Cyberbullying on Social Media in Indonesia and Its Legal Impact: Analysis of Language Use in Ethnicity, Religious, Racial, and Primordial Issues

Agus Syahid
Linguistic Study Program, Indonesia University of Education, Bandung, Indonesia;
Faculty of Languages, Arts, and Humanities, Bumigora University, Mataram, Indonesia

Dadang Sudana
Linguistic Study Program, Indonesia University of Education, Bandung, Indonesia

Andika Dutha Bachari
Linguistic Study Program, Indonesia University of Education, Bandung, Indonesia

Abstract—This study aims to reveal the phenomenon of cyberbullying in Indonesia targeted group of people and its legal impact based on pragmatics analysis. It mainly focused on issues that are related with ethnicity, religion, race, and intergroup on social media activities. The lingual data are the expressions by defendants on social media. They were collected from the copies of six court verdicts for such cases that have been settled between 2018 and 2020. The study employed a qualitative method with a forensic linguistic approach as a framework to reveal, trace, and show the phenomenon of cyberbullying on social media and the legal impact caused by the action. The results show that cyberbullying on social media in Indonesia not only targets individuals but it also targets certain group of people. Based on the pragmatics analysis, the illocutionary speech acts by defendants includes expressive, directive, assertive, and commissive. The utterances of cyberbullying aim to insult, humiliate, harass, slander, threaten/warn, accuse, and spread hatred on certain groups of community based on Ethnicity, Religious, Racial, and Primordial issues. The legal implication of cyberbullying is that the defendants can be charged based on the Law of the Republic of Indonesia, Article 28 paragraph (2) in conjunction with Article 45A paragraph (2) Law Number 19 of 2016 on Information and Electronic Transactions.

Index Terms—cyberbullying with ethnicity, religious, racial, primordial issue, and legal impact

I. INTRODUCTION

The use of internet and social media in Indonesia has become more extensive in recent years. It enables everyone to interact, share, and participate with fellow internet users (Akram & Kumar, 2017; Solihatin, 2019). Social media has a positive impact, including the ease of accessing information, making friends, keeping contact with people, branding, and selling (Adiyanti et al., 2020). On the other hand, social media also has negative impacts, such as hate speech, spread of false news (hoax), and social media addiction leading to cyberbullying (Holt et al., 2018; Syahid et al., 2021).

Cyberbullying has been defined as any form of aggressive communication using information and technology to mock others through social media (Ma'yuuf & Abbas, 2021; William & Guerra, 2007). The content of the message is basically psychological violence or social terror (Kowalski et al., 2014; Nasrullah, 2015). A bully targets an individual who is weaker and unable to perform self-defense or imbalance of power (Menin et al., 2021; Li, 2007). The aim is to humiliate, discriminate, harass, or intimidate the victim (Willard, 2003; Hinduja & Patchin, 2008). Such action is repeated (Smith et al., 2008; Belsey, 2005; Ybarra & Mitchell, 2004). Cyberbullying can be delivered using a computer or a cell phone through electronic mail, text messages, websites, chat rooms, and social media (Smith et al., 2008; Abaido, 2020).

So far, cyberbullying studies only show that victims are only targeted at individuals. To fill the practical gap, this study aims to reveal the phenomenon of cyberbullying targeted group of people in Indonesia focused on issues that are related with ethnicity, religion, race, and intergroup on social media and its legal impact based on Indonesian legal perspective. There are three research questions used as a guide for this study. Below are the research questions:
1. What kind of illocutionary acts are found in cyberbullying related with ethnicity, religion, race, and intergroup on social media in Indonesia?
2. What is the aim of cyberbullying related with ethnicity, religion, race, and intergroup on social media?

3. How is the legal implication of cyberbullying related with ethnicity, religion, race, and intergroup on social media in Indonesia?

II. LITERATURE REVIEW

There have been some studies discussed about cyberbullying involving school students (Arrieta-López & Carrasquilla-Diaz, 2021; Campbell, 2005; Li, 2007), university students (Abaido, 2020; Rafferty & Vander Ven, 2014; Whittaker & Kowalski, 2015), adolescents (Bakar, 2015; Adiyanti et al., 2020; Shemesh & Heiman, 2021), and adults (Randall, 2001) using electronic devices such as cell phones (Sticca & Perren, 2012), through the internet (William & Guerra, 2007), or social media (Abaido, 2020). However, cyberbullying doesn't happen to individuals only such as ordinary people (Rahayu, 2012), politician (Fritsch et al., 2020; Ma'yuuf & Abbas, 2021), and celebrity (Indrayani & Johansari, 2019), but it can also be aimed at a country or a group of people.

