

Social Media Intervention and Substantive Justice Crisis: A Critical Legal Theory Study of Decision 726/Pid.Sus/2023/PN Plg

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Abstract

Social media has influenced criminal justice processes through the formation of public opinion that may exert pressure on objectivity and independence of law enforcement and judicial institutions. This condition has contributed to a crisis of substantive justice, in which legal proceedings are increasingly shaped by social pressure rather than by principles of procedural justice. This article aims to analyze social media intervention in the criminal justice system using the perspective of Critical Legal Theory. Socio-legal approach implement by combining normative legal analysis with empirical examination of judicial practices in the digital era. The study shows social media pressure can undermine judicial impartiality, limit the discretion of law enforcement officials, and weaken the legitimacy of judicial institutions. This study concludes that institutional strengthening and legal reconstruction are necessary to preserve judicial independence, protect human rights, and ensure the realization of substantive justice.



KEYWORDS

Justice, Social Media, Criminal Justice

Introduction

The development of social media has given rise to the phenomenon of trial by social media, namely the assessment and labeling of guilt by the public before the trial process has been completed.¹ This situation has changed the role of social media, which now acts as a social force that influences criminal law enforcement. The pressure of viral public opinion has the potential to push law enforcement officials and judges to respond quickly and repressively, thereby shifting the orientation of law enforcement from legal considerations to meeting public expectations.²

Digital public opinion often forms more quickly than the process of proving a case in court, creating tension between legal norms and digital social reality. Public assessments formed through viral trends can influence all stages of criminal proceedings, from investigation to trial. As a result, the judiciary no longer operates in a completely neutral space, but is under intense public pressure. This situation has the potential to cause procedurally valid but do not always reflect substantive justice, as these decisions are born out of intense social pressure.³

¹ Viona Francesca Purba et al., "Dampak Perubahan Teknologi Komunikasi Terhadap Peningkatan Kejahatan Sosial: Studi Kasus Penggunaan Media Sosial Di Era Digital," *Indonesian Journal of Islamic Jurisprudence, Economic and Legal Theory* 1, no. 3 (2023): 477–85, <https://doi.org/10.62976/ijjel.v1i3.79>.

² Laily Maghfiroh et al., "An Analytical Study on the Application of Justice Theory in the Perspective of Legal Philosophy: A Case Study of the Aggravated Assault on David Ozora," *Media Hukum Indonesia (MHI)* 3, no. 4 (2025).

³ Alwan Hadianto, "Urgensi Pembaharuan Kitab Hukum Acara Pidana Dalam Menjawab Tantangan Penegakan Hukum Modern Di Indonesia," *JURNAL USM LAW REVIEW* 8, no. 3 (2025): 2842–60, <https://doi.org/https://doi.org/10.26623/julr.v8i3.12820>.

The Palembang District Court Decision No. 726/Pid.Sus/2023/PN Plg in the case of Lina Lutfiawati alias Lina Mukherjee binti Abdul Mukhit clearly shows how public opinion formed through social media is intertwined with the criminal justice process. From the outset, this case received widespread attention in the digital space, marked by viral content, polarized public commentary, and growing moral demands from the community even before the evidentiary process in court was completed. Under these circumstances, the investigation, prosecution, and trial did not take place in a completely neutral space, but rather under the shadow of public expectations regarding what is considered a fair punishment. Although the panel of judges handed down a verdict based on positive law and valid evidence, the strength of the public discourse that had been formed had the potential to influence the orientation of legal considerations towards social legitimacy. This verdict shows that criminal justice in the digital age is not only an arena for the application of legal norms, but also a space for negotiation between legal considerations and the dominance of public discourse, so that substantive justice is at risk of being reduced when judicial independence has to face the pressure of digital public opinion.⁴

The principle of presumption of innocence places every individual facing legal proceedings in a position of innocence until the court declares otherwise through a final and binding decision. This provision is confirmed in Article 8 paragraph (1) of Law No. 48 of 2009.⁵ This principle aims to protect human rights and prevent arbitrary punishment. The principle of protection is affirmed in the 1945 Constitution, which guarantees equality and justice for all. Article 28D paragraph (1) affirms the right to legal certainty and protection, while Article 28I paragraph (1) affirms that human rights cannot be violated under any circumstances, including during criminal proceedings.

