

Contestation Of Public Discourse On The New Criminal Procedure Code (KUHAP) In The Digital Public Sphere

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Abstract

The enactment of Indonesia's new Criminal Procedure Code (KUHAP) has generated widespread controversy in the digital public sphere, as reflected in polarized public sentiment and discursive contestation between the state and civil society. This study aims to examine how public sentiment is formed, circulated, and contested within the digital discourse surrounding the new KUHAP and its implications for the construction of legal legitimacy. Employing a qualitative descriptive approach, this study integrates social media-based sentiment analysis with critical discourse analysis. The data were derived from visualized public sentiment analytics produced by the DroneEmprit social media analytics platform. The findings reveal a predominance of negative and critical sentiments in the digital public sphere, centered on concerns regarding the potential erosion of human rights protections, expansion of law enforcement authority, and limited public participation in the legislative process. In contrast, state narratives emphasize legal certainty, law enforcement efficiency, and stability of the criminal justice system. The interaction between these competing narratives constitutes an arena of discursive contestation that exposes the polarization of legal legitimacy between state-centered procedural legitimacy and participatory legitimacy advocated by civil society. This study concludes that the digital public sphere functions as a strategic arena for negotiating legal legitimacy, in which the controversy over the new KUHAP reflects structural tensions between state authority and democratic demand.

Keywords: *Digital Public Sphere; Discursive Contestation; Legal Legitimacynew KUHAP; Sentiment Analysis;*

1. Introduction

The enactment of Law Number 20 of 2025 concerning the Criminal Procedure Code (KUHAP) is the most recent legislation replacing Law Number 8 of 1981 on Criminal Procedure Law (setneg, 2026). It not only signifies a normative shift in the criminal justice system but also raises

serious concerns regarding social legitimacy and the democratization of the legislative process. In the context of a state governed by law, the validity of a statute is determined not solely by its formal legality (Pollack & Shaffer, 2012) but also by the degree of public acceptance shaped through transparent and participatory policy communication (Hasibuan et al., 2025). When the process of lawmaking is perceived as closed, public resistance becomes a nearly inevitable consequence (Morales, 2020; Reuter & Szakonyi, 2015). This is reflected in the growing criticism and negative sentiment on social media since the circulation of the final draft of the Criminal Procedure Code Bill (RUU KUHAP) in mid-November 2025, which highlighted controversial articles regarding the expansion of law enforcement powers and the lack of public involvement in the deliberation process, even after the DPR (House of Representatives) passed the bill on November 18, 2025. This move sparked widespread rejection by students, activists, and civil society groups in various regions. The passage of the KUHAP Bill, viewed as hasty and fraught with controversy, has generated widespread concern over the potential weakening of human rights protections and the increased risk of abuse of power by law enforcement.

Starting from a literature review, the formation and revision of legislation in Indonesia, including the Criminal Procedure Code (KUHAP), is understood as a process that unfolds amid a complex interplay between the dynamics of legal politics, demands for public participation, and constitutional principles. Legislation serves not only as a normative response to social, economic, and technological changes but also as a political arena that requires meaningful public involvement for laws to gain democratic and constitutional legitimacy (Widjaja, 2025). However, various studies have shown that the legislative process is often influenced by the configuration of legal politics that opens space for the domination of certain actors or groups, giving rise to issues of representation, justice, and balance of power (Malik et al., 2024). The normative juridical and conceptual literature dominant in studies of KUHAP consistently emphasizes the importance of the principles of responsiveness, transparency, and meaningful public participation, both by strengthening Article 96 of the Law on the Formation of Legislation and following Constitutional Court Decision No. 91/PUU-XVIII/2020. However, it simultaneously reveals that public participation in Indonesia is often formalistic, elitist, and procedural, thus weakening the principles of popular sovereignty and substantive justice (Anggono & Firdaus, 2020; Asmarudin et al., 2024; Nurdin & Sugianto, 2025; Sholikhah & Cholik, 2024; Wardana & Bachtiar, 2022). These limitations are exacerbated by information asymmetry and the public's low capacity to understand the

technical complexity of regulations, which limits the effectiveness of public involvement in the legislative process (Daniel & Habsari, 2019).

In the context of revising the KUHAP, this dynamic is reflected in the state's efforts to balance effective law enforcement with the protection of human rights; however, it continues to face challenges in implementation, potential abuse of power, and inter-institutional conflict (Setyadi & Masyhar, 2025). Meanwhile, although some studies have begun to highlight public participation in the digital era through legislative crowdsourcing, interactive applications, and the use of big data, research remains normative-ideal in nature and has yet to address the empirical dynamics of public discourse in digital space (Wardana & Bachtiar, 2022). In fact, media and political literature emphasize that the digital public sphere is an arena of power contestation that is ambivalent: it expands opportunities for the articulation of interests, oversight, and civil society mobilization while also driving polarization, emotion, oversimplification of complex legal issues, disinformation, and delegitimization of actors through the algorithmic logic of platforms (Esau et al., 2025; Le et al., 2023; Lorenz-spreen et al., 2023; Mulyati & Maharudin, 2025; Murtadlo & Saputra, 2025; Rahayuningsih et al., 2025; Tukina et al., 2025). The emerging research gap lies in the absence of approaches that integrate normative legal analysis with digital discourse analysis and mapping of public conversation networks, particularly to explain how the legitimacy of KUHAP law is produced, debated, and polarized in real time through the interaction of state actors, civil society, media, and citizens in the digital public sphere.

