

Viral Justice: The Influence of Social Media Culture on the Independence of Law Enforcement

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Abstrak: Social media culture has transformed the digital public sphere and significantly influenced law enforcement practices in Indonesia. The phenomenon of viral justice demonstrates how legal processes are increasingly exposed to public opinion pressure generated through online virality, functioning as a form of non-formal intervention beyond established legal mechanisms. This study aims to examine the impact of social media culture on the independence of law enforcement and its normative implications for the rule of law and due process of law. The research employs a normative juridical method using statutory, conceptual, and case approaches. The findings reveal that normative ambiguity within existing regulations has resulted in the absence of clear boundaries between digital freedom of expression and the protection of fair judicial processes. Consequently, law enforcement officials face reputational pressures that may shift decision-making from legal reasoning toward popularity-based responsiveness. This condition threatens judicial independence, undermines legal certainty, and creates unequal treatment between viral and non-viral cases. The study underscores the urgent need for explicit legal norms and strengthened institutional ethics to maintain a balance between digital freedoms and the integrity of the rule of law in the social media era.

Keywords : due process of law; law enforcement independence; rule of law; social media culture; viral justice.

INTRODUCTION

The development of social media has fundamentally transformed the public sphere, including the ways in which society understands, evaluates, and responds to law enforcement processes. Social media no longer functions merely as a communication medium, but has evolved into an arena for the rapid, massive, and emotionally driven production of legal opinions. In this context, public perceptions of a criminal case are often formed before formal legal proceedings commence, and even prior to any initial action taken by law enforcement authorities. This phenomenon has given rise to what is commonly referred to as *viral justice*, namely a condition in which the intensity of public attention generated through social media influences the direction, speed, and pattern of law enforcement responses.¹

In the practice of law enforcement in Indonesia, the phenomenon of viral justice is evident in the increasing institutional attention given to cases that receive widespread exposure on social media, while similar cases that do not go viral tend to be processed through ordinary legal mechanisms. Muhammad et al., in their article The Reduction of Criminal Justice Policy in Indonesia: Justice versus Virality (2025), demonstrate that virality has emerged as a non-juridical factor influencing law enforcement policy priorities, with the potential to shift the orientation of justice from due process toward reputational

¹ Brezillya Anggraini and Renita Tresna, "Perspective of Law Enforcement Officials with the Emergence of the 'No Viral, No Justice' Phenomenon," *Jurnal Hukum dan HAM Wara Sains* (2024), <https://doi.org/10.58812/jhhws.v3i03.1444>

responsiveness.² This condition raises serious concerns regarding the consistency and objectivity of law enforcement.

Constitutionally, Indonesia affirms itself as a state based on law, as stipulated in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia. The principle of the rule of law requires that law enforcement be carried out based on law and fair procedures, rather than on social pressure or public opinion. Furthermore, Article 24 paragraph (1) of the 1945 Constitution guarantees that judicial power is independent. This guarantee normatively demands the protection of law enforcement officers and judicial institutions from all forms of interference, including pressure arising from digital public opinion.³

However, in practice, such normative protection has not been accompanied by adequate operational regulation. The Criminal Procedure Code (Law No. 8 of 1981) was drafted in a pre-digital context and does not anticipate pressures originating from social media. Law No. 48 of 2009 on Judicial Power affirms judicial independence, yet does not regulate institutional mechanisms for protecting the judiciary from viral pressure. Meanwhile, Law No. 19 of 2016 on Electronic Information and Transactions primarily focuses on regulating digital content, such as hoaxes and hate speech, rather than safeguarding law enforcement processes from public opinion-based interference.⁴ Even the recent reform of criminal law through Law No. 1 of 2023 on the Criminal Code has not explicitly addressed viral justice as a variable that may affect the independence of law enforcement.