⁴ Rila Kusumaningsih, "Peran Media Dalam Mempengaruhi Opini Publik Tentang Hukum Dan Keadilan," *JISHUM Jurnal Ilmu Sosial Dan Humaniora* 3, no. 1 (2024): 27–40, <https://doi.org/10.57248/jishum.v3i1.459>.

⁵ UU No. 48 Tahun 2009 tentang Kekuasaan Kehakiman

The principle of fair trial as stipulated in Indonesian criminal procedure law (KUHAP), specifically through provisions related to the rights of suspects and defendants to obtain an objective examination, humane treatment, and the opportunity to defend themselves properly.⁶ Through the ratification of the ICCPR in Law No. 12 of 2005, Indonesia has a constitutional obligation to guarantee fair trials and uphold the principle of presumption of innocence as stipulated in Article 14 of the ICCPR. However, in practice, public opinion pressure mediated by social media often causes the public's assessment of a person's guilt to be formed more quickly than the process of proving guilt in court, thereby potentially eroding the guarantee of a fair trial and the independence of the judiciary.⁷

Critical Legal Studies was developed by Roberto Mangabeira Unger, Duncan Kennedy, and Mark Tushnet in the 1970s. This theory views law as not neutral because it is influenced by social and political power relations. Its relevance is that public pressure on social media can be understood as a form of power that has the potential to influence legal considerations and decisions. The theory of judicial independence is rooted in Montesquieu's idea of the separation of powers, which emphasizes that judges must be free from external pressure. Its relevance is that this theory becomes a benchmark for assessing whether the influence of digital public opinion interferes with the objectivity of the judiciary.

Research by M. Rohan Pratama et al. (2025) describes that social media is a significant external factor influencing the criminal justice process through the formation of public opinion that puts pressure on law enforcement officials. The study highlights the empirical dimension of how officials respond to virality and public demands for swift law enforcement. The findings confirm changes in the working environment of officials in the

⁶ Pura, M. H., & Faridah, H. (2021). Asas Akusator Dalam Perlindungan Hukum Atas Hak Tersangka Berdasarkan Undang-Undang Nomor 8 Tahun 1981 Tentang Kitab Undang-Undang Hukum Acara Pidana. *Jurnal Hukum Sasana*, 7(1), 79-95.

⁷ Cahyo Pindhiarno, "Implementasi Hak-Hak Tersangka Dalam Kasus Tindak Pidana Berdasarkan KUHAP (Kitab Undang-Undang Hukum Acara Pidana)(Dalam Proses Penyidikan Di Wilayah Hukum Polres Salatiga)" (UNDARIS, 2022).

digital age. However, this study does not explain the impact of this phenomenon on substantive justice or the power relations that shape legal considerations.⁸

Farida Dzalaqah's (2025) research examines changes in the perspective of criminal punishment in criminal policy amid digital transformation, highlighting the demands for transparency, speed, and legal certainty. This study shows a shift in the orientation of criminal punishment from a purely legal approach to one that is more responsive to social dynamics. However, this study still places social media as a factor of social change in general and does not explain in detail its influence on judges' considerations and the decision-making process.⁹

Research by Firman Akbar, Ali Rizky, and Kamaruddin (2024) explains the role of netizens as a means of social control that encourages transparency and responsiveness among law enforcement officials. Meanwhile, research by Kurniawan Tri Wibowo (2025) focuses on executive power intervention in the independence of the criminal justice system. Both studies make important contributions, but they still have limitations because they have not yet examined in depth the intervention of digital public opinion as a form of non-state power that can influence the quality of legal considerations and court decisions and their relationship to substantive justice.¹⁰

Previous studies have examined the influence of social media on criminal law enforcement, but none have specifically examined social media as a form of power that can shape legal thinking, influence judges' considerations, and have implications for substantive justice crises in

⁸ Dany Agung Pratama, "Analisis Yuridis Pertanggung Jawaban Pelaku Tindak Pidana Penipuan Dalam Perspektif Keadilan Gender (Studi Kasus Putusan Perkara Pidana Nomor 651/Pid. B/2024/Pn Jkt Pst)" (Universitas Islam Sultan Agung Semarang, 2025).