According to Shemesh and Heiman (2021) and Carvalho et al. (2021), cyberbullying behavior can bring negative impact. Victims of cyberbullying often exhibit symptoms of depression, stress, anxiety, unable to get along with peers, avoiding social environments. Cyberbullying experienced by adolescents in the long term may cause severe stress and paralyze self-confidence. It can trigger them to take deviant actions, such as drug abuse, alcohol consumption, and suicide due to their inability to deal with the problems (Hinduja & Patchin, 2010; Nixon, 2014; Holt et al., 2018).

Previous studies on cyberbullying have been much discussed using a psychology and communication approach. However, there are only a few studies that discuss it using a linguistic point of view, including research conducted by Zacpalová (2021) and Sukma et al. (2021). The result of Zacpalová (2021) study showed that the most negatively connotated words were noun followed by adjective, verb, and the last category was adverb. The most used nouns were abbreviations of curse words like *shit* or *fuck*. The most used verb was *to hate* and *to cheat on*. The study has shown that the most common targets of aggression against women are their looks and bodies. The comments addressing those issues had forms of threats, insults, profanity, exclusion, engagement or labeling.

Sukma et al. (2021) in their study aimed to find the speech patterns used by students in cyberbullying and identify the features of insults in cyberbullying speech on social media. Five hundred and four speech data were collected from high school students Facebook and Twitter in Indonesian. The result of Sukma et al. (2021) study showed that there are four general patterns of cyberbullying speech found, namely Head Act, Head Act - Supportive Move, Supportive Move - Head Act, and Supportive Move - Head Act - Supportive Move. There are three features of insults in cyberbullying found: the use of pejorative words or phrases, the use of words or phrases with negative connotations, and the use of reply or mention features. The patterns of cyberbullying speech found in the study indicate that the insulting effects of different word or phrase formulation vary.

A. Cyberbullying on Social Media: Indonesian Context

In Indonesian context, cyberbullying on social media not only targets individuals. It can also target certain region, local language, and religion (Rastati, 2016; Wahyuni, 2013). The following are some examples of cyberbullying that have happened in Indonesian context.

A case that attracted public's attention most is the cyberbullying by NA (18 years old) in 2010. The judge of the Bogor District Court sentenced the defendant in the case of humiliation through Facebook to two months and fifteen days with a probationary of five months. In this case, FF as a victim reported the humiliation by NA. In the facts of the trial, NA admitted that she was jealous of her boyfriend's relationship with the victim, so she wrote insulting words on her Facebook (Detik.com, 2010).

Another case shows cyberbullying targeting Yogyakarta as a region in 2014 by FS. She wrote on her social media Path that Yogyakarta was a poor, stupid, and uncultured city. She even asked her friends not to stay there. This problem happened when FS complained in her Path account while she was waiting in line at a gas station. Not only on her Path, FS wrote also various insults and harsh words to Yogyakarta on her Twitter regularly. She said Yogyakarta was boring and nothing without Gadjah Mada University. As a result of FS's bullying, a community movement emerged to expel FS from Yogyakarta. In the end, FS apologized to all residents of Yogyakarta through her Path and specifically went to the Sultan to apologize for the cyberbullying she had done. Despite the apology, the people of Yogyakarta insisted to bring FS's case to court and as a result the court sentenced FS to two months with a probationary period of six months (Liputan6.com, 2015).

Cases of bullying targeting local languages also occurred in Indonesia. According to Wahyuni (2013), bullying targeting local languages often occurs in soap operas on television. This happens when the use of local language has a bad image and is excessive by an artist who speaks regional accent. The use of regional accents is only as a laughing stock or ridicule. Furthermore, Wahyuni (2013) says that poor imagery through the use of certain regional accents can result in a sense of inferiority of native speakers.

Cyberbullying targeting certain religion occurred in 2010. IRF on his Facebook wall insulted the Hindus holiday of *Nyepi*. It is a day of silence, fasting, and meditation for the Balinese. He wrote "*Nyepi sepi sehari kayak tai*" (*Nyepi* is a silence day like a shit), which was uploaded on his Facebook wall. This status received strong criticism from Balinese Hindus to report the owner of the account to the police. Not only that, a community movement emerged to expel IRF from Bali. He then apologized trough his Facebook to all Balinese Hindus. Syahid et al. (2022) say that the

characteristic of cyberbullying containing issues of religion on social media is the use of harsh words, insults, and blasphemy against religious group, God, Prophets, the holy scriptures/verse, and other religious symbols.