Research on criminal procedure law reform continues to leave significant gaps in understanding how social legitimacy for the newly established Criminal Procedure Code (KUHAP) is created in the digital public sphere. From the perspective of Habermas's theory of the public sphere (Nangi et al., 2024), legal legitimacy arises from a rational and participatory communication process between the state and citizens, not merely from formal legislative procedures (Duke, 2024). However, most legal studies in Indonesia still focus on normative and institutional analysis (Bedner, 2013), without empirically examining the dynamics of public discourse in new public spaces, particularly social media. The lack of research utilizing sentiment analysis as a tool to assess the quality of public communication, as well as societal acceptance patterns toward the new KUHAP, demonstrates that the discursive dimension of legal legitimacy has not been adequately mapped (Ismail, 2024). The novelty of this study lies in its integration of public sphere theory with digital sentiment analysis to assess the social legitimacy of criminal procedure law reform, thereby

broadening the understanding of legal legitimacy in the context of a digital democracy.

This study hypothesizes that the quality of public sentiment toward the new Criminal Procedure Code (KUHAP) reflects the functioning level of the public sphere in building legal legitimacy. According to public sphere theory, the dominance of negative sentiment indicates a distortion of communication (Jongeling et al., 2017), where public discourse does not occur in an inclusive, rational, or equitable manner, thus weakening public trust in legal institutions. Conversely, positive or deliberative sentiment demonstrates that policy communication has been relatively successful in building mutual understanding between the state and its citizens. The intensity of criticism, polarization, and narratives of distrust that emerged in digital discussions following the enactment of the new KUHAP indicates a relationship between public sentiment and perceptions of institutional legitimacy. This study aims to answer the question of how the new KUHAP is being discussed in the digital public sphere and the polarization of its legal legitimacy. This main question is broken down into three sub-questions: 1) What issues are being raised in the public sphere regarding the enactment of the new KUHAP? 2) What are the public sentiments toward the enactment of the Criminal Procedure Code Law (UU KUHAP)? 3) Who are the prominent figures involved in the digital public sphere?

2. Method

This study adopts the interpretivist paradigm, which views social reality as the result of meaning constructed through symbolic and discursive interactions (Bertrand & Hughes, 2018; Denzin & Lincoln, 2018). This paradigm was chosen because the aim of the research is not to test causal relationships but rather to understand how the controversy and legitimacy of the new Criminal Procedure Code (KUHAP) are interpreted, negotiated, and debated within the digital public sphere (Creswell, 2014). To provide a clear and systematic overview of the research process, a research flow diagram is presented. This diagram summarizes all stages of the research, starting from formulating the problem and identifying research gaps based on a literature review, followed by determining the research approach and design, formulating objectives and research questions, and establishing data sources and data collection techniques. The next stage involves collecting data by tracing and documenting digital sources and supporting documents, which are then gradually analyzed using thematic and discourse analysis. To ensure the validity of the findings, the analysis process was reinforced through data and

methodological triangulation before finally arriving at the stage of interpreting findings and drawing conclusions (Denzin & Lincoln, 2019). Method triangulation is carried out by integrating quantitative analysis of digital sentiment statistical trends and descriptive qualitative analysis through literature studies to validate and deepen the understanding of the phenomenon of public debate over the new Criminal Procedure Code. In short, Figure 1. The Research Design Flowchart represents the logical and continuous sequence of the entire research process and emphasizes the coherence between each stage in addressing the formulated research objectives and questions.