⁹ Farida Dzalaqah and Indah Sri Utari, "Mengurai Paradigma Pemidanaan Dalam Konteks Kebijakan Kriminal Di Era Digital," *Law Research Review Quarterly* 11, no. 3 (2025): 1169–97, <https://doi.org/10.15294/llrq.v11i3.29245>.

¹⁰ Firman Akbar, Ali Rizky, and Kamaruddin, "Intervensi Netizen Dalam Proses Dan Penegakan Hukum Di Indonesia," *Journal Publicuho* 7, no. 3 (2024): 1402–18, <https://doi.org/10.35817/publicuho.v7i3.498>.

criminal law courts. Furthermore, no previous research has used a critical legal perspective to examine a phenomenon with decision No. 726/Pid.Sus/2023/PN Plg. This gap is the main focus of the analysis in this study.

Based on this description, the study analyzes the influence of social media public opinion pressure on criminal justice using the perspectives of Critical Legal Theory and judicial independence theory. This study focuses on analyzing Decision No. 726/Pid.Sus/2023/PN Plg to assess the extent to which digital pressure has the potential to influence legal considerations and sentencing orientation. This research is expected to enrich theoretical studies on the relationship between law and power in the digital age while providing conceptual contributions to strengthening the independence of law enforcement agencies so that the judicial process remains oriented towards substantive justice.

Methods

This study applies a sociological-legal method as its analytical framework. This approach is used to examine the extent to which public opinion in the digital space can influence the dynamics of law enforcement and its impact on the realization of substantive justice.¹¹

Data was collected through library research by analyzing written references in the form of legal literature, national and international scientific articles, related studies, as well as laws and regulations and other legal documents related to the focus of the study.

Secondary data was sourced from primary materials in the form of relevant laws and regulations, namely the 1945 Constitution, Law No. 48 of

¹¹ Muhammad Chairul Huda, *Metode Penelitian Hukum (Pendekatan Yuridis Sosiologis)* (The Mahfud Ridwan Institute, 2021).

2009, the Criminal Procedure Code (Law No. 8 of 1981), and Law No. 12 of 2005, as well as secondary materials including books, scientific journal articles, and court decisions relevant to the research issue.

Result and Discussion

This chapter presents the results of a study on the dynamics of social media intervention in the criminal justice process and its impact on the independence of judicial institutions and the realization of substantive justice. The discussion focuses on analyzing how public opinion pressure in the digital space shapes new patterns of relationships between law, power, and social legitimacy. Within this framework, the law no longer operates in a space that is completely free from outside influences, but rather in a digitally connected social environment filled with the production of public discourse.

This analysis utilizes the perspective of Critical Legal Theory to examine the potential shift in the orientation of law enforcement from a normative approach to evidence towards a response to social pressure. Under such conditions, compliance with legal procedures does not necessarily guarantee the achievement of substantive justice. Problems arise when formal legality is fulfilled, but legal considerations in practice are influenced more by the demands of the majority than by normative analysis of the elements of the offense and the protection of the defendant's rights. To clarify the construction of the argument, the discussion is divided into three main parts, namely: (1) the intervention of social media power on the objectivity and independence of the criminal justice process; (2) the crisis of substantive justice in the perspective of Critical Legal Theory; and (3) the legal implications for the role and authority of law enforcement officials.

1. Social Media Intervention and Its Impact on the Objectivity and Independence of the Criminal Justice Process

The intervention of social media in the criminal justice process is mainly manifested through public pressure formed by comments, hashtags, and viral dissemination of cases.¹² This pressure creates social expectations that law enforcement officials act quickly, decisively, and in line with public perceptions of justice. From the perspective of Critical Legal Theory, this condition shows that the law does not function entirely neutrally, but is influenced by power relations outside formal institutions, including the power of public opinion as mediated by social media. As a result, the criminal justice process risks shifting from an orientation toward objective legal proof to one of fulfilling demands for social legitimacy.¹³

The phenomenon of trial by social media reinforces such intervention by forming an initial narrative about the guilt of a particular party before a court verdict has been reached. Public opinion spread widely on social media creates social prejudice from the early stages of the legal process, thereby affecting the climate of objectivity in law enforcement. The dominant narrative that is constructed is often moral, emotional, or political in nature, rather than based on objective legal evidence. In this situation, law enforcement officials face implicit pressure to adjust their legal strategies and the direction of case handling in order to maintain social legitimacy and the image of the institution.