As a result, normative ambiguity has emerged regarding the limits of social media-based public opinion in influencing law enforcement processes. This ambiguity creates space for non-formal discretion that is difficult to qualify legally, thereby opening opportunities for public intervention in legal processes that are supposed to be independent. In such circumstances, law enforcement authorities may face a dilemma between enforcing the law objectively and responding to reputational pressure in order to maintain institutional legitimacy.⁵

From an academic perspective, several studies have examined the phenomenon commonly described as “No Viral No Justice,” yet most of them situate the issue within sociological or criminological frameworks. Addila and Nurcahyono, in Pengaruh Kasus Viral dan Tuntutan Masyarakat Melalui Media Sosial terhadap Penegakan Hukum di Indonesia (2025), emphasize the influence of public pressure on law enforcement responses in certain cases, but do not examine its normative implications for the principle of judicial independence.⁶ Anggraini and Tresna, through Perspective of Law Enforcement Officials with the Emergence of the “No Viral, No Justice” Phenomenon (2024), highlight law enforcement officers’ perceptions of viral pressure; however, their analysis remains empirical-psychological rather than normative-constitutional.⁷

² Rustamaji Muhammad et al., “The Reduction of Criminal Justice Policy in Indonesia: Justice versus Virality,” *Journal of Human Rights, Culture and Legal System* (2025), <https://doi.org/10.53955/jhcls.v5i2.637>

³ Abdul Wahid, Rohadi Rohadi, and Andi Kusyandi, “‘No Viral No Justice’ Phenomenon in Indonesian Law Enforcement,” *Reformasi Hukum* (2025), <https://doi.org/10.46257/jrh.v29i1.1183>

⁴ Abdul Fatakh, “A Juridical Review of the ‘No Viral No Justice’ Phenomenon,” *International Journal of Humanities Education and Social Sciences* (2025), <https://doi.org/10.55227/ijhess.v5i2.1801>

⁵ Pippa Norris, “Cancel Culture: Myth or Reality?,” *Political Studies* 71 (2021): 145–174, <https://doi.org/10.1177/00323217211037023>

⁶ Cindy Zalisya Addila and Arinto Nurcahyono, “Pengaruh Kasus Viral dan Tuntutan Masyarakat Melalui Media Sosial,” *J-CEKI: Jurnal Cendekia Ilmiah* 4, no. 2 (2025): 2349–2363

⁷ Brezillya Anggraini and Renita Tresna, “Perspective of Law Enforcement Officials,” *Jurnal Hukum dan HAM Wara Sains* (2024).

Another study by Kharisma in *No Viral No Justice: Is It a Principle of Social Justice?* (2024) approaches viral justice from the perspective of social justice, but does not specifically address normative gaps within the positive legal system that should protect the independence of law enforcement.⁸ Meanwhile, Runturambi, Aswido, and Meiyani in *No Viral No Justice: A Criminological Review of Social Media-Based Law Enforcement* (2024) employ progressive legal and criminological perspectives without directly linking the phenomenon to the principles of the rule of law and due process of law.⁹

Based on this review, a clear academic gap can be identified. There has been no normative legal study that systematically analyzes viral justice as a constitutional and structural problem in law enforcement, particularly in relation to normative ambiguity surrounding the protection of law enforcement independence in the context of social media culture. Existing studies tend to focus on empirical or ethical impacts, yet have not constructed a normative argument regarding the necessity of legal regulation that balances freedom of expression with the protection of fair judicial processes.

Accordingly, this research aims to analyze the influence of social media culture on the independence of law enforcement from the perspective of the rule of law and due process of law, as well as to examine the implications of normative ambiguity within the existing legal framework. This study also seeks to formulate normative and institutional recommendations to maintain a balance between freedom of expression in the digital public sphere and the independence of law enforcement within the Indonesian legal system.

METODOLOGI

This study employs normative juridical legal research with a prescriptive-analytical character. This method is selected because the focus of the research does not lie in examining empirical social behavior, but rather in analyzing legal norms, constitutional principles, and legal constructions governing the independence of law enforcement in the face of pressure arising from social media culture. The normative approach is used to assess whether the existing legal framework is adequate to protect law enforcement processes from non-formal intervention in the form of digital public opinion, as well as to formulate normative recommendations in response to identified normative ambiguities.¹⁰

The research adopts several analytical approaches, namely the statute approach, conceptual approach, and case approach. The statute approach is conducted by examining the 1945 Constitution of the Republic of Indonesia, particularly Article 1 paragraph (3), Article 24 paragraph (1), Article 28E, and Article 28F, as well as related statutory regulations, including Law No. 8 of 1981 on the Criminal Procedure Code, Law No. 48 of 2009 on Judicial Power, Law No. 19 of 2016 on Electronic Information and Transactions, and Law No. 1 of 2023 on the Criminal Code. The conceptual approach is employed to examine key legal concepts such as the rule of law, judicial independence, due process of law, trial by media, and viral justice.

