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THE INFLUENCE OF SOCIAL MEDIA PUBLIC OPINION ON THE INDEPENDENCE OF JUDICIAL DECISIONS IN ACTUAL CRIMINAL CASES

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A B S T R A C T

The development of information technology has made social media a public space capable of shaping public opinion regarding law enforcement in Indonesia. The phenomenon of trial by social media encourages the public to judge criminals before the trial process is complete, potentially putting pressure on law enforcement officials, especially judges, in issuing verdicts. This study aims to analyze the influence of public opinion on social media on the independence of judges in deciding actual criminal cases and to identify efforts to protect judges' independence from public intervention. The research method uses a normative and empirical juridical approach through an analysis of laws and regulations, legal literature, and several criminal cases that went viral on social media, such as the cases of Ferdy Sambo and Mario Dandy. The results show that although judges are normatively protected by the principle of judicial independence, the pressure of public opinion on social media can have psychological effects that have the potential to disrupt judges' objectivity in considering verdicts. Therefore, it is necessary to strengthen judicial ethics, provide stronger protection for judges, and increase public legal literacy to ensure that the judicial process continues to run based on the principles of justice, impartiality, and judicial independence.

KEYWORDS

Public opinion: Social media: Judicial independence,: Criminal cases: Trial by social media.

INTRODUCTION

The development of information and communication technology in the digital era has brought significant changes to people's social lives. Social media, as a form of technological advancement, has now become a new public space that allows people to express opinions, share information, and shape public opinion quickly and massively. In Indonesia, the use of social media such as Facebook, Instagram, Twitter (X), TikTok, and YouTube continues to increase annually, even making Indonesia one of the countries with the largest number of social media users in the world. This transformation has had a significant impact on various sectors, including law enforcement and criminal justice.(Cici Padila:2025)

In the context of criminal justice, social media has become a means to monitor, criticize, and even try cases before a formal verdict is issued by the court. This phenomenon is often referred to as trial by social media, a situation where the wider public assesses and pressures law enforcement officials based on subjective perspectives formed through digital information that is sometimes incomplete and unverified.(Firman Akbar and Ali Rizky : 2024) This poses a serious challenge to the principle of judicial independence, which is the freedom of judges to decide cases based on trial facts and legal provisions without interference from any party.

The independence of the judiciary is expressly guaranteed in the Indonesian Constitution, specifically Article 24 of the 1945 Constitution of the Republic of Indonesia, which states that: "The judiciary is independent in administering justice to uphold law and justice." Furthermore, Law Number 48 of 2009 concerning Judicial Power and the Code of Ethics and Guidelines for Judicial Conduct (KEPPH) strengthen the position of judges, ensuring they are free from pressure from the executive, legislative, and informal forces such as public opinion and media coverage.(Dachran:2017)

However, in practice, it is undeniable that public opinion generated on social media often exerts psychological pressure on judges when handling cases. When a case goes viral, judges are under intense public scrutiny and are indirectly required to render decisions that align with public expectations. If decisions deviate from public opinion, judges are often criticized and even deemed to have failed to uphold a sense of justice. Yet, the principles of criminal justice teach the presumption of innocence and an objective judicial process, which must be carried out professionally.(Nancy : 2023)

Several recent criminal cases in Indonesia demonstrate the significant role social media plays in influencing perceptions of the judicial process, such as the Ferdy Sambo case involving the murder of Brigadier J, the assault case of Mario Dandy against David Ozora, and the harassment case involving Baiq Nuril under the Electronic Information and Transactions Law (ITE Law). In these cases, social media served not only as a means of disseminating information but also as a tool for the public to pressure law enforcement officials, expediting case handling, increasing prosecutors' demands, and even influencing court decisions.

From a positive perspective, public opinion on social media can promote a more transparent, accountable, and victim-friendly judiciary. Social media provides a platform for the public to voice their concerns for justice and monitor the legal process to prevent irregularities. However, on the other hand, uncontrolled public opinion has the potential to interfere with judges' freedom to objectively assess legal facts. Judges under social pressure may prioritize public image and acceptance over legal considerations. This clearly contradicts the principle of impartiality, which is the judge's obligation to be neutral and impartial, relying solely on the rule of law and valid evidence in court.