B. Legal Implications of Cyberbullying in Indonesia

Based on the Constitution, Indonesia is a state of law. To accomplish the aforementioned law principles and regulate criminal acts in Indonesia, the government has a guideline, namely the Criminal Code and the ITE Law. The widespread use of social media in recent years had resulted in the rise of cyberbullying in Indonesia. The act of cyberbullying not only targets individuals but it can also target group of people based on ethnicity, religion, race, and intergroup. Ethnicity is a group of people who are in one descendant as a part of nation. Religion is teachings that regulate the system of faith (belief) and worship of God as well as the rules related to the interactions among humans as well as humans and their environment. Race is a group of people based on physical characteristics and lineage (KBBI, 2021). Based on the Constitutional Court Decision Number 76/PUU-XV/2017, intergroup is a term for community groups that are not represented or accommodated by the terms ethnicity, religion, and race such as organizational groups, professions, and domiciles.

This phenomenon had led to the enactment of the Law of the Republic Indonesia Number 19 of 2016 on the changes of Law Number 11 of 2008 on Information and Electronic Transaction (the ITE Law). However, the legal regulations about cyberbullying in Indonesia have not been specifically regulated in the Criminal Code and the ITE Law. If we refer to the definition and characteristics of cyberbullying as a psychological violence or social terror that aims to insult, humiliate, harass, and spread hatred trough social media, the relevant laws and regulations are contained in the Law of the Republic Indonesia Number 19 of 2016 on ITE.

Article 28 paragraph (2) Law of the Republic Indonesia Number 19 of 2016 on ITE states that any person who knowingly and without authority disseminates information aimed at inflicting hatred or dissension on individuals and/or certain groups of community based on ethnicity, religion, race, and intergroup. Furthermore, the criminal provisions are regulated in Article 45A paragraph (2) that any person who knowingly and without authority disseminates information aimed at inflicting hatred or dissension on individuals and/or certain groups of community based on ethnicity, religion, race, and intergroup as referred to Article 28 paragraph (2) shall be sentenced to a maximum imprisonment of 6 (six) years and/or a maximum fine of one billion rupiah.

The two articles explain that anyone who deliberately disseminates information intended to cause hatred or dissension on individuals and/or certain groups of community based on ethnicity, religion, race, and intergroup through information and technology so that it can be accessed by the public is an act against the law. If a person is proven to be against the law of two articles above, she/he will be punished with imprisonment for a maximum of six years and/or a maximum fine of one billion rupiah. Therefore, the two articles can be applied to defendants who have committed cyberbullying based on ethnicity, religious, racial, and primordial reasons.

III. RESEARCH METHODOLOGY

A. Research Design

The study used a qualitative method with forensic linguistics approach. The forensic linguistics approach was used because in this study the text (utterances) in social media was not completely seen as a sentence structure, but also as a process of social interaction that had legal implications. Therefore, the legal elements in this study become the context behind the legal events. On the other hand, linguistics is an analytical tool used to analyze data in this study. The theory used in this study was speech act theory introduced by Austin (1962) and developed by Searle (1969). The reason for using speech act theory was because the theory is able to reveal the intended meaning of utterances by defendants. Austin (1962) divides speech acts into three, namely locutionary, illocutionary, and perlocutionary. In this study, one the focus of the discussion is illocutionary acts of cyberbullying by the defendants. Searle (1969) categorizes the illocutionary acts into five types, namely assertive, directive, commissive, expressive, and declarations.

B. Data Source

Lingual data are the expressions by defendants on social media. Data source that was used in this study were collected from the copies of six court verdicts that have permanent legal force. It mainly focused on issues that are related with ethnicity, religion, race, and intergroup on social media activities that have been settled between 2018 and 2020. The cases cover the ones that used social media in Indonesia. To maintain confidentiality and ensure the safety of cyberbullying perpetrators, the names of the perpetrators was mentioned by their initials.

C. Research Procedure

This study used procedures of Grounded Theory (Corbin & Strauss, 1990; Glaser & Strauss, 1995). The procedures included four main stages: data collection, data analysis, discussion, and conclusion. Data analysis will be focused on utterances by defendants. Data analysis was carried out in several stages including analysis the illocutionary speech act of cyberbullying containing ethnic, religious, racial, and intergroup issues, analysis the proposition or the intended meaning of cyberbullying utterances, and description of the legal implication of the act of cyberbullying.