⁸ Dona Budi Kharisma, "No Viral No Justice: Is It a Principle of Social Justice?," *Safer Communities* (2024).

⁹ Dona Budi Kharisma, "No Viral No Justice: Is It a Principle of Social Justice?," *Safer Communities* (2024).

¹⁰ Peter Mahmud Marzuki, *Penelitian Hukum* (Jakarta: Kencana, 2017).

The case approach is applied through normative analysis of law enforcement cases that demonstrate significant influence of social media-based public opinion pressure.¹¹

The legal materials used in this study consist of primary legal materials, including statutory regulations and court decisions; secondary legal materials, such as legal textbooks, academic journals, and relevant research on criminal law and media law; and tertiary legal materials, including legal dictionaries and encyclopedias. Data analysis is conducted through normative-systematic analysis, employing systematic and teleological interpretation to assess normative coherence and its implications for the principles of the rule of law and due process of law. The results of the analysis are then used to formulate normative and institutional recommendations aimed at strengthening the protection of law enforcement independence in the era of digital culture.¹²

RESULTS AND DISCUSSION

Normative Ambiguity in the Protection of Law Enforcement Independence from Viral Culture Pressure

The independence of law enforcement constitutes a fundamental principle within a rule of law system, intended to ensure that legal processes operate based on valid legal norms and evidentiary standards rather than external pressure. In the Indonesian legal system, this principle is constitutionally guaranteed through Article 1 paragraph (3) and Article 24 paragraph (1) of the 1945 Constitution of the Republic of Indonesia. However, this constitutional guarantee has not been followed by operational normative regulations capable of addressing non-traditional forms of pressure, particularly social media-based public opinion. This regulatory vacuum gives rise to normative ambiguity in the protection of law enforcement independence in the era of viral culture.¹³

Normatively, statutory regulations governing criminal law enforcement remain oriented toward formal threats of intervention, such as interference from executive or legislative powers. The Criminal Procedure Code (Law No. 8 of 1981) does not contain provisions anticipating digital social pressure on the discretion of investigators, prosecutors, or judges. In contemporary practice, however, public opinion pressure mediated through social media can function as a form of reputational coercion. Such pressure does not manifest as a formal legal command, yet it is capable of influencing the decision-making processes of law enforcement authorities.¹⁴

Law No. 48 of 2009 on Judicial Power affirms that judges are required to maintain judicial independence and remain free from all forms of intervention. Nevertheless, this provision remains declarative in nature and is not accompanied by institutional protection mechanisms against viral pressure. There are no normative parameters defining when and how digital public opinion may be qualified as an

¹¹ A. Runturambi, Munarni Aswindo, and Eliza Meiyani, "No Viral No Justice: A Criminological Review of Social Media-Based Law Enforcement from the Perspective of Progressive Law," *Jurnal IUS Kajian Hukum dan Keadilan* (2024), <https://doi.org/10.29303/ius.v12i1.1361>.

¹² Cindy Zalisa Addila and Arinto Nurcahyono, "Pengaruh Kasus Viral dan Tuntutan Masyarakat Melalui Media Sosial Terhadap Penegakan Hukum di Indonesia," *J-CEKI: Jurnal Cendekia Ilmiah* 4, no. 2 (2025): 2349–2363

¹³ Abdul Wahid, Rohadi Rohadi, and Andi Kusyandi, "'No Viral No Justice' Phenomenon in Indonesian Law Enforcement: Acceleration or Threat to Justice?," *Reformasi Hukum* (2025), <https://doi.org/10.46257/jrh.v29i1.1183>