¹² Dhea Ramdhani Pangestu, "Analisis Hukum Terhadap Putusan Hakim Yang Tidak Sesuai Dengan Nilai Keadilan Pihak Yang Berperkara" (Universitas Islam Sultan Agung (Indonesia), 2024).

¹³ Desty Aster Yansen Basah, Andika Wijaya, and Ivans Januardy, "Kriminalisasi Pelanggaran Protokol Digital: Tinjauan Hukum Pidana Terhadap Penyebaran Deepfake Di Media Sosial," *Innovative: Journal Of Social Science Research* 5, no. 4 (2025): 386–98, <https://doi.org/https://doi.org/10.31004/innovative.v5i4.20258>.

Public opinion intervention has been evident since the early stages of the criminal justice process. During the investigation and examination stages, public pressure can push law enforcement agencies to immediately name suspects or expedite legal proceedings in order to respond to public expectations. As a result, the principles of carefulness and thorough examination of evidence are at risk of being reduced as the focus shifts from legal certainty to public satisfaction. In addition, viral cases tend to be prioritized, while other cases that do not receive public attention are potentially neglected, thereby undermining the principles of objectivity and equality in law enforcement.¹⁴

Social media intervention reaches its most crucial point during the trial and verdict stages. Judges face more complex pressures because public scrutiny is directed not only at the case, but also at the integrity and reputation of the judiciary.¹⁵ Massive public opinion can shape expectations that judges must hand down certain verdicts, thereby testing the independence of the judiciary. Such verdicts tend to prioritize public satisfaction over substantive justice, potentially marginalizing the principles of presumption of innocence and protection of suspects' rights.¹⁶

This is reflected in Case No. 726/Pid.Sus/2023/PN Plg, which cannot be separated from the surrounding digital social conditions. Since the content that is the subject of the case has been widely circulated, the public response has formed a collective narrative that assesses the defendant's actions as a serious violation of moral and religious values. This situation shows that the legal process does not take place in a neutral space, but in an

¹⁴ Nur Intan Akuntari and Muhammad Yogie Adha, "Pendekatan Restoratif Sebagai Alternatif Pemidanaan Dalam Sistem Peradilan Pidana Indonesia Muhammad Yogie Adha 1 , Nur Intan Akuntari 2 1,2," *Lex Stricta* 4, no. 1 (2025): 69–80, <https://doi.org/https://doi.org/10.46839/lexstricta.v4i1.1403>.

¹⁵ Muhamad Aria Torik Akbar, "Implementasi Kode Etik Profesi Hakim Dalam Menekan Penyalahgunaan Wewenang Di Pengadilan," *Media Hukum Indonesia (MHI)* 3, no. 3 (2025).

¹⁶ Anna Kristiana Wahyuningsih and Henny Nuraeny, "Kontribusi Teori Critical Legal Studies (CLS) Dalam Menafsirkan Ketimpangan Hukum," *Karimah Tauhid* 4, no. 6 (2025): 4061–77, <https://doi.org/https://doi.org/10.30997/karimahtauhid.v4i6.19125>.

environment filled with public judgment. In the framework of judicial independence theory, this condition reflects a new challenge because independence means freedom from state intervention, but also freedom from digital social pressure.¹⁷

The independence of judicial institutions is guaranteed by the Constitution in Article 24 paragraph (1) of the 1945 Constitution of the Republic of Indonesia and Article 2 paragraph (1) of Law No. 48 of 2009. Both provisions emphasize that the exercise of judicial power is free from interference by any party. This principle of independence is closely related to the presumption of innocence as affirmed in Article 8 paragraph (1) of the Judicial Power Law and Article 14 paragraph (2) of the ICCPR, which requires that every individual facing legal proceedings remains innocent until a final and binding court decision is made.¹⁸ Public pressure to accelerate the legal process has the potential to undermine both principles, as officials are driven to respond to social demands rather than focusing on legal evidence.¹⁹

Digital public opinion pressure can also encourage law enforcement practices that are more responsive to the will of the majority than to the protection of individual rights. This condition has the potential to violate the principle of equality before the law and the principle of legal certainty in Article 28D paragraph (1) of the 1945 Constitution of the Republic of Indonesia. From the perspective of Michel Foucault's theory of discursive power, this situation shows that power works through the production of discourse that shapes perceptions of social truth. The dominant discourse

¹⁷ Pinem, S. S. (2025). Pengaruh Pengadilan oleh Media terhadap Proses Peradilan Pidana Pada Kasus Pembunuhan Wayan Mirna dan Ferdy Sambo. *Padjajaran Law Review*, 13(2), 15-27.