IV. FINDINGS AND DISCUSSION

Based on data, the act of cyberbullying on social media in Indonesia was not only intended to individuals, but it also targets certain group of people based on Ethnicity, Religious, Racial, and Primordial issues. The study reveals that there are four illocutionary speech acts committed by defendants of the cases. They are expressive, directive, assertive, and commissive. There are two forms of the utterances: declarative and imperative. The study found that the utterances of cyberbullying containing ethnic, religion, race, and intergroup issues on social media can lead someone to legal implication since the utterances are insulting, harassing, humiliation, threatening/warning, accusing, slander, and spreading hatred on certain people or groups. The table below shows the act of cyberbullying.

TABLE 1
CYBERBULLYING CONTAINING ETHNICITY, RELIGIOUS, RACIAL, AND PRIMORDIAL ISSUES THAT LEAD SOMEONE TO LEGAL IMPLICATION IN INDONESIA

No.	Cyberbullying	Utterances
1	Insulting	"...just go to my house in the afternoon you bastard"
2	Harassing	"For the corporate dogs who were at my house last night at twelve o'clock fuck you, fuck you Intel, am i really afraid of you police, I'm not afraid of you dog, bastard you police, all of you bastards, fuck you, don't you have manners, to go to someone's house at twelve o'clock at night, your are dick huh, were you taught manners"
3	Humiliation	"CHINA used to be ANTI-ELECTION. They prefer to keep trading/vacation. Since there was JKW-Ahog, "CHINA WITH DISABILITIES" come to the POLLING STATION" and "In the majority, China is indeed a PIG" "Fuck u Malay, you are pigs...you talk too much..."
4	Threatening/Warning	"...we the people of the Republic of Indonesia are ready to sink and destroy them" & "after that we hunt monkeys" "Don't even dare against Batak. Understand...!!!" "I'll kill you tomorrow"
5	Accusing	"Even DARE TO CHEAT" and "all for the sake of controlling the Unitary State of the Republic of Indonesia"
6	Slander	"Qur'an contains all lust"
7	Spreading hatred	"Expel all Papuan Monkey Youth N Students back to Papua" and "all monkey students and monkey youth in Java, Sumatra, Kalimantan, and Sulawesi are expelled back to the forest" "Lolol (*wkwkwk*), Muhammad has a passion for children, many wives, many slaves, lots of spoils of war" "Burn the Chinese"

A. Cyberbullying Containing Issues of Ethnicity

(1) The AST (initial) case with court decision number 1520/Pid.Sus/2019/PN Mks.

Context of the legal event: On Thursday, August 29, 2019 at 16.10 pm local time, located in Makassar City. The defendant used a Blackberry cell phone to create a Twitter account to obtain information. One day, *Aljazeera News* reported on the riots that occurred in Papua accompanied by a photo of the riots by mentioning "*At least six protesters and one military officer were killed and several others wounded in West Papua after authorities clashed with demonstrators, witnesses say*". The defendant AST was annoyed and commented on the Aljazeera News post trough his Twitter @*AgusMatta2* with the following words "*Usir semua Mahasiswa N Pemuda Monyet Papua kembali ke Papua, setelah itu kami rakyat NKRI siap tenggelamkan Hancurkan*" & "*semua mahasiswa monyet pemuda monyet yang ada di jawa, Sumatra, kalimantan, Sulawesi usir kembali ke hutan. Setelah kita berburu monyet*" ["Expel all Papuan Monkey Youth N Students back to Papua, after that we the people of the Republic of Indonesia are ready to sink and destroy them" & "all monkey students and monkey youth in Java, Sumatra, Kalimantan, Sulawesi are expelled back to the forest. After that we hunt monkeys"].

Illocutionary speech acts: Based on the context, the speech acts performed by the defendant AST were directive and commissive. The *directive* illocutionary carried out by the defendant AST by writing "*Expel all Papuan Monkey Youth N Students back to Papua*" and "*all monkey students and monkey youth in Java, Sumatra, Kalimantan, and Sulawesi are expelled back to the forest*". These two utterances are *imperative* marked by verb "expel" in the first place of sentence. The proposition of the utterance means *hate speech* to all students and youth Papua by commanding people to expel them from Java, Sumatra, Kalimantan, and Sulawesi back to Papua or to the forest. The *commissive* illocutionary of the defendant AST was expressed by writing "*...we the people of the Republic of Indonesia are ready to sink and destroy them*" and "after that we hunt monkeys". The two utterances are *declarative forms* which mean *a threat* or *warning* to students from Papua. In addition to using directive and commissive, the defendant AST also used harsh words that were inappropriate to say to group of people, by writing "*all Papuan Monkey Youth N Students*". In The Great Indonesian Dictionary (*KBBI*) online, the word monkey (*monyet*) means a primate whose fur is gray and has a long tail, but the skin on the face, palms, and soles of the feet are hairless (*Macacus synomolgus*). The word monkey when addressed to a group of people, who are not familiar with us, than it is a very rude and it can humiliate or hurt hearts and feelings of Papuan people.