¹⁴ Rustamaji Muhammad et al., "The Reduction of Criminal Justice Policy in Indonesia: Justice versus Virality," *Journal of Human Rights, Culture and Legal System* (2025), <https://doi.org/10.53955/jhcls.v5i2.637>

intervention that undermines judicial independence. Consequently, viral culture pressure occupies a legal gray area: it is neither explicitly prohibited nor clearly regulated.¹⁵

This normative ambiguity becomes increasingly complex when juxtaposed with constitutional guarantees of freedom of expression and the right to obtain information as stipulated in Article 28E and Article 28F of the 1945 Constitution. Social media serves as the primary instrument for exercising these rights in the digital era. However, in the absence of proportional normative limitations, freedom of expression risks colliding with the protection of due process of law. Under such conditions, law enforcement authorities frequently face a dilemma between maintaining independence and responding to public pressure in order to preserve institutional legitimacy.¹⁶

Regulation under Law No. 19 of 2016 on Electronic Information and Transactions likewise fails to adequately address this issue. The ITE Law primarily focuses on controlling digital content, such as hate speech, defamation, and the dissemination of false information. It does not contain norms explicitly aimed at protecting law enforcement processes from distortion caused by viral pressure. Consequently, the prevailing legal approach remains oriented toward regulating user behavior on social media rather than safeguarding the integrity of the law enforcement system itself.¹⁷

The reform of national criminal law through Law No. 1 of 2023 on the Criminal Code similarly does not explicitly accommodate the phenomenon of viral justice. Although the National Criminal Code emphasizes values of justice and balance, it does not provide normative instruments to assess the influence of digital public opinion pressure on law enforcement discretion. This indicates that criminal law reform has not yet fully responded to the structural challenges posed by social media culture.¹⁸

From the perspective of law enforcement theory, such normative ambiguity has direct implications for the weakening of legal certainty. Gussela et al. argue that the “No Viral No Justice” phenomenon creates a perception that justice can only be obtained through social media exposure rather than through formal legal mechanisms.¹⁹ When legal norms fail to provide clear protection for law enforcement independence, society is encouraged to employ viral pressure as an alternative control mechanism. This condition indirectly legitimizes public intervention in legal processes.

Normatively, ambiguity in the protection of law enforcement independence should be understood as a failure of the law to anticipate shifts in power structures in the digital era. Power is no longer monopolized by the state, but is also produced through mass, instantaneous digital public opinion. Without a clear normative framework, law enforcement risks losing its objective and procedural character.

¹⁵ Abdul Fatakh, “A Juridical Review of the ‘No Viral No Justice’ Phenomenon as a Tool of Social Control Over Law Enforcement Officers in the Digital Era,” *International Journal of Humanities Education and Social Sciences* (2025), <https://doi.org/10.55227/ijhess.v5i2.1801>

¹⁶ Pippa Norris, “Cancel Culture: Myth or Reality?,” *Political Studies* 71 (2021): 145–174, <https://doi.org/10.1177/00323217211037023>

¹⁷ Luh Ayu Wedasuari, “Law Enforcement in Combating Disinformation through Social Media,” *International Journal of Multidisciplinary Research and Analysis* (2025), <https://doi.org/10.47191/ijmra/v8-i09-54>

¹⁸ Dona Budi Kharisma, “No Viral No Justice: Is It a Principle of Social Justice?,” *Safer Communities* (2024), <https://doi.org/10.1108/sc-07-2024-0037>

¹⁹ Melinda Dina Gussela et al., “Fenomena ‘No Viral No Justice’ Perspektif Teori Penegakkan Hukum,” *Ranah Research* 7, no. 2 (2025): 792–800.

Therefore, explicit norms are required to regulate the boundaries of interaction between digital public opinion and law enforcement processes, without negating freedom of expression as a constitutional right.

Social Media Culture and the Phenomenon of Viral Justice in Law Enforcement Practice

The emergence of social media as a dominant public sphere has fundamentally transformed how legal processes are perceived, evaluated, and pressured in contemporary societies. In Indonesia, social media platforms function not merely as channels of information dissemination but as arenas of collective judgment where legal cases are rapidly framed, moralized, and evaluated before formal judicial processes conclude. This transformation has given rise to what is commonly referred to as “viral justice,” a phenomenon in which the intensity of public attention on social media influences the trajectory of law enforcement practices.