¹⁸ Muhammad Fahmi Idris, "Penistaan Agama (Kasus Konten Lina Mukherjee) Dalam Putusan Pengadilan Negeri Palembang No. 726/Pid. Sus/2023/Pn. Plg (Studi Analisis Perspektif Teori Tujuan Pemidanaan Dalam Hukum Sekuler Dan Hukum Islam)" (UIN SUNAN KALIJAGA YOGYAKARTA, 2024).

¹⁹ Murtadlo, M. A., & Saputra, W. (2024). Opini Publik Terhadap Kasus Hukum Viral di Indonesia dalam Media Sosial: Perspektif Maqashid Syariah. *Al-'Adalah: Jurnal Syariah dan Hukum Islam*, 9(1), 125-148.

that develops on social media can create standards of public truth that then influence legal practices, even though it does not exist in the form of formal authority.

Thus, social media intervention in the criminal justice process does not always take the form of direct pressure, but can also be present as structural influence through digital public opinion. This analysis shows that challenges to judicial independence in the digital age do not only stem from state power relations, but also from social forces formed through communication technology. Therefore, maintaining judicial independence today requires not only institutional protection, but also the professional resilience of law enforcement officials against public opinion pressure.

2. Critical Legal Theory Perspective on the Crisis of Substantive Justice in Criminal Justice Processes

Critical Legal Studies (CLS) is a critique of the traditional view of law as a neutral, objective, and autonomous system. CLS rejects this assumption by asserting that law always operates within specific social, political, and economic systems, and therefore cannot be separated from the power relations that exist in society.²⁰ Law is not merely understood as a set of normative rules, but as a product and instrument of power that in practice can reproduce inequality and the domination of certain groups. This view differs fundamentally from legal positivism, which emphasizes procedural compliance without examining whether the application of the law actually results in substantive justice.

The relevance of critical legal theory becomes particularly significant in the criminal justice system when there is a crisis of substantive justice. Court decisions that formally satisfy the principles of fair trial, equality before the

²⁰ Rollys Suriani et al., *Hukum Kebijakan Publik Di Indonesia* (Star Digital Publishing, 2025).

law, and judicial independence do not always guarantee the realization of substantive justice.²¹ From a CLS perspective, this situation shows a gap between formal legality and substantive justice. External pressures, particularly public opinion formed through social media, have the potential to influence law enforcement officials in assessing facts, evidence, and determining the direction of decisions. As a result, the law continues to be enforced legally, but the substance of justice is reduced because decisions are more responsive to the demands of the majority than to legal truth.

Decision No. 726/Pid.Sus/2023/PN Plg shows how the formal application of criminal law can lead to a crisis of substantive justice when viewed through the perspective of Critical Legal Theory. Procedurally, the judicial process was carried out in accordance with the legal mechanisms of criminal proceedings, from the examination of evidence to the legal considerations of the panel of judges.²² In its legal considerations, the panel of judges leaned toward the defendant's actions causing unrest in society, emphasizing the social impact and indicating that the defendant's guilt was not based on a normative analysis of criminal acts, but rather on evolving public moral values. In this case, this shows a shift in the function of criminal law from assessments that should be based on legal norms to a tool for justifying public moral values.

The indication of external factors' influence can be seen from the pattern of judges' considerations, which do not solely focus on the normative elements of the offense, but also highlight the social impact of the defendant's actions on public unrest. The emphasis on the aspect of public unrest shows that the collective moral dimension is an important part of the construction of the assessment of guilt. Within the CLS framework, the use of such social considerations can be interpreted as a sign that the law does

²¹ Melinda Dina Gussela et al., "Fenomena 'No Viral No Justice' Perspektif Teori Penegakkan Hukum," *Ranah Research : Journal of Multidisciplinary Research and Development* 7, no. 2 (2024): 792–800, <https://doi.org/10.38035/rrj.v7i2.1326>.