Legal Implication: As a result of the cyberbullying utterances, the judge sentenced the defendant AST with ten months imprisonment and a fine of fifty million rupiahs subsidiary by one month in prison. AST was found guilty of violating Article 28 paragraph (2) in conjunction with Article 45A paragraph (2) Law Number 19 of 2016 on ITE. The defendant AST was proven deliberately disseminates information intended to cause hatred or dissension on individuals and/or certain groups of community based on ethnicity.

(2) The RP case with court decision number 407/Pid.Sus/2018/PN Btm.

Context of the legal event: On Wednesday, March 7, 2018, at 12.00 pm. in Batam City, the defendant RP opened the social media Facebook and he saw a video that showed the problems in Bengkalis. In that area, a Batak traditional house will be inaugurated, but the Malay people did not agree if the traditional house is inaugurated and asked for it to be demolished. In the video, it is heard that if the Batak traditional house in Bengkalis is not demolished, there will be bloodshed. Hearing that words, the defendant as a Batak ethnic was annoyed and insulted, and then he immediately commented on the video with the following words *"Kontol kau Melayu Babi kau…Sok kali bicara kau tuh… Tumpah darah pun kami siap kau bilang…!!! Kau pikir kami takut sama kalian yah…??? Coba Bos Tumbah darah lawan batak…Kalau gak isi perut kalian yang keluar…jgn kalian bilang orang batak.. Paham kalian….!!! Gak ada tertulis kabupaten Bengkalis kecamatan Mandau kampung melayu babi"* ["Fuck u Malay, you are pigs...you talk too much. You said even shed blood we are ready...!!! Do you think we're afraid of you guys...??? Just try, fight against Batak. You'll see that your stomach will burst. Don't even dare against Batak. understand...!!! It's not written District Bengkalis Sub-district Mandau village of Malay Pigs"].

Illocutionary speech acts: Based on the context of the situation, the defendant RP felt annoyed after seeing a video posted on his Facebook that showing the problems in Bengkalis. The speech acts performed by the defendant RP trough the comment column were expressive and commissive. The *expressive* illocutionary carried out by the defendant RP by writing *"Fuck u Malay, you are pigs...you talk too much..."* and *"do you think we're afraid of you guys...???"*. The form of the two utterances is *declarative*. The functions of the utterances are to state or show the psychological attitude of the speaker to a situation that occurs. In this case the defendant RP's response to the video he has watched on social media Facebook. The proposition of the utterances means *insulted* the Malays by calling them with inappropriate names, such as dick and pig. On the other hand, the *commissive* illocutionary of the defendant RP carried out by writing *"Just try, fight against Batak. You'll see that your stomach will burst. Don't even dare against Batak. understand...!!!"*. The form of the utterances is *imperative* which means *warning* or *a threat* to people who dare against Batak ethnic, in this case the threat targets Malay ethnic. The defendant RP also used harsh words that were inappropriate to say to a person or group of people, by saying "*Kontol kau Melayu Babi kau*". In The Great Indonesian Dictionary (KBBI) online, the word *kontol* (dick) means male genitalia, while the word *babi* (pig) means an mammal that has four fingers with two larger middle fingers, a large head with a long snout. This tow words *kontol* and *babi* when addressed to a group of people are a very rude and insulting. It humiliates Malay people as an ethnic group.

Legal Implication: As a result of the utterances by defendant RP, the judge sentenced him with one year and three months imprisonment and a fine of one hundred million rupiahs subsidiary one month in prison. He was found guilty of violating Article 28 paragraph (2) Junco Article 45A paragraph (2) Law Number 19 of 2016 on ITE.

B. Cyberbullying Containing Issues of Religion

(3) The JM case with court decision number 949/Pid.Sus/2020/PN.Jkt.Utr.