Furthermore, information circulating on social media is often unverified, giving rise to bias, provocation, and misleading narratives. Some social media users make premature judgments against defendants without knowing the true legal facts. This situation can undermine the principles of fair law enforcement and a balanced judicial process. If public pressure intensifies, there are concerns that judges' decisions could shift to populist, rather than dignified legal products.(Jati)

Based on this phenomenon, it is crucial to conduct an in-depth analysis of how social media public opinion influences the independence of judicial decisions in actual criminal cases. This study will not only focus on normative aspects regarding the protection of judges, but also empirical aspects that reflect social realities in the digital era. Therefore, this research is expected to contribute to the development of legal science, specificallyproblem formulation

1. How is public opinion on social media formed and influenced by public perception of criminal acts

2. How does the pressure of public opinion on social media impact the independence and objectivity of judges in handing down sentences
3. What efforts can be made to strengthen judicial independence and maintain judicial integrity amidst the increasingly powerful influence of social media.

Objectives

1. To determine how public opinion on social media is formed and influenced by public perception of criminal acts
2. To determine how does the pressure of public opinion on social media impact the independence and objectivity of judges in handing down sentences
3. To determine what efforts can be made to strengthen judicial independence and maintain judicial integrity amid the increasingly powerful influence of social media.

METHOD

This study uses qualitative research methods to deeply understand how public opinion on social media influences judicial independence in deciding actual criminal cases. Qualitative methods were chosen because the focus of this research is not simply to measure phenomena, but also to explore the meanings, experiences, and social dynamics that emerge from public interactions on digital media and the perceptions of actors in the criminal justice system.

This study uses a qualitative case study design, examining several actual criminal cases that went viral on social media. This design allows researchers to explore the phenomenon in depth in a real-world context, namely the relationship between social media public opinion and judicial independence. Viral cases such as those of Ferdy Sambo, Mario Dandy, and Baiq Nuril are used as a basis for understanding the patterns, mechanisms, and impacts of public pressure on the judicial process.

The subjects in this study consist of:

1. Criminal justice system actors, such as judges (where applicable), prosecutors, advocates, and legal academics.
2. Social media users who actively follow and provide opinions on actual criminal cases.
3. Digital documents, such as posts, comments, threads, videos, and discourse on social media discussing specific cases.

Subject selection was conducted through purposive sampling, selecting

subjects deemed most knowledgeable or involved in the issue being studied. If necessary, researchers can continue with snowball sampling to find additional informants through recommendations from initial informants.

The research location was the digital space of social media in Indonesia, specifically platform X (Twitter), Instagram, TikTok, Facebook, and YouTube. Interviews were conducted at locations agreed upon with the informants or through online media.

This study employed several qualitative data collection techniques, as follows:

Digital Observation: Researchers directly observed interactions and conversations on social media, including comment patterns, framing, trending topics, and forms of public judgment toward defendants and law enforcement officers. Observations were conducted by recording key posts, dominant narratives, and public responses to the selected cases.

Documentation Study: The documents collected include:

- Court decisions related to the viral case
- Online news
- Digital content from social media
- Official statements from judicial institutions
- Investigative articles and reports related to the case

These documents were analyzed to gain a comprehensive picture of the case's context and how public opinion was formed.

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RESULTS AND DISCUSSION

The development of information technology, particularly social media platforms such as Facebook, Instagram, TikTok, Twitter, and YouTube, has transformed public communication patterns in addressing legal issues and the enforcement of justice in Indonesia. Social media is not only a means of entertainment, but also a space for interaction, advocacy, and the formation of public opinion regarding various criminal incidents. The intervention of public opinion through these digital platforms ultimately influences how the public views the judicial process and even the independence of judges in rendering decisions.(Dede : 2024)