In practical terms, viral justice manifests through the rapid construction of narratives that attribute guilt, demand punishment, or delegitimize law enforcement institutions. Cases that attract widespread attention often compel police investigators, prosecutors, and even judges to accelerate procedures, issue public statements, or adopt punitive stances to manage reputational risks. Anggraini and Tresna demonstrate that law enforcement officials increasingly perceive viral exposure as a determinant of institutional credibility, thereby reshaping discretionary decision-making away from purely legal considerations.²⁰ This shift indicates a movement from rule-based enforcement toward reputation-driven responsiveness.

The phenomenon of trial by social media illustrates a deeper structural problem. Social media enables users to act simultaneously as commentators, moral arbiters, and informal prosecutors. Unlike conventional public oversight mechanisms, such as judicial review or parliamentary control, viral pressure operates without procedural safeguards. Addila and Nurcahyono show that in high-profile criminal cases, investigative directions changed significantly following public outrage expressed online, raising concerns regarding the erosion of the presumption of innocence.²¹ This dynamic undermines the foundational principle that guilt must be established through lawful evidentiary processes rather than popular sentiment.

From a sociological perspective, viral justice reflects the expansion of social control into the digital realm. Nabillah and Saputra argue that digital communities increasingly view virality as an alternative accountability mechanism when formal legal institutions are perceived as slow or unresponsive.²² However, while social media-based control may enhance visibility and transparency, it lacks proportionality and consistency. Not all cases receive equal attention, leading to selective enforcement where viral cases are prioritized over non-viral ones, regardless of legal gravity.

This inconsistency creates systemic distortion within law enforcement. Muhammad et al. highlight that criminal justice policy risks being reduced to symbolic responsiveness, where institutional actions aim

²⁰ Brezillya Anggraini and Renita Tresna, “Perspective of Law Enforcement Officials with the Emergence of the ‘No Viral, No Justice’ Phenomenon,” *Jurnal Hukum dan HAM Wara Sains* (2024), <https://doi.org/10.58812/jhhws.v3i03.1444>

²¹ Cindy Zalisa Addila and Arinto Nurcahyono, “Pengaruh Kasus Viral dan Tuntutan Masyarakat Melalui Media Sosial Terhadap Penegakan Hukum di Indonesia,” *J-CEKI* 4, no. 2 (2025): 2349–2363.

²² Cindy Zalisa Addila and Arinto Nurcahyono, “Pengaruh Kasus Viral dan Tuntutan Masyarakat Melalui Media Sosial Terhadap Penegakan Hukum di Indonesia,” *J-CEKI* 4, no. 2 (2025): 2349–2363.

to appease public sentiment rather than uphold normative legal standards.²³ Such conditions foster inequality before the law, as similar cases may receive radically different treatment depending on their digital visibility. The integrity of due process is thus compromised, not through direct legal violation, but through cumulative reputational pressure.

To clarify the structural differences between conventional law enforcement logic and viral justice dynamics, the following table illustrates a comparative framework.

Table 1. Comparison between Conventional Law Enforcement and Viral Justice Dynamics

Dimension	Conventional Law Enforcement	Viral Justice Dynamics
Basis of Decision-Making	Legal norms and procedural law	Public opinion and online virality
Source of Authority	Statutory mandate and institutional hierarchy	Social media engagement and moral outrage
Temporal Logic	Gradual and procedural	Instant and accelerated
Accountability Mechanism	Legal review and institutional oversight	Public scrutiny and reputational pressure
Risk Orientation	Legal error and procedural violation	Public backlash and legitimacy loss
Impact on Presumption of Innocence	Preserved until final judgment	Frequently undermined before trial

The table demonstrates that viral justice introduces an alternative rationality into law enforcement, one that prioritizes speed, visibility, and public appeasement. While such rationality may temporarily restore public trust, it erodes the structural foundations of legal certainty and fairness. Cheng's criminological analysis further confirms that social media narratives can normalize punitive attitudes and legitimize excessive law enforcement responses, particularly in emotionally charged cases.²⁴

Normatively, this phenomenon poses a serious challenge to the principle of due process of law. Due process requires impartiality, evidentiary rigor, and protection from arbitrary judgment. When law enforcement becomes responsive to viral sentiment, procedural safeguards risk being sidelined. Runturambi et al. argue that viral justice, if left unregulated, transforms progressive law ideals into populist penalism, where justice is equated with public satisfaction rather than legal correctness.²⁵

Therefore, viral justice should not be understood merely as a cultural trend but as a structural intervention in the criminal justice system. Without clear normative boundaries, social media culture reshapes enforcement practices in ways that threaten equality before the law and institutional independence.