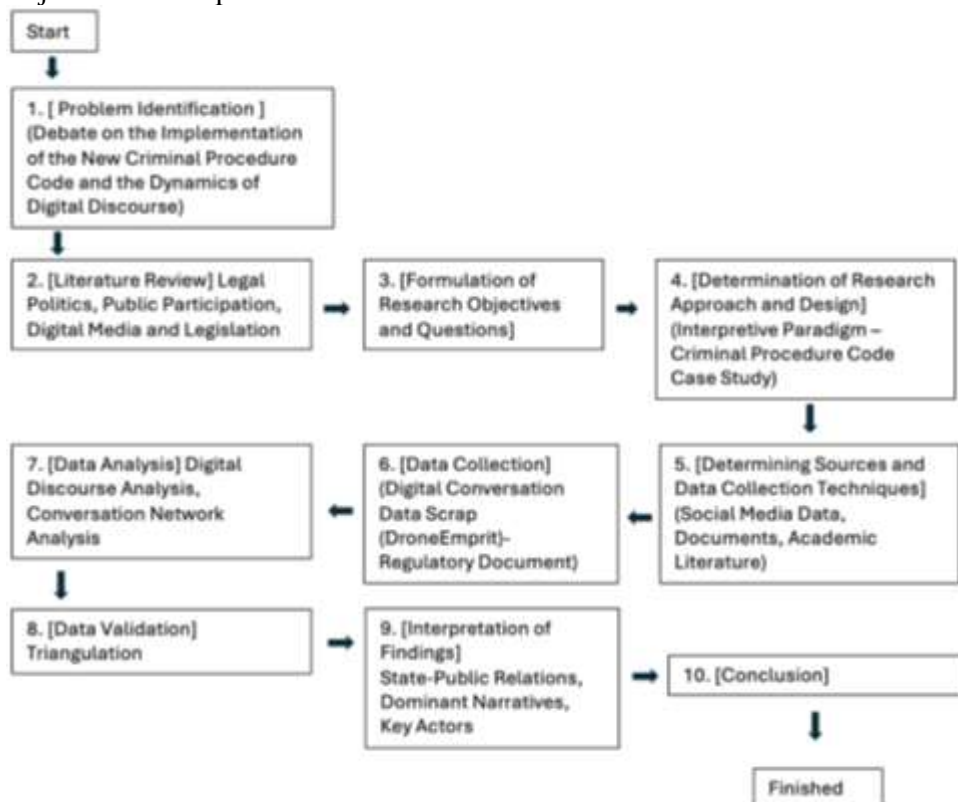


Figure 1. Research Design Flowchart

This study focuses on public discourse in the digital space related to the enactment of the new Criminal Procedure Code (KUHAP). The case under study is the public controversy that arose with the circulation of the final draft of the KUHAP Bill and its ratification by the Indonesian House of Representatives (DPR RI) through Commission III in mid-November 2025. This research is not limited to any specific geographical area but covers the Indonesian digital public sphere. The analysis focuses on the

dynamics of discourse, responses, and public sentiment toward the new KUHAP on social and online media during the crucial period of the bill's deliberation and enactment.

This study employs a quantitative-descriptive approach. (Miles et al., 2014) based on digital data analysis supported by interpretive qualitative analysis (Denzin & Lincoln, 2018). Quantitative analysis was conducted by measuring the volume of conversations, sentiment distribution, and temporal trends in public discussions related to the new KUHAP, while qualitative analysis was used to interpret the dominant narrative patterns and discursive meanings of the emerging sentiment clusters. The type of data used is secondary data in the form of digital data that has been publicly published on various social media platforms and online media (Johnston, 2014). These data were collected and processed using the DroneEmprit social media analytics platform, which enables real-time monitoring of public conversations based on big data.

Participants in this study were not determined through conventional sampling techniques (Standlee, 2024), but rather included all accounts and social media users who actively produced or disseminated content related to the Criminal Procedure Code (KUHAP) during the research period. Thus, the sources of information for this research include the general public online, activists, academics, journalists, public figures, and institutional accounts involved in the KUHAP discourse (García & Oleart, 2024). This study views social media users as actors in the digital public sphere who collectively shape public opinion and sentiment (Balaban & Mustățea, 2019).

The research process began with the formulation of research questions covering emerging issues, discussion trends, public sentiment, and the conversation landscape surrounding KUHAP (Shayaa et al., 2018). Data are then collected using social media listening techniques by gathering conversation data from platforms such as Twitter (X), Facebook, Instagram, YouTube, TikTok, and online media outlets. Data collection was limited to the period from November 18 to 24, 2025, until 11:59 PM WIB, using relevant keywords such as KUHAP, RUU KUHAP, TolakKUHAP, TolakRUUKUHAP, #SemuaBisaKena, and other term variations to ensure comprehensive data coverage.

The collected data were analyzed using sentiment analysis, conversation trend analysis, and discourse network mapping. Sentiment analysis was used to classify public attitudes as positive, negative, or neutral toward the new Criminal Procedure Code (Shayaa et al., 2018). Trend analysis aimed to identify the intensity and dynamics of the discussion over time, while conversation mapping analysis was used to

map the actors, dominant issues, and relationships between topics in public discourse (Drisko & Maschi, 2015). The results of this analysis were then interpreted critically using approaches from legal and communication studies to assess the social legitimacy of the criminal procedure law reform (Ghofur, 2016).

3. Results

Monitoring and public sentiment analysis using the social media analytics platform DroneEmprit on the issue of the implementation of the new Criminal Procedure Code Law (UU KUHAP) during the period of November 18–24, 2025, sourced from online and social media. Data (Table 1) show that UU KUHAP received very high public exposure, with a total of 1,965 news articles, resulting in 6,245 mentions, as well as 13,516 conversations (sample mentions) on social media. These findings indicate that the ratification of UU KUHAP is a prominent legal issue that has attracted widespread public attention.

Table 1. Summary of the Exposure of the Criminal Procedure Law Issue in the Media

| Indicator | Quantity |
|-------------------------------|---------------------|
| Number of news articles | 1.965 artikel |
| Total mentions (media online) | 6.245 mentions |
| Sample mentions media sosial | 13.516 mentions |
| Monitoring period | 18–24 November 2025 |

In terms of sentiment distribution (Table 2), there are differences in the character of responses between online and social media. Online media show a relatively balanced composition of sentiments, with 39% positive, 33% negative, and 28% neutral, reflecting media framing that tends to be more moderate and informative. In contrast, social media is dominated by positive sentiment (70%), followed by negative (20%) and neutral (10%) sentiments, indicating a more emotional, participatory, and polarized dynamic in public discourse.

Table 2. Distribution of Public Sentiment on the Criminal Procedure Law

| Media | Positive | Negatives | Neutral |
|--------------|----------|-----------|---------|
| Media Online | 39% | 33% | 28% |
| Media Sosial | 70% | 20% | 10% |

Substantively, positive sentiments (Table 3) are dominated by narratives emphasizing the urgency of updating the old Criminal

Procedure Code, claims that the substance of the new law reflects public aspirations, and assertions from the House of Representatives that concerns about expanded authority for law enforcement officials are hoaxes. Conversely, negative sentiments (Table 4) highlight public concerns over the potential expansion of authority for law enforcement, threats to privacy and human rights, risks of criminalization of civilians, and criticisms of the legislative process, which is seen as rushed, lacking in participation, and lacking transparency. This pattern indicates a tension between the procedural legitimacy of the state and social legitimacy in the public sphere, especially on social media.

