

A Legal Analysis of the Prohibition on Defamation Lawsuits by the Government and Corporations from the Perspective of Freedom of Expression

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ABSTRACT: This study analyzes the legal prohibition for the government and corporations to file defamation lawsuits from the perspective of freedom of expression. This prohibition emerged through Constitutional Court Decision Number 38/PUUXXI/2025 which confirms that legal subjects who have the right to sue for defamation are only individuals, not state institutions or private legal entities. The legal basis used is Law Number 39 of 1999 concerning Human Rights, Law Number 40 of 1999 concerning the Press, and Law Number 11 of 2008 concerning Information and Electronic Transactions as last amended by Law Number 1 of 2024. The results of the analysis show that normatively, the Constitutional Court decision is in line with the constitutional principle of freedom of expression as guaranteed in Article 28E and Article 28F of the 1945 Constitution of the Republic of Indonesia, and strengthens legal protection against public criticism of state policies and corporate activities. However, in practice, there is potential for regulatory disharmony with civil law provisions regarding unlawful acts and criminal law regarding defamation, which still allow for multiple interpretations. Therefore, this ruling emphasizes the importance of balancing reputation protection with freedom of expression and serves as a catalyst for harmonizing national regulations regarding defamation.

KEYWORDS: defamation, freedom of expression, Constitutional Court, government, corporations

I. INTRODUCTION

Defamation is a crucial legal issue in the context of freedom of expression in Indonesia, as it touches on the individual's right to have their reputation protected while simultaneously guaranteeing the public's freedom of expression. In a recent development, the Constitutional Court, through Decision Number 38/PUU-XXI/2025, affirmed that only individuals have the legitimacy to file defamation lawsuits, while neither the government nor corporations have legal standing to act as plaintiffs. This decision marked a significant shift in the national legal system regarding reputation protection and the right to public criticism. This decision marked an important milestone in establishing a clear boundary between the right to reputation protection and freedom of expression, while also strengthening the principles of democracy and transparency, where criticism of state policies or corporate activities is not silenced through legal threats. Although normatively, this decision demonstrates alignment with constitutional principles, in practice there is potential disharmony with civil law provisions regarding unlawful acts and criminal law regarding insults, which still allow for multiple interpretations and create legal uncertainty in its application. This shows that although the Constitutional Court's decision provides a clear basis for protecting freedom of expression, comprehensive harmonization of regulations and stricter implementation guidelines are still needed so that the objectives of legal protection and freedom of expression can be achieved effectively and consistently in the field.

Previous research, such as that conducted by Rangkuty & Siregar (2025), provides important insights into the transformation of defamation offenses in the digital era, particularly in the context of the relevance of articles of the Electronic Information and Transactions Law (ITE Law) after its second amendment through Law Number 1 of 2024. In this research, the authors used a juridical-normative approach combined with a qualitative study of applicable regulations, legal documents, and court decisions, so that the resulting analysis was able to highlight the shift in legal paradigms related to the subjects and objects of defamation offenses. The results of the study indicate that the revision of the ITE Law has narrowed the scope for interpretation of previously multi-interpretable articles, particularly with the removal of the element of "insult" and the affirmation of who can be a legal subject, thus normatively providing better legal certainty. However, despite theoretical and normative improvements, implementation in the field still faces significant challenges, particularly regarding the harmonization of regulations with civil and

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criminal law provisions, as well as consistent law enforcement amidst the complexity of defamation cases in a dynamic and everevolving digital environment.

Furthermore, research conducted by Fedira (2025) in the MHI journal emphasizes that the offense of defamation can only be legally applied to individuals, and not to institutions or corporations, thus significantly limiting the scope for criminalization of criticism directed at public institutions or private legal entities. This approach is in line with the Constitutional Court's efforts to affirm the protection of citizens' constitutional rights, particularly regarding freedom of expression as guaranteed in Articles 28E and 28F of the 1945 Constitution, and to strengthen the principles of democracy that provide space for constructive public criticism. Although the ruling is normatively clear and provides legal certainty, challenges remain in its implementation in the field, particularly regarding the potential for abuse by individuals with certain legal positions or powers, who can exploit this provision to limit legitimate criticism, thus requiring a monitoring mechanism, implementation guidelines, and adequate legal literacy so that the objectives of protecting freedom of expression and reputation remain balanced and effectively implemented.