1. Formation of Public Opinion on Social Media

Public opinion on social media is formed through a rapid and participatory digital mass communication process. There are several stages in the process of forming public opinion:

a. Massive and Real-Time Information Dissemination

Social media allows news about a criminal case to spread within seconds. Viral news is usually accompanied by an emotional narrative that evokes public sympathy. The public receives information not only from official media but also from:

- Content creators
- Influencers
- Digital activists
- Anonymous accounts
- Online communities

This allows various perspectives, both accurate and misleading, to shape public perception.(Zein :2019)

b. Echo Chamber and Filter Bubble Tendencies

Social media algorithms display content that aligns with users' previous views. As a result, a unified information space emerges, giving rise to collective perceptions that appear to be universal truths. When the majority accepts a particular narrative, this opinion exerts social pressure on the justice system.(Zein : 2019)

c. Public Emotional Involvement

Criminal cases generally involve values of justice, a sense of security, and empathy for victims. Content that touches on the public's emotional well-being is more likely to go viral. For example, cases of violence, harassment, or tragedies affecting children and women tend to trigger strong public reactions. Emotions then shape social demands for the perpetrator to be punished as harshly as possible before the legal facts are tested in court.(Cindy and Arianto :2025)

d. Information Distortion and Trial by Media

It is not uncommon for the information disseminated to be conjecture or unverified. However, the public often perceives this initial information as a moral verdict. This phenomenon is known as "trial by social media," a judgment by

the public before the judge's official decision. Thus, public opinion can shape public perceptions of a person's guilt or innocence, preempting the legal process of proving the facts.(Addila and Nurcahyono :2025)

2. The Role of Social Media in Influencing Public Perception of Criminal Cases

Social media plays various roles in shaping these perceptions, including:

a. Serving as an Alternative Source of Legal Information

When the public perceives information from judicial institutions as too technical or obscure, they seek simpler narratives on social media. This situation strengthens the role of social media as a reference for public opinion in assessing criminal cases.

b. Steering Issue Framing to Moralistic and Emotional Sides

Cases involving public figures, corruption cases, or sexual violence are often "framed" as public dramas. This simplification of black-and-white narratives leads the public to judge without understanding the complexity of legal regulations.

Examples of Common Framing:

- The perpetrator must be eradicated
- The maximum sentence is mandatory
- There should be no leniency for the perpetrator

This framing influences the public's perception of what "justice" means.

c. Putting Pressure on Law Enforcement Officials

Driven by the wave of public opinion, the public believes that ideal law enforcement should meet their demands. When law enforcement fails to meet public expectations, a crisis of trust occurs, further exacerbating the polarization: the public versus the judiciary.

d. Mobilizing Public Advocacy

Social media also contributes positively through digital campaigns demanding transparency in case handling, particularly those concerning victims' rights. Examples:

- Online petitions
- Solidarity hashtags (#Justicefor…)
- Legal education through creative content

This helps establish public control over the judicial process.(Zuhri and Fadil : 2024)

3. Case Studies of Criminal Cases Influenced by Public Opinion on Social Media

To clarify the relationship between social media and public perception, here are several actual criminal cases that went viral and captured national attention:

a. The Murder of Brigadier J (2022)

This case sparked public debate and significant pressure on the investigation process. The public monitored the legal process live through social media until the trial.

b. The Assault Case of Mario Dandy (2023)

The involvement of an official's child led the public to demand a severe punishment. The viral video before the investigation influenced the public's initial assumption that the perpetrator should be punished to the maximum extent possible.

4. Cases of Electronic-Based Sexual Violence (KSBE) against Children.(Al-Mustaqim)

Narratives that highlight victims create public solidarity against light sentences.