Table 3. Categories of Positive Sentiment Narrative

| Aspects | Description |
|---|--|
| Representation of public aspirations | Claims that the Criminal Procedure Law absorbs 99.9% of the people's aspirations |
| Justice Paradigm | Upholding corrective, rehabilitative, and restorative justice |
| Clarification of the House of Representatives (DPR) | Hoax rebuttals related to wiretapping, confiscation, and police authority |
| The urgency of regulation | The old Criminal Code is considered no longer relevant |

Table 4. Negative Sentiment Narrative Categories

| Aspects | Description |
|----------------------------|--|
| Authority of the apparatus | Concerns about the expansion of authority and threats to privacy |
| Democracy | Ratification is considered a setback for democracy |
| Criminalization | The Potential for Criminalization of Civilians |
| Implementation | Fears of chaos due to the absence of a transition period |
| Legislation process | Criticism of the rushed, lack of participation, and lack of transparency |

Findings from DroneEmprit's analysis of public conversations on social media and online media regarding the implementation of the new Criminal Procedure Code (KUHAP). These findings indicate that public negative sentiment is triggered not only by the content of certain articles but also by the way the state (the government and the House of Representatives) responds to public criticism. The government and the House of Representatives tend to label public concerns about wiretapping and seizures as “hoaxes” or misinformation. From a public

communication perspective, this defensive strategy weakens the state's discursive legitimacy because it does not substantively address criticism, while from a legal perspective, the public's criticism is regarded as having a clear textual basis in the problematic draft articles (such as Articles 124 and 132A).

The issue of threats to privacy and civil liberties is at the center of public anxiety. Public discussions have focused heavily on articles that permit wiretapping, data seizure, and blocking of digital content without a court order on the grounds of "urgent circumstances" (Articles 105, 112A, 124, and 132A). In the digital public sphere, these articles are perceived as normalizing the state's coercive powers, which could potentially violate the principles of due process of law and the protection of human rights. Negative sentiment is dominated by the narrative of fear that everyday digital activities could easily become grounds for arrest and criminalization.

The emergence of collective fear regarding the concentration of police power (superbody) without adequate oversight. The public has critically highlighted Articles 7 and 8, which position the National Police (Polri) as both the sole investigator and the supervisory coordinator. This situation is seen as potentially weakening the principle of checks and balances and diminishing the role of civil servant investigators (PPNS) in other sectors. Furthermore, the authority to take coercive measures from the investigation stage (Article 5) is perceived as a "rubber article" that opens a wide window for arbitrary actions by police officers. Monitoring and mapping of public conversations by DroneEmprit related to the implementation of the new Criminal Procedure Code (KUHAP) on social media and online media. "Reckless" Legislation Process Leads to Ethical Reporting to the House Honor Council (MKD). This section notes that the public criticizes the KUHAP legislative process as rushed, lacking meaningful participation, and lacking transparency. One piece of information recorded is that the draft of the academic manuscript was uploaded approximately two hours before the meeting. In addition, it was mentioned that a report was submitted against 11 members of the Working Committee (Panja) for the KUHAP Bill to the House's Honor Council (MKD) for alleged ethical violations.

Another issue is the public discussion regarding the absence of technical operational procedures in the new Criminal Procedure Code (KUHAP), particularly those related to the implementation of new concepts introduced in the KUHAP. This procedural gap includes the lack of standardized mechanisms for restorative justice, handling corporate crimes, and applying the concept of living law. In addition, there are public

concerns that this lack of technical procedures could lead to chaos in law enforcement practices, as law enforcement officers would have to use their own discretion in implementing them.

Rapid End to Conversation Trends and Calls for Government Regulation in Lieu of Law/Transition Period. This section presents information on the timeline dynamics of public conversations related to the Criminal Procedure Code (KUHAP). Discussions peaked on November 18, 2025, and then declined until November 21, 2025. Conversations resumed on November 24, 2025. During this period, public discourse mainly focused on two key demands: calls for the President to issue a Government Regulation in Lieu of Law (Perppu) to cancel or postpone the enforcement of the KUHAP and requests to provide an adequate transition period before the planned enforcement date of January 2, 2026.

Overall, it presents a list of issues and patterns of public discourse recorded during the monitoring period (Table 5), including criticism of the legislative process, dynamics of conversation trends, and discussions regarding the technical aspects of implementing the new Criminal Procedure Code.