²² Uut Rahayuningsih et al., "An Independent and Dignified Criminal Justice System: The Path Toward Substantive Justice," *Journal of Law, Politic and Humanities* 5, no. 6 (2025): 4894–4905, <https://doi.org/https://doi.org/10.38035/jlph.v5i6.2307>.

not function entirely as an autonomous normative system, but rather as a space in which the dominant values of society help shape the parameters of wrongdoing. Critical analysis shows that a consideration that places significant weight on public reaction has the potential to shift the focus of assessment from a legal analysis of the elements of a crime to the social legitimacy of the verdict. This shift does not always appear as a procedural violation, but is present implicitly through the construction of the argumentation of the decision. In other words, the law still appears to be functioning legitimately, but the direction of its considerations may be influenced by social pressure structures that operate outside the text of the law. This condition is in line with the CLS thesis that law can function as an instrument for reproducing the dominant values that exist in society.²³

The dominance of public narratives before and during trials has the potential to shape the collective perception of the defendant's guilt. In situations where majority opinion has already been formed, the objectivity of the judiciary faces challenges because the evidentiary process takes place in a social atmosphere that is not entirely neutral. The CLS perspective views this condition as a form of symbolic power operation, namely when the construction of social truth influences the way the law is understood and applied without having to be present in the form of formal intervention.²⁴

A crisis of substantive justice arises when considerations regarding the context of the act, the subjective intent of the defendant, and the proportionality of punishment do not receive a balanced analysis compared to the emphasis on social impact. This imbalance shows that formal legality can be fulfilled while the quality of material justice remains questionable. Within the framework of critical legal theory, this phenomenon signifies a gap between law as a normative system and law as a practice of power.²⁵

²³ Gussela et al., "Fenomena 'No Viral No Justice' Perspektif Teori Penegakkan Hukum."

²⁴ Frans Reumi et al., *Teori Hukum: Konsep, Aliran, Dan Penerapan* (PT. Sonpedia Publishing Indonesia, 2025).

²⁵ Salomo Jitmau, Sokhib Naim, and Muh Akhdharisa SJ, "Implementation of the Principle of Equality Before the Law in the Dynamics of Indonesian Law," *JUSTISI* 11, no. 2 (2025): 441–55, <https://doi.org/https://doi.org/10.33506/js.v11i2.4088>.

Thus, a critical reading of this ruling shows that the main challenge for criminal justice in the digital age is not only to ensure compliance with legal procedures, but also to ensure that legal considerations are not distorted by social discourse. This analysis does not conclude that there was direct intervention against the judge, but rather shows indications of structural influence in the form of discursive pressure that has the potential to influence the orientation of legal considerations. This condition reinforces the main thesis of Critical Legal Theory that the law is never completely neutral, because it always exists within a network of power relations that shape the way the law is produced, interpreted, and applied.

3. Legal Implications of Public Opinion Dominance on the Professionalism and Authority of Law Enforcement Officials

The dominance of public opinion on social media has a significant influence on the decision-making of law enforcement officials. The rapid and intense spread of opinion creates socio-political pressure that has the potential to push law enforcement officials to adjust their actions in order to meet public expectations, both to maintain the image of the institution and for personal interests. This condition poses a serious challenge to the principles of independence and objectivity in law enforcement.²⁶ In the criminal justice system, judges are required to decide cases based on the facts revealed, the evidence presented, and the applicable laws, not based

²⁶ Cosmas Buru et al., "Kaum Muda Sebagai Agen Demokrasi Digital: Analisis Peran Teknologi Dalam Partisipasi Politik Generasi Digital Menurut Christian Fuchs," *Seri Filsafat Teologi* 35, no. 34 (2025): 190–218, <https://doi.org/10.35312/serifilsafat.v35i34.274>.

on majority opinion or external pressure. Law No. 48 of 2009 emphasizes the independence of judges as a fundamental principle.²⁷

Public pressure can push law enforcement officials to make decisions that are popular even if they are not entirely in line with substantive justice. This condition has the potential to undermine the principle of fair trial, because decisions are based more on public perception than on the rights of the defendant and valid legal procedures, thereby compromising the independence and objectivity of law enforcement officials. The legal implications of this phenomenon include a decline in the credibility of the judiciary and an increased risk of substantive injustice. Public opinion pressure can create an imbalance between formal procedures and substantive justice, so that legally valid decisions are not always materially fair. Therefore, strengthening the code of ethics for judges and guidelines for the conduct of law enforcement officials is crucial to maintaining independence, objectivity, and professional integrity amid the dominance of digital public opinion.