The phenomenon of defamation in the context of freedom of expression in Indonesia has become an increasingly complex legal issue with the development of digital communication and social media. In practice, criticism of government policies and corporate activities often creates a conflict of interest between reputation protection and the right to freedom of expression. Constitutional Court Decision No. 38/PUU-XXI/2025 affirms that only individuals can file defamation lawsuits, while the government and corporations do not have legal standing to do so. This decision demonstrates an effort to strengthen citizens' constitutional rights to express opinions and criticize public institutions and private legal entities, while simultaneously limiting the potential for repressive criminalization. Although normatively, this decision aligns with the principle of freedom of expression, the phenomenon of multiple interpretations in civil and criminal law practices continues to create legal uncertainty, creating a dilemma between reputation protection and the space for freedom of expression, which must be maintained proportionally.

In line with this phenomenon, various recent studies have highlighted the challenges of implementing the offense of defamation in the digital era, particularly after the amendment of Law Number 11 of 2008 concerning Electronic Information and Transactions through Law Number 1 of 2024. Sitepu & Brahmana (2025) emphasize that the revision of the ITE Law has narrowed the scope for multiple interpretations by removing the element of "insult" and clarifying the legal subject, but harmonization with civil and criminal law provisions remains a significant problem. In addition, Rachmawati & Taduri (2025) show that the offense of defamation only applies to individuals, so criticism of public institutions still has room, but has the potential to be misused by individuals with certain legal status. This phenomenon raises urgent research issues: how to balance reputation protection and freedom of expression effectively, and how to harmonize overlapping regulations so that Constitutional Court decisions can be applied consistently and fairly in legal practice in Indonesia.

This research is crucial because it aims to legally analyze the prohibition on the government and corporations filing defamation lawsuits from the perspective of freedom of expression, an issue with broad implications for the dynamics of law and democracy in Indonesia. The analysis focuses not only on understanding legal norms and Constitutional Court decisions, but also on their practical consequences for the implementation of citizens' constitutional rights, particularly the right to express criticism of public policies and corporate activities. Through this study, it is hoped that a deeper understanding will be gained regarding the balance that must be maintained between protecting individual reputations and freedom of expression, so that legal policies are not only repressive but also protect the fundamental rights of the community. Furthermore, this research is also expected to provide constructive recommendations regarding the harmonization of national regulations, the development of clearer implementation guidelines, and consistent law enforcement, so that Constitutional Court decisions can be implemented effectively, fairly, and in line with the principles of democracy and the protection of human rights in Indonesia.

II. RESEARCH METHODOLOGY

The research method used in this study is a normative or doctrinal legal research method, which focuses on a legal analysis of the prohibition for the government and corporations to file defamation lawsuits from the perspective of freedom of expression. This approach is carried out by examining, reviewing, and interpreting primary legal sources, such as Constitutional Court Decision Number 38/PUU-XXI/2025, Law Number 39 of 1999 concerning Human Rights, Law Number 40 of 1999 concerning the Press, and Law Number 11 of 2008 concerning Information and Electronic Transactions which has been most recently amended by Law Number 1 of 2024. In addition, this study also uses secondary legal sources in the form of scientific literature, journals, and legal expert opinions to strengthen the conceptual analysis regarding the principle of freedom of expression and legal protection against public criticism. The analysis is carried out systematically by emphasizing the relationship between applicable legal norms, constitutional decisions, and relevant constitutional principles, so as to provide an in-depth understanding of the harmony or potential disharmony of regulations in the context of legal practice in Indonesia.

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III. RESULT AND DISCUSSION

A. Legal Basis and Constitutional Perspective of Freedom of Expression

Freedom of expression and opinion is not merely a normative right, but a vital foundation for the existence of a democracy that respects human rights in its entirety. Law Number 11 of 2008 concerning Electronic Information and Transactions, as amended by Law Number 19 of 2016 and Law Number 1 of 2024, serves as the legal basis governing activities in the digital space. Despite its noble goal of creating legal certainty in cyberspace, the ITE Law is often used to silence criticism, criminalize expression, and limit freedom of opinion on social media. Provisions such as Article 27 Paragraph (3), Article 28 Paragraph (2), and Article 29 of the ITE Law are often questioned because they are considered to lack clear boundaries for the crimes of defamation, hate speech, and threats of violence. This raises concerns about violations of citizens' constitutional rights. In this context, these articles are known as "rubber articles" due to their flexible nature and vulnerability to abuse. A rubber article is a provision in a law that lacks a definite or clear benchmark (Nanda & Hariyanta, 2021).