Table 5. List of issues and patterns of public conversation

| No. | Discovery Code | Focus on Key Issues | Brief Description of Findings |
|-----|----------------|---|---|
| 1 | Findings | Criticism as a "Hoax" vs Validation of Problematic Articles | The government and the House of Representatives responded to public concerns related to wiretapping and confiscation by labeling it as a hoax and misinformation. The public refers to the text of the draft Criminal Code Bill, including Articles 124 and 132A, as a basis for criticism. |
| 2 | Findings | Threats to Privacy and Civil Liberties | The public conversation highlighted Articles 105, 112A, 124, and 132A, which govern the wiretapping, seizure of data, and blocking of digital content without court permission under certain conditions. Public concerns are widely expressed on social media. |
| 3 | Findings | Police "Superbody" Concerns | The public highlighted Articles 7 and 8, which place the National Police as the sole investigator and supervisory coordinator, as well as Article 5 related to the authority of coercive efforts from the investigation |

| No. | Discovery Code | Focus on Key Issues | Brief Description of Findings |
|-----|----------------|--|--|
| 4 | Findings | Legislation and Ethics Reporting Process | stage. The issue of checks and balances and the role of PPNS was also discussed. The public criticized the legislation process, which was considered hasty, lacked participation, and was not transparent. It was stated that the draft academic manuscript was uploaded about two hours before the meeting. The criticism led to the reporting of 11 members of the Criminal Procedure Code Bill Committee to the Honorary Assembly of the House (MKD). |
| 5 | Findings | Dynamics of Conversation Trends and Public Demands | The public conversation peaked on November 18, 2025, decreased to November 21, 2025, and increased again on November 24, 2025. The focus of the conversation included the insistence on the issuance of the Perppu and the request for a transition period before January 2, 2026. |
| 6 | Findings | Vacancy of the New Criminal Procedure Code | The public discussed the absence of technical operational procedures for the new Criminal Procedure Code (KUHAP) related to restorative justice, corporate crimes, and <i>living law</i> . This gap is associated with the potential use of discretion by the authorities in law enforcement practices. |

In line with the empirical findings in Table 5, which highlight the public's focus on problematic articles, legislative processes, and the dynamics of conversation trends, visualizing conversation networks on social media provides a spatial context for how these issues circulate and are produced in the digital public sphere. The netizen map (Figure 2) on platform X concerning the Criminal Procedure Code Law (UU KUHAP) shows the structure of the digital public sphere fragmented into several conversation clusters, NGOs, activists, and the public, media, and grassroots accounts, that are interconnected through patterns of mentions and retweets, reflecting the intense contestation of discourse. The NGO and activist clusters dominate critical narratives by highlighting threats to civil liberties, human rights, the expansion of police authority, and legislative processes perceived as lacking participation and transparency, while grassroots accounts function to amplify these issues through popular

language, rejection hashtags, and everyday narratives that broaden the scope of the conversation.

On the other hand, the media acts as a hub for disseminating information by spreading timelines of ratification, coverage of protest actions, and official clarifications from the House of Representatives and the government, thus bridging institutional and public discourses. This dispersed network pattern, with no single dominant actor, affirms that the discourse on the Criminal Procedure Code Law in X is not merely a one-way flow of information but rather a discursive arena that captures sentiment polarization and the exchange of arguments, as well as the simultaneous process of legitimizing and delegitimizing policies within the digital public sphere.



Figure 2. Screenshot of DroneEmprit Netizen Map X regarding the Criminal Procedure Code

The social media analytics platform DroneEmprit presented a collection of statements from several national figures (Table 6) regarding the enactment and implementation of the new Criminal Procedure Code (KUHP), displayed in a table containing the names of the figures, their institutions, direct quotes, and summaries of their opinions. The Coordinating Minister for Political, Legal, and Security Affairs, Yusril Ihza Mahendra, stated that the KUHP Law "...baru disahkan dan dalam proses untuk pengundangan. Dan saya kira lebih baik dijalankan dulu, kecuali Pak

Presiden berpendapat lain...” (regional.kompas.com, 24 November 2025). Minister of Human Rights, Natalius Pigai, stated that the government can “...melakukan koreksi kalau di dalam KUHAP tersebut tidak mewadahi aspek-aspek yang beririsan dengan hak asasi manusia” (nasional.kompas.com, 21 November 2025).

Speaker of the House of Representatives of the Republic of Indonesia, Puan Maharani, stated that “UU KUHAP yang lama sudah berusia 44 tahun dan perlu menyesuaikan kebutuhan zaman. Banyak hal diperbaharui, dan prosesnya telah melibatkan banyak pihak” (nasional.kompas.com, 19 November 2025). Chairman of Commission III of the House of Representatives (DPR RI), Habiburokhman, stated that “Penangkapan, penahanan, penggeledahan harus dilakukan dengan sangat hati-hati, dengan syarat yang sangat ketat dan lebih ketat daripada KUHAP yang lama” (antaranews.com, 19 November 2025). Meanwhile, National Police Chief Listyo Sigit Prabowo stated, “Dan tentunya juga beberapa upaya yang harus kita lakukan karena adanya KUHAP, KUHAP baru dan juga isu-isu terbaru yang mau tidak mau Polri harus segera melakukan perbaikan maupun perubahan” (nasional.kompas.com, 24 November 2025).