Intense public scrutiny can also limit the professional space of law enforcement officials. Judges may delay decisions that are considered sensitive, prosecutors may adjust charges, and investigators may become more cautious in following up on certain evidence. This phenomenon shows that digital social pressure can influence the institutional behavior of law enforcement officials, so that non-legal considerations have the potential to dominate over legal analysis. If this condition occurs repeatedly, the credibility of the judiciary may decline and the risk of material injustice may increase, namely a situation where a ruling is procedurally valid but does not reflect a sense of justice.²⁸

²⁷ M Rohan Pratama et al., "Krisis Legitimasi Hukum: Analisis Kritis Fenomena No Viral No Justice Dan Dampaknya Terhadap Supremasi Hukum Di Indonesia," *Pendas: Jurnal Ilmiah Pendidikan Dasar* 10, no. September (2025): 233–43.

²⁸ M Surya Haikal and Indriati Amarini, "Independensi Peradilan: Studi Kritis Terhadap Hakim Pengadilan Negeri Surabaya Yang Memberikan Putusan Dalam Kasus Ronald Tannur," *Jurnal Penelitian Serambi Hukum* 18, no. 02 (2025): 206–14.

This situation has led to a tendency for law enforcement officials to refrain from exercising their legally valid authority. Investigators may be reluctant to follow up on sensitive evidence, judges may delay controversial decisions, and prosecutors may adjust their charges to avoid public pressure. This shows that the dominance of public opinion indirectly influences the professional behavior of law enforcement officials, so that socio-political considerations often take precedence over the law and valid evidence.²⁹

The Palembang District Court Decision No. 726/Pid.Sus/2023/PN Plg in the case of Lina Mukherjee is a concrete example of how public attention and the virality of social media can interfere with the criminal justice process. This case began with the defendant's social media content, which was considered offensive to religious values, triggering widespread public reaction and massive public pressure. From the perspective of judicial independence, this situation shows the potential for external factors to influence the legal process, even though formally the trial proceeded according to procedure. This case reflects the real challenge for law enforcement officials to adhere to evidence and applicable legal provisions amid strong public perception, while also emphasizing the importance of maintaining judicial objectivity so that decisions not only fulfill procedural requirements but also reflect substantive justice.

Within the framework of judicial independence theory, the protection of judicial independence depends not only on individual integrity, but also on the strength of the institutional system. Therefore, the code of ethics for judges, guidelines for the conduct of law enforcement officials, and internal judicial regulations are important instruments for maintaining objectivity and professionalism. These standards serve as normative barriers to ensure

²⁹ Muhammad Yasin Ali Gea, Agusmidah Agusmidah, and Rosmalinda Rosmalinda, "Analisis Sosiologi Hukum Atas Penyalahgunaan Wewenang Tindak Pidana Korupsi Dalam Perspektif Anomie Dan Realisme Hukum," *Jurnal Ilmiah Penegakan Hukum* 12, no. 2 (2025): 395–402, <https://doi.org/https://doi.org/10.31289/jiph.v12i2.16616>.

that law enforcement officials adhere to the law and evidence, rather than public opinion.³⁰

In addition to internal strengthening, external strategies are also needed through improving public legal literacy. Public understanding of judicial procedures, the rights of defendants, and the principles of justice can reduce pressure from opinions that are not based on legal facts. Education can be carried out through counseling, legal literacy campaigns, and the dissemination of official information by judicial institutions. People who understand the legal process tend to assess cases rationally, thereby maintaining the independence of law enforcement officials.³¹

Thus, the phenomenon of digital public opinion dominance confirms the relevance of the Theory of Judicial Independence as a basis for analysis. The freedom of judges from external pressure is a key prerequisite for achieving objective, materially fair decisions that are capable of maintaining the legitimacy of the judicial system in the eyes of the public.³²

Conclusion

This study This study confirms that social media intervention in the criminal justice process requires a change in the law enforcement paradigm that is capable of balancing responsiveness to social dynamics with strict protection of the independence and professionalism of law enforcement

³⁰ Mediana Harini and Diding Rahmat, "Peran Hakim Pada Proses Penemuan Hukum Sebagai Upaya Penegakan Keadilan Berdasarkan Kode Etik Hakim," *Journal Evidence Of Law* 4, no. 1 (2025): 207–30, <https://doi.org/https://doi.org/10.59066/jel.v4i1.1097>.