²³ Rustamaji Muhammad et al., "The Reduction of Criminal Justice Policy in Indonesia: Justice versus Virality," *Journal of Human Rights, Culture and Legal System* (2025), <https://doi.org/10.53955/jhcls.v5i2.637>

²⁴ Tony Cheng, "Social Media, Socialization, and Pursuing Legitimation of Police Violence," *Criminology* (2021), <https://doi.org/10.1111/1745-9125.12277>

²⁵ A. Runturambi, Munarni Aswindo, and Eliza Meiyani, "No Viral No Justice: A Criminological Review of Social Media-Based Law Enforcement," *Jurnal IUS* (2024), <https://doi.org/10.29303/ius.v12i1.1361>

Addressing this challenge requires legal frameworks that recognize virality as a form of non-formal pressure while reaffirming procedural integrity as the core of lawful governance.

Implications of Viral Justice for the Rule of Law and the Principle of Due Process of Law

The phenomenon of viral justice does not merely affect the technical practice of law enforcement, but also generates serious implications for the fundamental principles of the rule of law. In a state governed by law, as affirmed in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, all actions of state authorities must be grounded in law, rather than in social pressure, public opinion, or majority sentiment. When law enforcement processes begin to be influenced by the intensity of social media attention, a shift occurs in the source of legitimacy, from positive law to popularity and public perception.

One of the most critical implications of viral justice is the threat it poses to the independence of law enforcement officials and judicial institutions. Normatively, Article 24 paragraph (1) of the 1945 Constitution and Law Number 48 of 2009 on Judicial Power explicitly affirm that judicial authority must be free from interference by any party. However, viral pressure operates as a form of non-formal intervention that is difficult to identify and address within the existing legal framework. Law enforcement officials are thus confronted with a dilemma between consistently adhering to legal procedures and responding to public demands in order to preserve institutional legitimacy. Wahid, Rohadi, and Kusyandi demonstrate that in several viral cases, the acceleration of case handling was not driven by legal urgency, but rather by the escalation of public pressure.²⁶

A further implication of this condition is the emergence of legal uncertainty. The principle of legal certainty requires that all cases be processed according to the same legal standards, without discrimination. In contrast, the practice of viral justice creates a dual standard between viral and non-viral cases. Muhammad et al. emphasize that this phenomenon contributes to a reduction of criminal justice policy, whereby substantive justice is subordinated to the institutional need to respond to public expectations.²⁷ As a consequence, the principle of *equality before the law* is undermined, as case handling becomes dependent on the level of media exposure rather than on the gravity of the legal violation.

From the perspective of *due process of law*, viral justice directly threatens the presumption of innocence. Social media frequently frames individuals as perpetrators of crime prior to the issuance of a final and binding court judgment. Ismiati highlights that in cases of domestic violence, viral narratives often lead to the stigmatization of suspects while simultaneously exerting pressure on law enforcement authorities to impose immediate sanctions.²⁸ This condition contradicts the principle of due process, which places the assessment of guilt and evidentiary evaluation exclusively within the authority of the judiciary.

To clarify the structural implications of viral justice for the principles of the rule of law and due process of law, the following table presents an analytical comparative framework.

