

Perspective of Law Enforcement Officials with the Emergence of the “No Viral, No Justice” Phenomenon

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ABSTRAK

Fenomena “no viral no justice” dalam masyarakat yang aktif di media sosial mengimplikasikan bahwa keadilan hanya bisa didapatkan jika sebuah kasus atau peristiwa hukum menjadi viral terlebih dahulu. Penegakan hukum tidak boleh bergantung pada seberapa besar perhatian publik terhadap kasus tersebut. Fenomena ini muncul karena adanya anggapan bahwa kasus yang viral lebih cepat ditangani daripada kasus yang diberitakan secara normal. Metode penelitian yang digunakan adalah metode yuridis normatif dengan teknik pengumpulan data berupa studi kepustakaan dan studi literatur. Analisis data dilakukan secara deskriptif dan kualitatif. Salah satu faktor utama yang memperlambat penanganan perkara oleh aparat penegak hukum di Indonesia adalah rendahnya kualitas yang berdampak pada kurangnya profesionalisme dan etika moral. Oleh karena itu, fenomena “no viral no justice” sebenarnya berperan penting dalam mengawasi profesionalitas aparat penegak hukum. Namun, dari sisi telekomunikasi, fenomena ini tidak memberikan jaminan perlindungan hukum terhadap penyebaran informasi pribadi atau aib seseorang dari sumber yang tidak jelas, yang dapat melanggar UU No. 36 Tahun 1999 tentang Telekomunikasi.

ABSTRACT

The “no viral no justice” phenomenon in a social media-active society implies that justice is only obtained if a case or legal event goes viral first. Law enforcement should not depend on how much public attention is given to the case. This phenomenon arises because of the assumption that viral cases are handled more quickly than cases that are reported normally. The research method used is the normative juridical method with data collection techniques in the form of literature and literature studies. Data analysis is done descriptively and qualitatively. One of the main factors that slow down the handling of cases by law enforcement officials in Indonesia is their low quality, which has an impact on the lack of professionalism and moral ethics. Therefore, the “no viral no justice” phenomenon actually plays an important role in overseeing the professionalism of law enforcement agencies. However, from a telecommunications perspective, this phenomenon does not provide a guarantee of legal protection against the dissemination of personal information or a person's disgrace from an unclear source, which may violate Law No. 36/1999 on Telecommunications.

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1. INTRODUCTION

Social media is a digital platform that provides a place for users to interact with each other without any time and space limitations. Social media has a huge impact on social life today. No wonder social media is in great demand by the wider community as a tool to convey life problems that are being faced. (Zaini Miftach, 2018) Not only life problems, sometimes it is also a place to seek appreciation in a person's success. This can be viewed negatively or positively, depending on how they react to it.

Social media users also vary from generation to generation. There is no age limit for someone to access social media. In fact, as stated by the Indonesian Internet Service Providers Association (APJII), the number of internet users in Indonesia in 2024 reached 221,563,479 people out of a total population of 278,696,200 people in Indonesia in 2023. This means that more than half of Indonesia's population accesses social media.

In its survey, APJII stated that based on gender, there are 50.9% men and 49.1% women in the contribution of internet users in Indonesia. Meanwhile, based on age, the majority of people who often use social media are Gen Z as much as 34.40%. Then, the millennial generation is 30.62%. Then next, Gen X as much as 18.98%, Post Gen Z as much as 9.17%, baby boomers as much as 6.58% and pre-boomers as much as 0.24%.

Generations that access social media mostly think that problems can be solved through their social media. Not only that, they also think that legal cases or events that do not immediately find a solution or resolution can be resolved with the help of social media. The word "viral" then appears to be a weapon for netizens to threaten the parties concerned. That way, because it goes viral on social media, many legal events become the concern of the Indonesian people. (Putera Semadi, 2024)

Trust in the relationship between users and digital platforms is a complex concept, encompassing aspects such as user data security, platform constraints, and a track record of responsible data processing. Trust is interrelated, where platforms must not only have strong security measures in place, but must also be effective in communicating these measures to users. (Fathni et al., 2023)

Even though it can be seen from the examples of cases that occur, most of those who post or viralize are not from the victims themselves. It will have a good impact if the person who disseminates the information knows the truth firsthand and ensures that the information on social media is in accordance with the facts. But if the information turns out to be made up, then this can turn into a problem for the person who posted or spread the news.