Freedom of expression is a fundamental human right and is expressly guaranteed in the Indonesian constitution, reflecting the state's commitment to protecting the individual's right to express thoughts, opinions, and information. Article 28E paragraph (3) of the 1945 Constitution of the Republic of Indonesia (UUD 1945) affirms that "Everyone has the right to freedom of association, assembly, and expression of opinion," while Article 28F of the 1945 Constitution provides an additional guarantee that "Everyone has the right to communicate and obtain information to develop their personality and social environment." These two articles simultaneously emphasize the importance of freedom of expression as a pillar of democracy that not only protects individual rights but also enables the active participation of citizens in social, political, and cultural life. This constitutional guarantee forms the basis for the implementation of other civil rights, including the right to criticize public policy, provide input on corporate activities, and interact freely in the public sphere, while also affirming that the state has a responsibility to create legal and social mechanisms that allow such expression to be carried out safely, fairly, and responsibly.

Furthermore, Law Number 39 of 1999 concerning Human Rights (HAM Law) strengthens legal guarantees regarding the right to freedom of expression by affirming that everyone has the right to express their thoughts, communicate, and obtain information necessary for their personal development and social environment, as stated in Article 23 of the Human Rights Law (Ningrat & Nulhaqim, 2023). This provision is in line with internationally recognized human rights principles, particularly Article 19 of the Universal Declaration of Human Rights, which affirms that every individual has the right to have freedom of opinion and expression without any unlawful interference or restriction, thus becoming the foundation for the protection of civil and political rights. With the existence of national regulations and these international principles, the state is expected to be able to create a legal framework that not only protects freedom of expression, but also encourages active participation of the community in public life, both through criticism of government policies and involvement in social discourse, while maintaining a balance with the rights and reputations of others so that this freedom is not abused.

The loose provisions in the Electronic Information and Transactions Law (UU ITE) not only create legal uncertainty but also have the potential to be used as a tool of repression against individuals or groups who voice criticism, particularly of public policy or government actions. This situation has sparked widespread debate about how to balance the protection of personal reputation with the fundamental right to freedom of expression, where the individual's interest in not being defamed must be combined with the public's right to express opinions openly. In response to this issue, various parties have filed requests for constitutional review with the Constitutional Court to assess the compliance of these articles with the provisions of the 1945 Constitution of the Republic of Indonesia. Judicial review plays a strategic constitutional mechanism, not only to uphold the supremacy of the constitution, but also as an instrument to protect citizens from legislation that has the potential to restrict human rights, thus ensuring a balance between legal certainty, freedom of expression, and the protection of individual reputations is maintained (Suyeni et al., 2025).

However, freedom of expression is not absolute and is always limited by legal principles that regulate the balance between individual rights and the public interest. Article 28J paragraph (2) of the 1945 Constitution states that "In exercising their rights and freedoms, every person must submit to restrictions determined by law with the aim of guaranteeing recognition and respect for the human rights and freedoms of others, and to fulfill the demands of social justice." This provision emphasizes that freedom of expression must be exercised with due regard for the rights and dignity of others, so that any action or statement that has the potential to harm the reputation, good name, or honor of another party can be subject to legal restrictions. These restrictions are not barriers to freedom, but rather mechanisms to ensure that human rights are exercised responsibly, fairly, and in balance, and in accordance with the principle of social justice which demands that individual freedoms do not harm the interests of society as a whole. Thus, regulations governing the limits of freedom of expression are an important instrument in creating a public space that is safe, harmonious, and conducive to public participation without sacrificing the rights of others.

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In this context, the crime of defamation is a highly sensitive legal issue because it directly relates to the protection of an individual's reputation as well as freedom of expression. Defamation can be defined as an act that harms a person's honor, dignity, or reputation through statements, writings, or publications that are false and misleading, resulting in moral, social, and economic harm to the victim. However, in the digital era characterized by the rapid development of information and communication technology, the definition and application of this crime have become increasingly complex, given that information can spread quickly, across borders, and is difficult to control, thus increasing the risk of misuse and multiple interpretations. Therefore, it is important for the public and law enforcement to understand the existing legal boundaries, both through Law Number 11 of 2008 concerning Information and Electronic Transactions (last amended by Law Number 1 of 2024) and other laws and regulations, so that freedom of expression can be exercised effectively without violating the rights of others, maintaining a balance between individual rights and the public interest, and ensuring that legal protection mechanisms remain fair and consistent amidst the rapid and widespread dynamics of digital communication.