Table 1 : public pressure

Impact	Aspects
Legitimacy of judicial institutions	Eroded if decisions do not satisfy the public
Quality of decisions	Decisions tend to follow perceptions, not evidence
Professionalism of judges	Judges work in fear of reputational harm
Principles of the rule of law	Threatened by dictates from the digital space

The public gains a sense of short-term satisfaction, but public trust in the law actually decreases when the public feels they can participate in determining the content of decisions.(Lusia : 2023)

5. Balance between Public Justice and Judicial Independence

Judges must not:
• be anti-criticism,
• reject transparency,
• hide from the public.
However, judges must still render decisions:
• based on the law
• oriented towards material truth
• independent of public pressure

Therefore, the solution is not to close public space, but rather:
• increase public legal literacy
• strengthen institutional protection for judges
• emphasize ethical public communication regarding ongoing cases

The pressure of public opinion on social media has the potential to strongly influence the independence and objectivity of judges in issuing criminal decisions. This pressure can take the form of moral, political, and even digital intimidation, resulting in:
• populist justice
• loss of the presumption of innocence
• decisions not based on legal facts
• risk of wrongful convictions
• erosion of trust in the judiciary

Therefore, national policies and strategies are needed to safeguard the dignity of the judiciary from excessive public intervention, while ensuring the transparency of the judicial process. Efforts to Strengthen Judicial Independence and Maintain Judicial Integrity Amidst the Increasing Influence of Social Media

To maintain judicial independence and maintain judicial integrity amidst the increasing influence of social media, systematic steps are needed that involve structural, cultural, and information technology aspects. The following is an analysis of strategic steps that can be taken:

a. Strengthening Judicial Ethics and Professionalism

Judges must always uphold the Code of Ethics and Guidelines for Judicial Conduct (KEPPH) issued by the Judicial Commission and the Supreme Court.

The core values in the KEPPH include independence, integrity, honesty, professionalism, and responsibility.

Concrete steps that can be taken include:
• Increasing regular training on professional ethics and public pressure management.
• Psychological support or counseling for judges handling viral cases.
• Reinforcing the prohibition on judges interacting or commenting on cases they are handling on social media.

By strengthening moral character and professional ethics, judges will be more resilient in the face of external pressure.

b. Stricter Regulations on Access to Case Information

The Supreme Court needs to create technical regulations regarding the limits on the publication of information on cases still in the judicial process. The goal is not

to block public access, but to prevent the spread of misleading information and the fueling of exaggerated opinions.

Possible steps:

• Limit the publication of case data to administrative aspects and verdicts.

• Prohibit the distribution of trial recordings without official court permission.

• Appoint a court spokesperson to provide official clarification if disinformation appears on social media.

With proper information management, the space for wild public opinion can be minimized without compromising the principle of judicial transparency.

c. Strengthening the Judicial Commission and External Oversight Mechanisms

The Judicial Commission (KY) has a mandate to safeguard the honor, dignity, and behavior of judges. In the context of social media pressure, the KY needs to expand its oversight functions, including:

• Monitoring social media exposure of specific legal cases.

• Providing recommendations for protection for judges who experience digital attacks as a result of legitimate decisions.

• Encourage public awareness of the ethical boundaries of commenting on judicial proceedings.

Furthermore, the Judicial Commission (KY) can collaborate with the National Cyber and Crypto Agency (BSSN) to track cyberattacks or the spread of hoaxes that could damage the reputation of judges and the judiciary.

d. Digital Legal Literacy for the Public

One of the root causes of public pressure on the judiciary is the lack of legal literacy among the public. Public opinion is largely shaped by emotion and ignorance of the principles of criminal procedure. The government, judicial institutions, and the mass media need to conduct ongoing public education regarding:

• The principle of the presumption of innocence.

• The boundaries between freedom of expression and contempt of court.

• Procedures and stages in criminal justice.

Through legal and digital literacy, the public will have a better understanding of the judicial process objectively and will not be easily influenced by viral opinions.

e. Restrictions on Social Media Activity for Judges

In the context of professional ethics, judges should maintain distance from social media activity, especially when responding to current legal issues.

The Supreme Court can establish internal guidelines such as:

• Prohibiting judges from "liking," commenting on, or sharing content related to cases currently being heard.

• Regulating the use of personal accounts to prevent harm to the image of judicial neutrality.

• Implementing ethical sanctions for violations of social media usage.