Context of the legal event: On Wednesday, May 6, 2020 at 01.00 am local time, located in defendant's boarding house in North Jakarta, the defendant JM watched *Christian Price's YouTube*, which denied Islamic teachings. In *Christian Price's YouTube* comments, there are many blasphemies or conflicts between Islam and Christianity that make the defendant emotional. After he finished watching *Christian Price's YouTube* using his cell phone, the defendant saw a video posted by the Muhammad Al Habib Pro on Facebook where the video about "Muhammad the Peacemaker" then the defendant JM wrote a statement in the comments column of the video with the following words *"wkwkwk, tuh muhammad nafsu sama bocah,, istrinya banyak, budaknya banyak, hasil rampasan banyak. Di surga pun ngewe perawan trs, abis di ewe perawan lagi kata seorang ustad. Hadiah masuk surga pun 72 bidadari. Kuran isinya nafsu birahi semua"* ["Lolol, Muhammad has a passion for children, many wives, many slaves, lots of spoils of war. Even in heaven, he having sex with virgin, after that being a virgin again, said a cleric. The reward for entering heaven is 72 angels. Qur'an contains all lust"].

Illocutionary speech acts: Based on the context, the speech acts performed by the defendant JM were expressive and assertive. The *expressive* illocutionary carried out by the defendant JM by writing *"Lolol (wkwkwk), Muhammad has a passion for children, many wives, many slaves, lots of spoils of war"*. The form of the utterances is *declarative*. In Indonesian slang, the word *wkwkwk* is an abbreviation of the phrase "*gw ketawa*" which means laughing out loud (Lolol) at something because it is very funny or insulting. The utterances after the word *wkwkwk* insult Prophet Muhammad. The proposition Muhammad *"has a passion for children"* means that Muhammad was a pedophile; *"many wives"* means a sex maniac; *"many slaves"* means an authoritarian; and *"lots of spoils of war"* means a very greedy person. The utterances mentioned by defendant above can *insult* and *spread hatred* towards Muslim religious group by insulting the prophet and apostle of Muslims who are much honored. The *assertive* illocutionary of the defendant showed in the writing *"Even in heaven, he having sex with virgin, after that being a virgin again, said a cleric. The reward for entering heaven is 72 angels. Qur'an contains all lust"*. The form of the two utterances is *declarative*. Based on the

function of speech, the two utterances bind the speaker to the truth of the proposition uttered. In the first utterance, the speaker said something false because the words about Islam that the Prophet Muhammad committed despicable and immoral acts. In the second utterance, the speaker must be able to prove that the contents of the Qur'an are all about lust. The truth is that the holy Qur'an is a guide for all mankind, the distinction between right and wrong, and a warning. Therefore, the proposition of the utterances is *telling lies* or *slander.*

Legal Implication: As a result of the cyberbullying utterances by defendant JM, the judge sentenced him with three years imprisonment. He was found guilty of violating Article 28 paragraph (2) Junco Article 45A paragraph (2) Law Number 19 of 2016 on ITE. The defendant JM was proven deliberately disseminates information intended to cause hatred or dissension on individuals and/or certain groups of community based on religion.

C. Cyberbullying Containing Issues of Race

(4) The BK (initial) case with court decision number 421/Pid.Sus/2018/PN Jkt.Tim.

Context of the legal event: On Saturday, February 17th, 2018 at Kramat Jati, East Jakarta, Witnesses NAR, G, and CP who are Police Officers received information from civil society regarding several posts on BK's Twitter containing racial issues. First post *"Mau ngelak lu niink? Dulu CINA ANTI PEMILU. Mrk lbh baik ttp dagang/liburan. Sejak ada JKW-Ahog, "CINA CACATPUN" datang ke TPS. Bhkn BERANI CURANG"* ["What else to say? CHINA used to be ANTI-ELECTION. They prefer to keep trading/vacation. Since there was JKW-Ahog, "CHINA WITH DISABILITIES" come to the POLLING STATION Evn DARE TO CHEAT"]. Second post: *"Mayoritas, Cina itu memang BABI. Bahkan Cina Cacat Mau Mati di Kursi Roda dan Pakai Pempers pun ikut Nyoblos juga, semua DEMI menguasai NKRI"* ["In the majority, China is indeed a PIG. Even the disabilities Chinese who will die in a wheelchair and wearing pampers also participate in voting, all for the sake of controlling the Unitary State of the Republic of Indonesia"].

