcement, which is a repressive act, by referring to several existing laws and regulations.

The Indonesian National Police is one of the apparatus. Law enforcement should conduct various socializations to the related community through various

media, including social media. This matter is intended to inform people at all levels that freedom of expression through social media must be based on several principles, including the principles of prudence and good faith. Law enforcement officials must be firm in imposing sanctions on various parties who have spread hate speech. Furthermore, the rules and laws pertaining to this matter must be socialized to the larger community.

REFERENCES

- Ahmad Tholabi Kharlie, Fathudin, Muhammad Ishar Helmi. (2019). The Role of the Law on Electronic Information and Transactions in Overcoming Challenges of Democracy in Indonesia. *International Journal of Advanced Science and Technology*, 28 (20), pp. 1178-1184.
- Anam, M. C., & Hafiz, M. (2015). Surat Edaran Kapolri Tentang Penanganan Ujaran Kebencian (Hate Speech) dalam Kerangka Hak Asasi Manusia. *Jurnal Keamanan Nasional*, 1(3), 341-364.
- Aufderheide, P., & Firestone, W. 1993. *Media Literacy: A Report of the National Leadership*
- Bowman, C. (2017). Data Localisation Laws: An Emerging Global Trend. *Jurist*. Retrieved from [jurist.org/commentary/2017/01/Courtney-Bowman-data-localisation/Citizenship in The Digital Age](http://jurist.org/commentary/2017/01/Courtney-Bowman-data-localisation/Citizenship%20in%20The%20Digital%20Age) Elsevier. *Procedia-Social and Behavioral Sciences*, 236(5).
- Burkhardt, B. (2018). PRC: Data Protection & Localisation, Cyber Security Law, VPN and Encryption Citron, D. K., & Norton, H. (2011). Intermediaries and hate speech: Fostering digital citizenship for our information age. *Boston University Law Review*. Conference on Media Literacy. Queenstow, MD.
- Davidson, T., Warmesley, D., Macy, M., & Weber, I. (2017). Automated hate speech detection and the problem of offensive language. *Proceedings of the 11th International Conference on Web and Social Media, ICWSM 2017*.
- Dentons. (2020). 2019 PRC Data Protection & Cybersecurity Annual Report detection in Indonesian social media. *Proc. Comp. Sci.* 135, 222-229.
- Durham, W. Cole and Brett G. Scharffs, *Law and Religion: National, International, and Comparative Perspective*. New York: Aspen Publisher, 2010

- Friedman, L. M. (1975). *The Legal System: A Social Science Perspective*. New York: Russel Sage Foundation.
- Ghanea, Nazila, "Intersectionality and the Spectrum of Racist Hate Speech: Proposals to the UN Committee on the Elimination of Racial Discrimination", dalam *Human Rights Quarterly*, Volume 35, Number 4, November 2013
- Hernoko, A.Y. and Ghansam, A. (2017). The Application of Circumstance Abuse Doctrine (Misbruik Van Omstandigheden) on Judicial Practice in Indonesia'. Vol. 8 No. 7 *Journal of Advanced Research in Law and Economics*.
- Hoot-Suite. (2017). Facebook; Ten-cent. Vkontance, Live-internet RU
- Hoot-Suite. (2017). Internet World Stats; International Telecommunication Union (ITU). Internet Live Stats, CIA World Factbook. Facebook, National Regulatory Authorities.
- ICLG. (2020). PRC: Cybersecurity Laws and Regulations 2020 Indonesian legal perspective. IOP Conf. Ser. Earth Environ. Sci. 175(1).
- Idayanti, S., Sulistiyono, A., Pujiyono, Novianto, W. T., & Ardyanto, T. (2020). The concept of human rights protecting patients' rights in obtaining health services. *International Journal of Innovation, Creativity, and Change*, (6), 381–393.
- Jurriëns, E., & Tapsell, R. (Eds.). (2017). *Digital Indonesia: connectivity and divergence*. ISEAS-Yusof Ishak Institute
- Marzuki, P. M. (2008). *Pengantar ilmu hukum*. Jakarta: Kencana Prenadamedia Group
- Media Manipulation 2.0: The Impact of Social Media on News, Competition, and Accuracy By Neill Fitzpatrick, *Athens Journal of Mass Media and Communications* Vol. 4, No. 1 January 2018
- MMller, K., & Schwarz, C. (2017). Fanning the Flames of Hate: Social Media and Hate Crime. *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.3082972>
- Mondal, M., Silva, L. A., & Benevenuto, F. (2017). A measurement study of hate speech in social media. *HT 2017 - Proceedings of the 28th ACM Conference on Hypertext and Social Media*. <https://doi.org/10.1145/3078714.3078723>
- Nasional, D. P. (2008). *Kamus besar bahasa Indonesia pusat bahasa*. Jakarta: PT Gramedia Pustaka Utama.
- Nowak, Manfred. (2004) "Permissible Restriction on Freedom of Religion or Belief", dalam Tore Lindholm, et.al., ed., *Facilitating Freedom of Religion or Belief: A Deskbook*. USA: Martinus Nijhoff Publisher

- Potter, W. J. (2005). *Media Literacy*. London: Sage.
- Pujiyono, Wiyono, P., & Manthovani, R. (2020). Nationalization as a threat to the economy market in visa and Mastercard business in Indonesia. *Journal of Critical Reviews*, 7(1), 159–166. <https://doi.org/10.22159/jcr.07.01.28>
- Puspitasari, L., & Ishii, K. (2016). Digital divides and mobile Internet in Indonesia: Impact of smartphones. *Telematics and Informatics*. 33(2), 472-483.
- Rauf, A. (2016). Internet as a Hope or a Hoax for Emerging Democracies: Revisiting The Concept of Citizenship In The Digital Age. Elsevier. *Procedia-Social and Behavioral Sciences*. 236(5).
- Schmidt, A., & Wiegand, M. (2017). *A Survey on Hate Speech Detection using Natural Language Processing*. <https://doi.org/10.18653/v1/w17-1101>
- Sjahdeini, S. R. (2009). *Kejahatan & Tindak Pidana Komputer*. Jakarta, Pustaka Utama Grafiti..
- Soekanto, S. (2008). *Faktor-Faktor Yang Mempengaruhi Penegakan Hukum*, Jakarta: PT. Raja Grafindo Persada.
- Sudihar, A., Handayani, G. A. K. R., Pujiyono, & Waluyo. (2019). Public and private law boundaries, nexus of position within a state-owned corporation in Indonesia perspective. *International Journal of Advanced Science and Technology*, 28(20), 276–281.
- Suhariyanto, B. (2012). *Tindak Pidana Teknologi Informasi (Cybercrime): Urgensi Pengaturan dan Celah Hukumnya*. RajaGrafindo Indonesia.
- Sunder, P. (2018). A comparative study of the awareness of teachers towards cybercrime, *International Journal of Advanced Research and Development*. 3(1), pp. 846-848.
- Susilo, R. (2019). *Kitab Undang-undang Hukum Pidana serta komentar-komentarnya lengkap pasal demi pasal*.
- Wahid, A., & Labib, M. (2005). *Kejahatan Mayantara (cyber crime)*. Refika Aditama.
- Yatim, M.A.F., Wardhana, Y., Kamal, A., Soroinda, A.A.R., Rachim, F., Wonggo, M.I. (2017). A corpus-based lexicon building in Indonesian political context through Indonesian online news media. *International Conference on Advanced Computer Science and Information Systems, ICACISIS 2016*, pp. 347–352.