This also includes several statements from figures among researchers, state institutions, academics, legal aid organizations, and students (Table 6) regarding the ratification and implementation of the new Criminal Procedure Code Law, which are presented in a table containing the name of the figure, institution, quotation, and summary of opinion. Iqbal Muharam Nurfahmi, a researcher at ICJR, stated that “Pengesahan RUU KUHAP adalah bentuk kemunduran reformasi hukum di Indonesia” (tempo.co, 18 November 2025). Anis Hidayah, Chairperson of Komnas HAM, stated that “Catatan terhadap KUHAP ini dapat mengganggu kondisi yang kondusif bagi pelaksanaan HAM dan upaya perlindungan dan penegakan HAM di Indonesia” (Kompas.tv, 18 November 2025). Muhammad Isnur, Chairperson of YLBHI, stated, “Kami ... mendesak Prabowo untuk segera menerbitkan Perppu, batalkan segera KUHAP ini karena ini membahayakan penegakan hukum” (tempo.co, 21 November 2025). Febby Mutiara Nelson, a Procedural Law lecturer at FH UI, stated that “Dasar penahanan menjadi lebih dapat diuji atau justiciable, baik oleh penasihat hukum, jaksa, maupun hakim pemeriksa pendahuluan. Ini memperkuat asas legalitas dan due process” (antaranews.com, 23 November 2025). Meanwhile, Rafa Al Gatran, the Action Coordinator of BEM UI, stated, “Dengan per hari ini masih banyak penolakan terhadap RUU KUHAP, artinya dalam proses belum demokratis dan memuaskan banyak orang, karena dalam prosesnya tidak demokratis” (Tempo.co, 18 November 2025).

Table 6. Opinions of Figures

| No | Figure | Institutions | Live Quotes | Opinion |
|----|----------------------|--|---|--|
| 1 | Yusril Ihza Mahendra | Coordinating Minister for Law and Human Rights (Menko Kumham) | “...baru disahkan dan dalam proses untuk pengundangan. Dan saya kira lebih baik dijalankan dulu, kecuali Pak Presiden berpendapat lain...” (regional.kompas.com, 24 November 2025). | Stating that there is no urgent reason to issue a Perppu on the new Criminal Procedure Law. |
| 2 | Natalius Pigai | Minister of Human Rights (HAM) | “...melakukan koreksi kalau di dalam KUHAP tersebut tidak mewadahi aspek-aspek yang beririsan dengan hak asasi manusia.” (nasional.kompas.com, 21 November 2025). | Stating the readiness of the Ministry of Law and Human Rights to encourage the correction of the Criminal Code Law if it does not meet human rights standards. |
| 3 | Puan Maharani | Chairman of the People's Representative Council of the Republic of Indonesia (DPR RI) | “UU KUHAP yang lama sudah berusia 44 tahun dan perlu menyesuaikan kebutuhan zaman...” (nasional.kompas.com, 19 November 2025). | Explained that the update of the Criminal Code Law was carried out because it was obsolete and needed adjustments. |
| 4 | Habiburokhman | Chairman of Commission III of the People's Representative Council of the Republic of Indonesia | “Penangkapan, penahanan, pengeledahan harus dilakukan dengan sangat hati-hati...” (antaranews.com, 19 November 2025). | Highlighting the tightening of the requirements for coercive action in the new Criminal Procedure Law. |
| 5 | Listyo Sigit Prabowo | National Police Chief | “...Polri harus segera melakukan perbaikan maupun perubahan...” (nasional.kompas.com, 24 November 2025). | Stating the need for the National Police to improve to face changes in |

| No | Figure | Institutions | Live Quotes | Opinion |
|----|-----------------------|--|--|--|
| 6 | Iqbal Muham Nurfa hmi | ICJR researcher | “Pengesahan RUU KUHAP adalah bentuk kemunduran reformasi hukum di Indonesia.” (tempo.co, 18 November 2025). | the rules of the Criminal Code. Considering the Criminal Procedure Law as a setback for legal reform. |
| 7 | Anis Hidayah | Chairman of the National Human Rights Commission | “Catatan terhadap KUHAP ini dapat mengganggu kondisi yang kondusif bagi pelaksanaan HAM...” (Kompas.tv, 18 November 2025). | Highlighting potential interference with the protection and enforcement of human rights. |
| 8 | Muhammad Isnur | Chairman of YLBHI | “Kami ... mendesak Prabowo untuk segera menerbitkan Perppu...” (tempo.co, 21 November 2025). | Urging the President to issue a Perppu to cancel or postpone the Criminal Procedure Law. |
| 9 | Febby Mutiara Nelson | Lecturer of Procedural Law of FH UI | “Dasar penahanan menjadi lebih dapat diuji atau justiciable...” (antaranews.com, 23 November 2025). | Assessing that the new Criminal Code Law clarifies the requirements for detention and strengthens due process. |
| 10 | Rafael Gatran | Coordinator of the Student Executive Board (BEM) of the University of Indonesia (UI) | “...masih banyak penolakan terhadap RUU KUHAP, artinya dalam proses belum demokratis...” (tempo.co, 18 November 2025). | Stating that the process of forming the Criminal Procedure Law is not yet democratic. |

There are various statements regarding the enactment of the new Criminal Procedure Code (KUHP) from both state and civil society elements. From the government side, it was conveyed that the new KUHP had been passed and was currently in the process of being

promulgated; it was considered necessary to implement it first, with the possibility of making corrections if it did not yet meet human rights standards. It is also seen as an update to the old KUHAP, which has been in force for decades, with an emphasis on caution among law enforcement officers and the need for legal institutions to adapt to the new law. From civil society and academics, statements have been made describing the ratification of KUHAP as a setback for legal reform, highlighting potential disruptions to the implementation and protection of human rights, urging the issuance of a Government Regulation in Lieu of Law (Perppu) to annul or postpone the implementation of KUHAP, expressing the view that detention provisions will become more subject to legal scrutiny, and emphasizing that there is still widespread rejection, with many considering the process of drafting KUHAP to be undemocratic.