²⁶ Abdul Wahid, Rohadi Rohadi, and Andi Kusyandi, “‘No Viral No Justice’ Phenomenon in Indonesian Law Enforcement,” *Reformasi Hukum* (2025), <https://doi.org/10.46257/jrh.v29i1.1183>

²⁷ Rustamaji Muhammad et al., “The Reduction of Criminal Justice Policy in Indonesia: Justice versus Virality,” *Journal of Human Rights, Culture and Legal System* (2025), <https://doi.org/10.53955/jhcls.v5i2.637>

²⁸ Sapotosih Ismiati, “No Viral No Justice in the Law Enforcement System,” *Evolutionary Studies in Imaginative Culture* (2024), <https://doi.org/10.70082/esiculture.vi.1567>

Table 2. Implications of Viral Justice on Rule of Law and Due Process of Law

Legal Principle	Normative Standard	Impact of Viral Justice	Legal Risk
Judicial Independence	Freedom from external influence	Informal pressure from public opinion	Erosion of impartial adjudication
Legal Certainty	Equal treatment under the law	Selective enforcement based on virality	Inconsistent case handling
Presumption of Innocence	Guilt proven by court decision	Public labeling before trial	Reputational punishment
Due Process of Law	Procedural fairness and legality	Accelerated and reactive procedures	Procedural injustice
Rule of Law	Law as supreme authority	Public sentiment as de facto authority	Populist penalism

The table demonstrates that viral justice operates as a parallel force that is not normatively regulated, yet exerts tangible effects on the structure of law enforcement. Kharisma argues that viral justice is often perceived as an alternative form of social justice, whereas normatively it in fact has the potential to undermine the very foundations of justice itself.²⁹ When justice is measured by public response, the law loses its primary function as a mechanism for the protection of rights and the limitation of power.

In the context of freedom of expression, normative conflict is likewise unavoidable. Articles 28E and 28F of the 1945 Constitution of the Republic of Indonesia guarantee citizens the right to express opinions and to obtain information. However, such freedoms are not without limits. When digital expression results in pressure on ongoing legal proceedings, the state bears an obligation to balance freedom of expression with the protection of due process. Tanziluloh and Agmar emphasize that the principle of harm prevention (*preventie van schade*) must serve as the basis for proportionate restrictions on viral practices that disrupt judicial processes³⁰

Accordingly, the implications of viral justice for the rule of law and due process of law are structural and systemic in nature. Without the formulation of clear and firm legal norms, this phenomenon risks shifting the paradigm of law enforcement from legality toward popularity. Therefore, strengthening the normative framework and institutional ethics constitutes an urgent necessity to ensure that the law remains sovereign amid the pressures of digital culture.

CONCLUSIONS

Social media culture has given rise to the phenomenon of viral justice, which has demonstrably influenced law enforcement practices in Indonesia. This study affirms that digital public opinion pressure operates as a form of non-formal intervention that has not been adequately anticipated by positive law. The ambiguity of legal norms concerning the limits of viral culture's influence on the independence of law enforcement renders legal processes vulnerable to a shift from the logic of due process of law toward

²⁹ Dona Budi Kharisma, "No Viral No Justice: Is It a Principle of Social Justice?" *Safer Communities* (2024), <https://doi.org/10.1108/sc-07-2024-0037>

³⁰ M. I. Tanziluloh and Khoirun Nisa Aprilian Agmar, "Virality, Justice and the Principle of Blocking the Means to Evil," *De Jure* (2024), <https://doi.org/10.18860/j-fsh.v16i2.28847>

reputational responsiveness. This condition weakens the principles of the rule of law, legal certainty, and equality before the law.

The phenomenon of viral justice also reveals a normative conflict between freedom of expression and the protection of fair judicial processes. In the absence of clear boundaries, freedom of expression in digital spaces may foster practices of trial by social media that erode the presumption of innocence and the independence of law enforcement authorities. The inconsistency in handling viral and non-viral cases demonstrates that substantive justice is increasingly determined by case visibility rather than by the gravity of legal violations and lawful evidentiary procedures.

Based on these findings, there is an urgent need to formulate explicit legal norms that protect the independence of law enforcement from digital public opinion pressure without negating freedom of expression as a constitutional right. Systematic harmonization of regulations, particularly the Electronic Information and Transactions Law with the principles of due process of law, is essential. In addition, strengthening ethical guidelines for public communication by law enforcement authorities and enhancing public legal literacy constitute strategic measures to maintain a balanced relationship between digital freedom and the preservation of the rule of law in the era of social media.

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