Virality can speed up the response to solving the problem. As a real example, the phenomenon of "no viral no justice" has emerged in society on social media. This term means that

the community views that a case or legal event that occurs must first go viral before it can get justice. In fact, the legal case should not be seen as viral or not by law enforcement officials to be followed up immediately. This phenomenon first emerged because people assume that viral cases are resolved more quickly than cases that start from ordinary reports. (Grecya & Yahya, 2022)

In 2021, there was a case of sexual harassment experienced by an employee of the Indonesian Broadcasting Commission (KPI) with the initials MS who claimed to have received acts of bullying, slavery, and sexual harassment by her office mates since she worked at KPI in 2015. MS first reported her case to Gambir Police Station in 2019, but the police officer told her to report to her superiors at KPI first so that it could be resolved internally. Furthermore, MS wrote her case in a letter, then in September 2021 the letter went viral on social media Twitter, which has now changed its name to "X". Only after this went viral did the parties concerned, both KPI and the Police, move to take action. This case is an example of an early case that netizens guarded in order to get justice. There are still so many cases that need to go viral first to be followed up, even almost every year these problems are still found.

The justice system in Indonesia has been affected by this phenomenon. In 2021, the first appearance of this phenomenon was a slap in the face for the relevant parties, who were none other than law enforcement agencies such as the police. Instead of showing a professional attitude towards the incident, law enforcement officials ignored the reported case or legal event and seemed to force the victims to find their own way to justice. As a result, victims not only feel double losses for the events they have experienced and the demands that are "reluctant" to be followed up. (Muammar, 2023)

The emergence of the "No Viral, No Justice" phenomenon ultimately impacts the credibility of law enforcement officials as servants and protectors of society. If seen, this phenomenon can also create both positive and negative impressions. The writing in this study is reviewed from two previous studies, namely in the previous study which focused on discussing the handling of viral criminal acts committed by Muammar in 2023. Which in this study focuses more on the occurrence of a paradigm shift in the handling of criminal acts which was originally based on the principle of legality shifting to the "principle of virality" published in the Pattimura Legal Journal. And also, in research by Anak Agung Gede Putera Semadi in 2024 published in the Indonesian Journal of Law Research. This research focuses on discussing the role of social media in law enforcement efforts in Indonesia.

Hopefully, this paper can clarify that with the "No Viral No Justice" phenomenon, law enforcement officials are often perceived as slow in handling cases that need attention, so often cases must first go viral before being followed up. This highlights the important role of the Electronic Information and Transaction Law, because in many cases, those who upload viral content are not always the same as those directly involved in the case.

2. LITERATURE REVIEW

2.1 Role Theory

Biddle and Thomas liken this role phenomenon to an actor's performance on a theater stage. Just as an actor follows a script, director's instructions, interactions with fellow actors, audience reactions and personal aptitude influence the way they act out a role, individuals in social life go through a similar process. In real social life, playing a

role means occupying a social position in society. Here, the individual has to adhere to the society's socio-social norms, expectations and rules, similar to following a script.

2.2 *Theory of Social Control*

Law enforcement against corruption cases in Indonesia is currently experiencing setbacks and appears to be favoritism. People often criticize that law enforcement and justice in this country are like a sword that is sharp downwards but blunt upwards, with justice tending to benefit the rich over the poor. The phrase *suum cuique tribuere*, which gives rights to everyone, is often an infinite fantasy.

In this context, a popular term, "No Viral No Justice" has emerged, indicating that in order to seek justice an issue must first be uploaded on social media in order to get a response from law enforcement. This thinking is a response to the reality that justice often depends on how viral an issue is. This applies not only to law enforcement but also to public officials.