Illocutionary speech acts: Based on the context, the speech acts performed by the defendant BK were expressive and assertive. The *expressive* illocutionary carried out by the defendant BK by writing *"CHINA used to be ANTI-ELECTION. They prefer to keep trading/vacation. Since there was JKW-Ahog, "CHINA WITH DISABILITIES" come to the POLLING STATION"* and *"In the majority, China is indeed a PIG. Even the disabilities Chinese who will die in a wheelchair and wearing pampers also participate in voting"*. The form of the two utterances is *declarative* which means *insulting* and *humiliate* Chinese people as a race that has the right in election because they are Indonesian citizens who have Indonesian identity cards. The *assertive* illocutionary of the defendant BK is showed in the writing *"Even DARE TO CHEAT"* and *"all for the sake of controlling the Unitary State of the Republic of Indonesia"* wich means *accusing* Chinese people of cheating in elections. In addition to expressive and assertive, the defendant BK also used harsh words that were inappropriate to said to a person or group of people, by naming China people as *Pig*. In The Great Indonesian Dictionary (KBBI) online, the word *Pig* (*babi*) means an mammal that has four fingers with two larger middle fingers, a large head with a long snout. The word *Pig* when addressed to a group of people is a very rude and insulting. It can humiliate Chinese people as a race.

Legal Implication: As a result of the cyberbullying utterances by defendant BK, the judge sentenced him one year and six months prison. He was found guilty of violating Article 28 paragraph (2) in conjunction with Article 45A paragraph (2) Law Number 19 of 2016 on ITE. The defendant BK was proven deliberately disseminates information intended to cause hatred or dissension on individuals and/or certain groups of community based on race.

(5) The FER (initial) case with court decision number 914/Pid.Sus/2019/PN Jkt.Pst.

Context of the legal event: On Wednesday, May 22, 2019, located in Gambir, Central Jakarta, the defendant FER used his cell phone to open WhatsApp application to send several of messages to a WhatsApp Group (WAG) named P.Pohon Jambu25l. At 16.09 pm, a person by the name of BUDI ppj sent a message by writing *"smp hasil pengumuman fer ... Kl jokowi yg menang kt ga pulang..Kl prabowo menang sujud syukur balik rmh"* Then the defendant replied with *"buktikan bahwa kalian tidak mau dibudakin Cina"*. *"bakar skalian cina nya"* ["until results announcement fer... if Jokowi wins, we won't go home.. if Prabowo wins, we go back home". Then the defendant replied with: "Prove that you don't want to be enslaved by China". "Burn the china"].

Illocutionary speech acts: Based on the context, the speech acts of the defendant FER were directive. The *directive* illocutionary is in the writing *"Prove that you don't want to be enslaved by China"* and *"Burn the Chinese"*. These two utterances are *imperative* marked by verb "prove" and "burn" in the first place of sentence. The proposition of the utterances means *hate speech* to China as an ethnic group by asking people to burn Chinese.

Legal Implication: The defendant FER was proven deliberately disseminates information intended to cause hatred or dissension on individuals and/or certain groups of community based on race. He was charged with Article 28 paragraph (2) in conjunction with Article 45A paragraph (2) Law Number 19 of 2016 on ITE. As a result of the utterances by defendant FER, the judge sentenced him with one year and ten months imprisonment and a fine of one hundred million rupiahs subsidiary one month in prison.

D. Cyberbullying Containing Issues of Intergroup

(6) The IS (initial) case with court decision number 886/Pid.B/2020/PN.JKT.TIM.

Context of the legal event: On March 30, 2020, the witness NR and a team from Sub Directorate 3 of the General Crime Regional Police of Metro Jakarta Raya conducted an investigation into the criminal act of theft with violence that

occurred in Cipinang Muara, East Jakarta. On April 5, 2020, the perpetrator who was suspected of committing the crime of theft with violence was identified by the witness and the team. Then the witness and the team chased the defendant IS in Duren Sawit, East Jakarta. After they arrived at the defendant's house, it turned out that the defendant was not at home only the defendant's mother was there. The witness and the team then left the defendant's house. On April 8, 2020 at 03.00 am local time, the defendant returned home and got information from his mother that there were three policemen looking for him because of the crime of motorcycle theft that was committed on March 29th, 2020. After hearing the information, the defendant became emotional and took his mother's cell phone and opened his social media Instagram, then the defendant played the video selection on the application and he made a recording. After that, he uploaded the video with the following words "*Buat anjing-anjing* corporate *yang semalam kerumah gue jam dua belas malam ngentot lu ye, intel-intel kontol lu, emang gue takut ama polisi ye, ga ada takut takutnya anjing lu tu, bangsat polisi tu, bangsat semuanya ye, ngentot lu ye, punya adab ga lu ke rumah orang jam dua belas malam kontol hah, diajarin adab ga lu, gua siang ada di rumah, lu ke rumah gua aja siang ye bangsat ama cepu-cepu ye bonsi, gua bantai lu besok ye kontol lu ye, bangsat lu*" ["For the corporate dogs who were at my house last night at twelve o'clock fuck you, fuck you Intel, am i really afraid of you police, I'm not afraid of you dog (police), bastard you police, all of you bastards, fuck you, don't you have manners, to go to someone's house at twelve o'clock at night, your are dick huh, were you taught manners, I'm at home during the day, you just go to my house in the afternoon, you bastard and with your spy. I'll kill you tomorrow, fuck you, you bastard"].