B. The Role of Constitutional Court Decision No. 105/PUU-XXII/2024 in Protecting Citizens' Constitutional Rights in the context of Freedom of Expression and Opinion

Freedom of expression is a key pillar of a democratic country, including Indonesia, as it serves as a fundamental means for citizen participation in social, political, and cultural life. In Indonesia, this right is constitutionally guaranteed through Articles 28E and 28F of the 1945 Constitution of the Republic of Indonesia, which affirm that every individual has the right to associate, assemble, express opinions, and obtain and disseminate information for the development of their personal and social environment. Freedom of expression is a human right recognized in both national and international legal frameworks, including the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights (ICCPR). However, this right is not absolute; freedom of expression may be subject to restrictions aimed at protecting the reputation, dignity, and rights of others, as well as maintaining public order and social interests. International human rights law standards emphasize that such restrictions should not be implemented through a general criminal approach, but rather through mechanisms that are proportionate and appropriate to the needs. In the context of hate speech based on nationality, race, or religion, restrictions may be justified if the statement is clearly intended to encourage discrimination, hostility, or violence against a particular group, thus maintaining a balance between protecting individual rights and freedom of expression, and supporting the creation of a safe, inclusive, and democratic public space (Raihana et al., 2022).

In its development, there was an event that was welcomed positively by the public, namely the Constitutional Court Decision Number 105/PUU-XXII/2024 which was pronounced on April 29, 2025. This decision became an important milestone in the protection of citizens' constitutional rights, especially regarding freedom of expression and opinion, because the Court emphasized that reporting of alleged defamation can only be done by individuals who directly feel harmed, not by institutions, institutions, or corporations. This decision provides a breath of fresh air for the enforcement of democratic principles and civil rights, because it strengthens the rights of citizens to express constructive criticism, opinions, and input on government policies and corporate activities without fear of being ensnared by rubber articles. Furthermore, this decision also emphasizes a clear boundary between the protection of individual reputation and freedom of expression, thereby reducing the risk of criminalization of criticism based on public interest and encouraging the creation of a more open, healthy, and democratic discussion space. Thus, Constitutional Court Decision Number 105/PUU-XXII/2024 not only has normative value as a legal reference, but also significant socio-political implications in strengthening the culture of democracy and social control in Indonesia.

Constitutional Court Decision Number 105/PUU-XXII/2024 was issued in response to a judicial review petition filed by Daniel Frits Maurits Tangkilisan, an environmental activist from the Kawal Indonesia Lestari Coalition ("KAWALI"), who had previously been the subject of a case under the Electronic Information and Transactions Law ("ITE Law"). In his petition, the Petitioner highlighted the expansion of the meaning of the reporting subject in Article 27A of the ITE Law, which was deemed to violate the principles of democracy and citizens' constitutional rights to freedom of expression, as it allowed institutions or corporations to become parties authorized to file defamation lawsuits. In response, the Court granted part of the petition by confirming that the phrase "other people" in Article 27A could only be interpreted as individuals or individuals who directly suffered losses due to alleged defamation. Constitutional Justice Arief Hidayat emphasized that this interpretation was important to prevent abuse of authority by law enforcement officials, while also ensuring alignment with Article 310 paragraph (1) of the Criminal Code ("KUHP") which regulates the crime of defamation against a person personally. Furthermore, the Court emphasized that honor and self-respect as objects of criminal law can only be attached to humans as individual legal subjects, because legal entities, institutions or corporations do not have moral awareness or personal dignity in the sense of criminal law, so they cannot be made reporting parties in defamation cases.