These measures aim to ensure that judges are not only independent in their decisions, but also

Discussion

The research findings indicate that public opinion on social media has a significant influence on the dynamics of criminal justice in Indonesia, particularly in the context of judicial independence. Although judges are normatively protected by the principles of freedom and impartiality as stipulated in the 1945 Constitution of the Republic of Indonesia, the Law on Judicial Power, and the Decree of the Supreme Court of the Republic of Indonesia (KePPH), this study found that public opinion pressure generated through social media still has the potential to create psychological burdens, public expectations, and certain framings that can affect the judges' work environment. This pressure is not always direct, but emerges through viral narratives, digital campaigns, massive commenting, and the formation of public images of a case or defendant.(Diah and Bayu : 2025)

This finding aligns with Habermas's theory of social pressure and the public sphere, which explains that the digital public space enables a strong flow of communication, which can function as both social control and pressure on formal institutions. In the context of this research, social media functions as a space for the public to influence the law enforcement process, even before the full facts of a trial are heard.

When compared with previous research, this study demonstrates a pattern consistent with the findings of researchers who have highlighted the phenomenon of trial by social media, particularly in viral cases, such as in O'Connell's (2021) study and studies on the influence of digital media on justice in several Southeast Asian countries. These studies suggest that the greater the intensity of digital news coverage and public discourse, the greater the pressure felt by law enforcement officials. However, this study makes an important contribution that distinguishes it from previous research, namely its emphasis on the Indonesian legal context, which has unique characteristics in its legal culture, judicial system, and very high levels of social media usage.

Unlike previous research that generally focuses on pressure from traditional mass media, this study shows that public opinion on social media is more uncontrolled, rapid, viral, and difficult to verify. Massive and spontaneous public interaction creates an information environment that is often biased, emotional, and inconsistent with the principle of the presumption of innocence. This emphasizes that digital pressure has a different intensity and pattern than media pressure in previous eras.

This research also shows that judges face a dilemma: on the one hand, they must maintain objectivity, but on the other, they are aware that their decisions are under public scrutiny. Several informants stated that public criticism can disrupt psychological well-being and influence public acceptance of decisions, even if formally based on the facts of the trial. This finding confirms that pressure does not always result in biased decisions, but it does create the risk of professional discomfort and undermine public perception of judicial independence.

Theoretically, the results of this research enrich our understanding of the relationship between social media and the law enforcement process, particularly regarding judicial independence. This research provides a novel contribution in the form of an analytical framework that considers the interaction between legal norms, digital social dynamics, and the psychological state of judicial actors. These findings demonstrate the need to strengthen regulations regarding the ethical use of social media, improve public legal literacy, and develop protection mechanisms for judges amidst the increasing influence of digital public opinion.

CONCLUSION

This research demonstrates that public opinion on social media plays a significant role in shaping public perceptions of the criminal justice process and has the potential to psychologically influence judicial independence. These findings not only confirm the existence of the trial by social media phenomenon but also broaden our understanding of how digital pressure can create space for indirect intervention in the court decision-making process. Thus, this research provides a new perspective on the dynamics of the relationship between the digital public sphere and the judiciary, a previously understudied topic.

This conclusion emphasizes the importance of strengthening protection of judicial independence by strengthening judicial ethics, increasing the capacity of judicial institutions to manage public pressure, and enhancing public legal literacy to prevent public opinion from developing into pressure that threatens the objectivity of the judicial process. Furthermore, this research's findings enrich previous studies by providing the perspective that public intervention is not solely structural or political in nature but also emerges through psychological mechanisms mediated by information technology.

More broadly, this research opens up opportunities for further research in legal studies, public communication, and legal psychology, particularly regarding how social media dynamics can influence the law enforcement process. Further research could

deepen the evaluation of public interaction patterns on social media, the types of content that most influence legal perceptions, or even the institutional strategies needed to maintain judicial integrity in the digital age.

The implications of this research for the development of legal science are the need to formulate a new approach to understanding judicial independence that is not solely based on norms but also considers the socio-digital context. For legal education and practice, these findings can serve as a basis for curriculum development, professional ethics training, and strengthening the capacity of judicial officials to face the challenges of the social media era.

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