4. Discussion

This study takes a different approach from Wenando (2023) which focuses on quantitatively classifying public sentiment towards the ratification of the Criminal Code using the Naive Bayes Classifier algorithm, and the study of Widjaja (2025) This study places the revision of laws and regulations within the framework of a review of the normative-conceptual literature on responsiveness, participation, and constitutionalism. It offers an integrative and empirical-critical approach. This study not only maps sentiment trends or formulates ideal principles for law formation but also analyzes how the legitimacy and delegitimization of the Criminal Code are generated, negotiated, and contested in digital public discourse through the interaction of state actors, civil society, media, and citizens in social media conversation networks. By combining normative legal analysis, digital discourse analysis, and conversation network mapping, this study presents novelty at the conceptual and methodological levels by positioning the controversy over the implementation of the new Criminal Code as a legal-political phenomenon that occurs simultaneously in the formal legislation and digital public spaces. The novelty of this study lies in its ability to bridge *Das Sollen* and *Das Sein*, as well as uncover power dynamics, dominant narratives, and public sentiment as part of the process of determining legal legitimacy in the new media era.

Drone Emprit's public sentiment mapping regarding the implementation of the new Criminal Procedure Code (KUHAP) indicates that the discourse developing in the digital public sphere is not singular. Instead, it is composed of a variety of responses captured through social media conversations, empirical data findings, and statements from state figures and civil society. Public sentiment analysis and quantitative findings show increasing dynamics in the volume and distribution of discussions in line with the ratification process of the KUHAP, while

descriptions of the qualitative findings reveal a diversity of circulating narratives without a single dominant interpretation. In contrast, the documented statements of state figures and civil society (Table 6) demonstrate the presence of differing and parallel viewpoints in response to the new KUHAP. All the data presented provide a general overview of public and elite responses that simultaneously emerge in the public sphere without asserting any particular normative conclusion.

Public responses to the implementation of the new Criminal Procedure Code (KUHAP) reveal a polarization of pro and contra sentiments in the digital public sphere. This polarization is evident from the distribution of sentiments between online and social media, where online media display a relatively balanced composition of sentiments, positive (39%), negative (33%), and neutral (28%), while social media are dominated by positive sentiment (70%), with much smaller portions of negative (20%) and neutral (10%) sentiments. This difference in patterns indicates that the digital public sphere is not homogeneous but consists of arenas with distinct expressive characteristics. This phenomenon remains in line with the concept of affective polarization: a division of public attitudes influenced by affect and emotions in response to policy, rather than solely by differences in substantive arguments (Esau et al., 2025). Sentiment data (Table 5) illustrate that emotions such as concern, suspicion, justification, and defense are important elements in the formation of collective attitudes, leading to a tendency for symbolic opposition between supporters and opponents of the new KUHAP (Angelopoulou et al., 2024). These public sentiments do not stand as isolated individual opinions but rather as an aggregate of widespread and dynamic views evolving with the development of the issue through the circulation of digital content (Murtadlo & Saputra, 2025; Wenando, 2023). Both online and social media function as arenas that not only record public responses but also shape the perception of division, potentially affecting the quality of public deliberation regarding the implementation of the new KUHAP.

Digital conversation data indicate a divided public response, with acceptance, limited support, and rejection appearing simultaneously (Lafont, 2015). This shows that the legitimacy of this policy is not solely determined by formal ratification but also relies heavily on the moral and cultural acceptance of society. Statements by state figures emphasizing regulatory updates, caution among authorities, and the possibility of human rights corrections represent institutional efforts to build legitimacy through legal and administrative frameworks. Meanwhile, statements from civil society, academics, human rights institutions, legal aid organizations, and students demonstrate strong demands for public involvement, the

protection of rights, and a balance between state authority and citizens' rights. This situation is consistent with the view that social legitimacy rests on public participation and collaboration between the state and civil society in the policymaking process (Erfain, 2025), as well as on aligning the law with justice values and prevailing social norms. Furthermore, the digital discourse captured in the empirical findings reveals that legitimacy is also shaped through online participation and the aggregation of opinions on social media, which serve as arenas for criticism and, at the same time, for strengthening or weakening public acceptance (Rahayuningsih et al., 2025). These findings indicate that the social legitimacy of the new Criminal Procedure Code (KUHAP) is dynamic and strongly influenced by interactions between public sentiment, elite narratives, and societal perceptions of the balance of rights and obligations within the criminal justice system (Jannah et al., 2025).

When linked to Jürgen Habermas's concept of the public sphere, the dynamics of public sentiment toward the implementation of the new Criminal Procedure Code (as recorded in Tables 5 and 6) can be understood as a practice of public opinion formation within the arena of the contemporary public sphere. Social media serves as a space where individuals and groups appear as a "public" to openly discuss issues of criminal procedure law, even though this does not always occur under the ideal conditions of rational deliberation imagined by Habermas. Differences in views between state actors and civil society, as expressed through official statements and digital conversations, demonstrate a process of articulating interests and arguments reminiscent of the initial function of the bourgeois public sphere as an arena for the critique of power (Nangi et al., 2024; Zeeuw, 2024). However, the fragmentation of narratives, the intensity of emotions, and the tendency toward sentiment polarization in online discourse also reflect a transformation of the public sphere into a more segmented form, as criticized by Habermas in the context of the digital public sphere, which is vulnerable to echo chambers and semi-public communication (Zeeuw, 2024). Public debates regarding the new Criminal Procedure Code illustrate how the modern public sphere remains an important arena for the formation of opinion and policy legitimacy while simultaneously facing deliberative limitations due to the dynamics of digital media (Ruiz et al., 2011).