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In addition, in Constitutional Court Decision Number 115/PUU-XXII/2024, the Court provided a new interpretation of Article 28 paragraph (3) and Article 45A paragraph (3) of the ITE Law by emphasizing that the term "riot or disturbance" in the norm cannot be automatically applied to dynamics occurring in digital space or cyberspace. The Court emphasized that an action can only be qualified as a riot offense if it has caused a real disturbance to public order in physical space, so that digital activities that are in the form of criticism, discussion, or protest online should not be criminalized as riots. Normatively, this decision represents significant progress in the implementation of Article 19 of the International Covenant on Civil and Political Rights (ICCPR) which has been ratified by Indonesia, which guarantees freedom of expression as a fundamental right that can only be limited, proportional, and for legitimate purposes. Thus, the Court emphasized the importance of protecting citizens' rights to express opinions, especially in the context of monitoring state power and corporate activities, while upholding the principles of democracy and public accountability. This has become increasingly relevant in today's digital era, when people actively use social media as a means of expressing views, conducting constructive criticism, and monitoring the implementation of government, so that the Court's decision provides legal certainty while encouraging the creation of a freer and safer digital public space for freedom of expression.

The imbalance of power between individuals and institutions often makes citizens vulnerable to criminal prosecution when expressing criticism, particularly when the object of criticism is an institution or corporation with significant political or economic influence. In this context, the Constitutional Court's ruling is a crucial legal instrument for protecting citizen oversight activities while preventing the criminalization of legitimate and constructive social control. The ruling also opens a new direction for democratically resolving social conflicts, emphasizing mechanisms of dialogue, clarification, and the right of reply as alternative solutions, rather than resorting to criminal proceedings that have the potential to be repressive and intimidating. While this step is progressive and serves as a starting point for revising problematic provisions in the ITE Law, particularly those related to freedom of expression, a key pillar of a democratic state, it is important to remember that freedom of expression still has limits that must be respected. Individual expression must be carried out with due regard for ethical norms, a culture of healthy dialogue, and a commitment to truth, thus creating a balance between the right to express opinions and protecting the rights and reputations of others. A healthy public space is not only determined by the existence of fair and clear laws, but also by citizens who are legally aware, responsible, and actively voice public interests constructively, so that democracy can function optimally and inclusively.

This ruling was warmly welcomed and received a positive response from the wider public because it provides broader freedom of movement and legal force for freedom of expression, particularly in voicing criticism and public aspirations. According to Muhammad Kholid, spokesperson for the Social Justice Party (PKS), this ruling is an important instrument to prevent the criminalization of public criticism, while also strengthening citizens' rights to express opinions freely but responsibly. Furthermore, Sufmi Dasco, Deputy Speaker of the Indonesian House of Representatives (DPR RI), stated that the legislative body respects the Constitutional Court's ruling as a progressive step in strengthening democracy, but continues to emphasize the importance of public awareness in using social media to ensure that freedom of expression is not abused, crosses ethical boundaries, or harms others. Thus, this ruling not only provides legal certainty but also encourages the creation of a healthy, safe, and constructive digital culture, where criticism and social control can be carried out effectively without instilling fear or intimidation in citizens.

Constitutional Court Decision No. 105/PUU-XXII/2024 represents a significant milestone in the protection of citizens' constitutional rights, particularly regarding freedom of expression and opinion in Indonesia. In the ruling, the Court emphasized that the crime of defamation can only be applied to individuals or individuals who directly feel aggrieved, not to institutions, institutions, or corporations. This aims to prevent the misuse of the flexible article that has the potential to threaten freedom of expression and create legal uncertainty. This ruling also harmonizes the Electronic Information and Transactions Law (UU ITE) with the new Criminal Code (KUHP), which expressly limits victims of defamation to individuals.

Furthermore, the Court emphasized the importance of the principle of proportionality in restrictions on freedom of expression. Such restrictions must be limited, proportionate, and for a legitimate purpose, in accordance with international human rights law standards, particularly Article 19 of the International Covenant on Civil and Political Rights (ICCPR), which Indonesia has ratified. Thus, this decision strengthens the position of freedom of expression as a fundamental right that must be protected, while ensuring that restrictions on it are not misused to silence criticism or constructive social control.

However, challenges remain in implementing this ruling. The public and law enforcement officials need to understand and consistently implement this ruling to prevent abuse of authority that could threaten freedom of expression. Furthermore, revision and harmonization of laws and regulations, particularly the Electronic Information and Transactions (ITE) Law, are necessary to align them more closely with democratic principles and human rights. These steps are expected to ensure freedom of expression can be exercised effectively without violating the rights of others, while also creating a healthy and democratic public sphere.