³¹ Cindy Zalisya Addila and Arinto Nurcahyono, "Pengaruh Kasus Viral Dan Tuntutan Masyarakat Melalui Media Sosial Terhadap Penegakan Hukum Di Indonesia: Studi Kasus Pemerkosaan Dan Pembunuhan Siswi AA Di Kuburan Cina Palembang," *J-CEKI: Jurnal Cendekia Ilmiah* 4, no. 2 (January 28, 2025): 2349–63, <https://doi.org/10.56799/jceki.v4i2.7574>.

³² Hadianto, "Urgensi Pembaharuan Kitab Hukum Acara Pidana Dalam Menjawab Tantangan Penegakan Hukum Modern Di Indonesia."

officials. To achieve this goal, the criminal justice system cannot rely solely on formal legal norms, but must be accompanied by the strengthening of institutional ethics, internal oversight mechanisms, and strict limits on external influence in the legal decision-making process.

As a practical implication, judicial institutions need to implement controlled transparency policies through accurate and proportional public communication strategies, in order to prevent distortion of public opinion without compromising the integrity of the judicial process. In addition, improving public legal literacy is a strategic step to reduce unfounded social pressure and strengthen public trust in a fair legal process. Therefore, future criminal law reform needs to be directed towards strengthening judicial independence, regulating the relationship between social media and the legal process, and developing a law enforcement model that guarantees substantive justice in the digital society.

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DECLARATION OF CONFLICTING INTERESTS

The author declares that there is no conflict of interest in the publication of this article.

FUNDING INFORMATION

None.

ACKNOWLEDGMENT

The researcher expresses praise and gratitude to God Almighty for all His blessings, grace, and gifts, which have provided the researcher with knowledge, experience, strength, patience, and opportunity to complete this final project. However, the researcher realizes that without the help and support of various parties, the preparation of this final project would not have gone well. Until the completion of this final project, the researcher has received a lot of help in terms of time, energy, and ideas from many parties. Therefore, on this occasion, the researcher would like to express his deepest gratitude to:

1. Prof. Dr. Ali Masyhar, S.H., M.H., Dean of the Faculty of Law, Semarang State University
2. Dr. Indah Sri Utari, S.H., M.Hum, as my thesis advisor, for providing excellent guidance, offering appropriate and timely input and problem-solving, and guiding me wholeheartedly. Until this final project was completed on time.
3. To someone who is very important in my life, Opung Boru (Merry Maria Aritonang) and Opung Doli (Martinus Lubis), who always give me encouragement and motivation, love, are always good listeners to their grandchild, and always sacrifice themselves in every step of my life. May this final project be a small source of pride for Opung Boru.
4. My beloved parents, Father and Mother. Thank you, especially to my mother, Marlinang Lubis, who has been an extraordinary parent to me, sacrificing her time, energy, and money to support me from elementary school through college, always supporting me, always praying for me,

and giving me extraordinary love, which has always motivated me to work on and complete this final project.

5. To my beloved family, namely Tulang Tua (Beni Lubis), Tulang Rudi (Rudi Lubis), and my younger brother (Karel Manalu), for all your support, prayers, efforts, and advice in this life.
6. To my beloved friends in Jabodetabek, my friends from Go-Bestie, my friends from Goes To Pulau, and my other writer friends, thank you for your support, prayers, and encouragement all this time and in the future.
7. My closest friends in college, namely Iqlina, Gavriel, Adinda Gofar, Rehan, Atep, Kibo, Junetha, Putri Villa, Danda, Ririn, Erica, Satria, and Rian. Because you have always been there to encourage, motivate, and help with both personal and academic issues, thank you for being there and for being such good listeners.