The discourse surrounding the implementation of the new Criminal Procedure Code (KUHAP) demonstrates that this policy has operated as a dynamic arena of contestation, where the state, civil society, legal actors, and the digital public compete to define justice, rights protection, and legal legitimacy. Within Bourdieu's field theory framework, the discourse on the

new KUHAP can be understood as a relatively autonomous “field,” populated by actors with different positions and capital, each striving to position their narrative as the most rational and legitimate solution (García & Oleart, 2024). The findings indicate that public criticism, intensively mediated through social media, strengthens the role of civil society as a counterbalance to the state and as policy watchdogs, while simultaneously expanding the arena of contestation into a fragmented digital public sphere (Erfain, 2025; Quick & Maddox, 2024). In this context, the state faces a strategic choice between maintaining discursive control through information management and regulation of public spaces or responding to public pressure through dialogue and policy adjustments to uphold legitimacy (Chen, 2019; Mulyati & Maharudin, 2025; Sabra & Elkadi, 2022). The most crucial follow-up to these findings is the need for the state to manage the arena of contestation democratically, by broadening meaningful participation, guaranteeing freedom of expression, and strengthening legal accountability, so that the discourse on the new KUHAP does not develop into a conflict over legitimacy but rather becomes a deliberative process that strengthens public–state relations within the framework of democracy and human rights (Erfain, 2025; Jannah et al., 2025).

The public criticizes the implementation of the new Criminal Procedure Code (KUHP) because the policy is perceived to emerge within the context of sensitive power relations, where citizens’ legal experiences, concerns over potential narrowing of rights, and patterns of state communication all contribute to public distrust. This criticism does not stand alone; it arises alongside the way the state responds to public dissatisfaction, which, in many contexts, is marked by information control and problematic persuasion strategies. “Hardline” state propaganda that does not align with the people’s empirical experiences tends to backfire, resulting in eroded trust and negative views of the regime (Chen, 2019). In the digital sphere, the practice of “cheerleading” through buzzers or bots to amplify official narratives is also understood by the public as an attempt to drown out substantive criticism rather than to open a space for deliberation (Till, 2020). Additionally, the use of legal instruments such as anti-fake news laws and cyber regulations is often perceived as restricting freedom of expression and narrowing the space for criticism rather than strengthening public literacy (Sabra & Elkadi, 2022). Public concerns are further heightened when criticism of legal policies is met with the risk of repression, criminalization, and stigmatization of activists, which structurally weakens the position of civil society as a watchdog over the state (Affourtit, 2023; Erfain, 2025). In this context, criticism of the new

KUHAP can be understood as a rational response to the state's ambiguous reaction pattern, on one hand, allowing for the possibility of dialogue and policy adjustments due to public pressure (Muliyati & Maharudin, 2025; Murtadlo & Saputra, 2025), but on the other, maintaining mechanisms of control over the public sphere, so that public opposition reflects anxiety over the direction of public–state relations in democratic legal governance.

5. Conclusion

The findings of this study indicate that the implementation of the new Criminal Procedure Code (KUHAP) has sparked competitive public discourse in digital spaces, where state and civil society narratives interact and confront each other in interpreting the meaning of procedural justice, the protection of rights, and the authority of law enforcement officials. Sentiment data and conversation mapping are not intended to show actual changes in legal legitimacy but rather to illustrate emerging patterns of support, criticism, and doubt during the crucial period of discussion and enactment of the KUHAP. In this context, the new KUHAP is discussed not only as a technical instrument of procedural law but also as a symbol of power relations between the state and its citizens, as represented in digital discourse. The digital public sphere in this study is understood in a limited sense as an arena for expression and the exchange of legitimacy claims, not as a social testing mechanism that directly determines legal acceptance of a claim.

This study contributes to the empirical mapping of sentiment patterns and configurations of public discourse related to the new Criminal Procedure Code (KUHAP) in Indonesia's digital sphere by combining aggregative sentiment analysis with qualitative reading of the narratives and actors involved. This study seeks to apply and contextualize the concepts of the arena of discursive contestation, social legitimacy, and the digital public sphere in the context of criminal procedure law reform in Indonesia. The findings demonstrate how contemporary legal debates are increasingly mediated by the logic of digital media, where visibility, conversational intensity, and public affect shape perceptions of support and opposition to policy. The contribution of this study is empirical and descriptive in nature, providing a systematic overview of the dynamics of sentiment and public discourse, which can serve as a foundation for further studies in law and political communication.

The limitations of this study relate to its reliance on digital conversation data that represent an actively online public, limited independent validation of automatic sentiment classification, and an analytical focus that does not yet encompass the perspectives of

institutional actors and the dynamics of policy implementation. These limitations constrain the study's ability to draw normative or causal conclusions about the impact of public discourse on the legitimacy of the law and enforcement practices of the KUHAP. Therefore, further study is recommended to integrate in-depth qualitative methods, such as interviews with policymakers, law enforcement officials, and civil society actors, and to expand the analysis to the implementation phase of the new KUHAP. This approach is expected to enrich our understanding of how public discourse, institutional practices, and legal power relations interact over the medium and long term.

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