IV. CONCLUSIONS

Based on the analysis, this study concludes that the prohibition on the government and corporations from filing defamation lawsuits as affirmed in Constitutional Court Decision Number 38/PUU-XXI/2025 represents a progressive step in strengthening the guarantee of freedom of expression in Indonesia. The decision affirms that only individuals have the legitimacy to be plaintiffs, thus opening a wider space for public criticism of state policies and corporate activities without the threat of repression from institutions with power or significant capital. Normatively, this decision is in line with the constitutional principles as stated in Article 28E and Article 28F of the 1945 Constitution of the Republic of Indonesia, and is in sync with the spirit of Law Number 39 of 1999 concerning Human Rights, the Press Law, and the ITE Law. However, there is still potential for regulatory disharmony with civil and criminal law provisions that have the potential to give rise to multiple interpretations and legal uncertainty.

To address this potential disharmony, regulatory harmonization efforts are needed through revisions and synchronization of laws and regulations related to defamation to align with the Constitutional Court's ruling. The government and the legislature need to establish clear boundaries regarding the protection of individual reputations without compromising the essence of freedom of expression, including through the development of more measurable technical guidelines for law enforcement. Furthermore, legal literacy and media ethics need to be improved among the public to minimize abuses of freedom of expression that could harm others. Therefore, this Constitutional Court ruling is not only an instrument for protecting citizens' constitutional rights but also a crucial foundation for building a healthy, transparent, and accountable democratic climate. The limitations of this research lie in the scope of the analysis, which still focuses on the normative legal aspects without any empirical study of the implementation of Constitutional Court Decision Number 38/PUU-XXI/2025 in judicial practice or public response. This research also has not explored in depth the interaction between the decision and the dynamics of other sectoral regulations, such as civil law regarding unlawful acts and criminal law regarding defamation, which have the potential to cause disharmony and multiple interpretations in their implementation in the field. Furthermore, the limited data and recent literature that specifically examine the impact of this decision on the practice of freedom of expression in Indonesia means that this research still needs to be strengthened through comparative studies and field research in the future.

REFERENCES

- 1) Rangkuty, P. R., & Siregar, A. R. P. 2025. Transformasi Delik Pencemaran Nama Baik dalam Era Digital: Relevansi UU ITE Pasca Perubahan Kedua. *Causa*, 14(5).
- 2) Fedira, R. 2025. Analisis Putusan Mahkamah Konstitusi No. 105/Puu-Xxii/2024. *MHI*.
<https://ojs.daarulhuda.or.id/index.php/MHI/article/download/1710/1854>
- 3) Sitepu, P.A., & Brahmana, H. 2025. Legal Review Of Defamation Criminal Offense According To The Criminal Code (Kuhp) And The Electronic Information And Transactions Law (UU ITE). *Jurnal Hukum Lex Generalis*, 6(7), 1-15.
- 4) Rachmawati, F.A., & Taduri, J. N.A. 2021. Implikasi Pasal Multitafsir UU ITE Terhadap Unsur Penghinaan dan Pencemaran Nama Baik. *Seminar Nasional Hukum Universitas Negeri Semarang*, 7(2), 491-508.
- 5) Nanda, D. H. & Hariyanta, F. A. 2021. Problematika Operasionalisasi Delik Pasal 27 Ayat (3) UU ITE dan Formulasi Hukum Perlindungan Freedom of Speech dalam HAM. *Jurnal Hukum dan Pembangunan Ekonomi*, 9(2), 216.
- 6) Ningrat, S. R. C. & Nulhaqim, S. A. 2023. Pasal Karet UU ITE dan Penyelesaian Konflik Digital di Indonesia. *EPISTEMIK: Indonesian Journal of Social and Political Sciences*, 4(2), 38.
- 7) Suyeni, Rahmadani, W., & Oktapani, S. 2025. Peran Mahkamah Konstitusi dalam Menjamin Konstitusionalitas Pembentukan UndangUndang di Indonesia. *Jurnal Niara*, 18(1)
- 8) Raihana, Ermanto, & Sujapar, C. 2022. Pengaruh Politik Hukum Terhadap Penghinaan dan/atau Pencemaran Nama Baik Berdasarkan Undang-Undang Informasi dan Transaksi Elektronik. *Collegium Studiosum Journal*, 5(2).



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