Social media has become a new means for people to seek justice when formal processes in the legal system feel stalled. In this way, social media is not only a tool for social control, but also a "guardian of justice by netizens" that supports law enforcement and justice efforts without being hindered by bureaucracy and high costs. (Putera Semadi, 2024)

3. METHODS

The type of approach method used in this research is the normative juridical method, namely library legal research conducted by examining primary or secondary data. Primary data sources are obtained from laws and regulations such as Law Number 11 of 2021 concerning the Prosecutor's Office of the Republic of Indonesia, Law Number 18 of 2003 concerning Advocates, Law Number 2 of 2002 concerning the Indonesian National Police and Law Number 48 of 2009 concerning Judicial Power. Meanwhile, secondary data is obtained from books and several journals. The data collection technique used in this research is to use literacy studies and literature studies. And in this study using data analysis techniques carried out in a descriptive and qualitative way.

4. RESULTS AND DISCUSSION

To evaluate whether the actions or attitudes of any profession are in accordance with the principles of ethical principles, it is necessary to understand the standards that guide them. The basic principles of professional ethics include responsibility, fairness, autonomy and integrity as their main focus.

The principle of responsibility involves how a professional is accountable for the performance of his or her work, the results it produces and its impact on others or society. The principle of justice emphasizes the importance of ensuring rights are met and maintaining fairness in professional practice. The principle of autonomy refers to the authority and freedom one has to perform duties in accordance with one's field. The principle of integrity includes the quality of honesty and consistency in carrying out the duties of each profession.

Therefore, we can understand that the "no viral, no justice" phenomenon puts pressure on law enforcement agencies that must adhere to the principles of professional ethics. If a case has to go viral first to get serious attention and quick handling, then the integrity and autonomy of law

enforcement agencies can be questioned. If the truth is finally revealed due to pressure from social media users, the public may doubt the ability of law enforcement agencies to be accountable and adhere to the principles of justice, from the police to the prosecutor's office.

For law enforcement officials, social media is an important place where their reputation can be jeopardized. However, it is increasingly clear that sometimes the popularity of information is a prerequisite for public complaints to receive the full attention of the authorities. The “no viral, no justice” phenomenon also affects law enforcement officials such as the police. They see it as a public response to their performance and as a way to monitor and show public concern for the police. In the future, the police are committed to continuously improving their quality instrumentally, structurally and culturally to reduce this negative stigma.

Law enforcers play a crucial role in determining the effectiveness of a country's legal system. In Indonesia, their performance is often considered unsatisfactory by the public. This dissatisfaction reflects weaknesses in law, enforcement in Indonesia, where the law, which should function as a tool to achieve justice, is often perceived as a cause of injustice by the community.

One of the factors causing the slow handling of cases by law enforcement officials in Indonesia is their low quality. The lack of moral ethics has an impact on the lack of professionalism among law enforcers. Thus, the “no viral, no justice” phenomenon actually has an important role in controlling the professionalism of every law enforcement agency. Thus, all members of society are responsible for overseeing decisions that affect society and in fighting for the rights of every citizen. This can be the first step to changing apathy into high enthusiasm for the interests of the people and the country.

From a telecommunications perspective, the “no viral, no justice” phenomenon does not guarantee or provide legal protection against the widespread dissemination of information or about a person's disgrace from an unclear source. This clearly violates Article 40 of Law No. 36/1999 on Telecommunications.

In principle, the actions of someone who deliberately spreads false information that can cause riots are prohibited under Article 28 paragraph (3) of Law Number 1 Year 2024. The article states that electronic information or electronic documents that are known to contain false notifications that can cause riots in the community, can be subject to a maximum prison sentence of 6 years and/or a fine of up to Rp 1 billion based on Article 45A paragraph (3) of Law Number 1 of 2024 concerning Electronic Information and Transactions.

5. CONCLUSION

Virality can speed up the response to solving the problem. As a real example, with the emergence of the phenomenon “no viral no justice” in society on social media. For example, in 2021 there was a case of sexual harassment experienced by an employee of the Indonesian Broadcasting Commission (KPI) with the initials MS who claimed to have received acts of bullying, slavery, and sexual harassment by his office mates since he worked at KPI in 2015.

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