Illocutionary speech acts: Based on the context, the speech acts performed by the defendant IS through the video posts uploaded on his social media Instagram were expressive, directive, and commissive. The *expressive* illocutionary carried out by the defendant IS by saying "For the corporate dogs who were at my house last night at twelve o'clock fuck you, fuck you Intel, am i really afraid of you police, I'm not afraid of you dog, bastard you police, all of you bastards, fuck you, don't you have manners, to go to someone's house at twelve o'clock at night, you are dick huh, were you taught manners". The form of the utterances is *declarative* which means *harassing* and *insulting* all Indonesian police. The *directive* illocutionary carried out by the defendant by saying "...just go to my house in the afternoon you bastard". The utterance form is *imperative* which means *insulting* the police officers by saying "you bastard". Meanwhile the *commissive* illocutionary carried out by the defendant by saying "I'll kill you tomorrow". The utterance form is *declarative* which mean threat to the police officers whose doing their job. In addition, the defendant IS also used harsh and insulted words to all Indonesian police officers by naming them with the words *anjing-anjing* (dogs) and *bangsat* (bastard), swearing them with the words *ngentot lu* (fuck you), and calling them with something indecent like *kontol* (dick). All of the words when addressed to a person or a group of people are a very rude. It can insult and humiliate the Indonesian police officers as a community group in the same field of work (intergroup).

Legal Implication: As a result of the cyberbullying utterances, the judge sentenced the defendant IS with two years imprisonment and a fine of one hundred million rupiahs subsidiary three months in prison. IS was found guilty of violating Article 28 paragraph (2) in conjunction with Article 45A paragraph (2) Law Number 19 of 2016 on ITE. The defendant IS was proven deliberately disseminates information intended to cause hatred or dissension on individuals and/or certain groups of community based on intergroup.

V. Conclusion

Based on the discussion, the act of cyberbullying on social media in Indonesia was not only intended to individuals, but it also targets certain group of people based on Ethnicity, Religious, Racial, and Primordial issues. The cyberbullying on social media were triggered by the events that they have seen, read, and experienced before. The case of cyberbullying containing Ethnicity, Religious, Racial, and Primordial issues on social media in Indonesia did not require repeated actions because the characteristics of computer mediated communication connected to the internet allow a single message or a posting publicly and repeatedly distributed. The study found that there are four illocutionary speech acts committed by defendants of the cases. They are expressive, directive, assertive, and commissive. There are two forms of the utterances: declarative and imperative. The utterances of cyberbullying containing ethnic, religion, race, and intergroup issues on social media can lead someone to legal implication since the utterances are insulting, harassing, humiliation, threatening/warning, accusing, slander, and spreading hatred on certain people or groups.

Cyberbullying containing Ethnicity, Religious, Racial, and Primordial issues in Indonesia is act against the law. Therefore, if a person is proven to have committed to the crime, the person can be charged on the Law of the Republic Indonesian Article 28 paragraph (2) in conjunction with Article 45A paragraph (2) Law Number 19 of 2016 on ITE. Related to the data, the judge sentenced the defendants between ten months to three years, although the maximum sentence is imprisonment for six years and/or a maximum fine is one billion rupiah.

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Agus Syahid is a lecturer at Bumigora University, Mataram, Indonesia. He earned his Master Degree in General Linguistics from Padjadjaran University, Bandung. He is now pursuing his Doctoral Degree in Linguistics at Indonesia University of Education, Bandung. His research interests are linguistics in general, pragmatics, and forensic linguistics.

Dadang Sudana is a senior lecturer at the Linguistic Department, Indonesia University of Education, Bandung. His Masters Degree in TESOL was obtained from the University of Canberra Australia. Dadang Sudana was granted Ph.D. in Linguistics from Deakin University. His research interests are linguistics in general and language acquisition.

Andika Dutha Bachari is lecturer at the Linguistic Department, Indonesia University of Education, Bandung. His research interests are forensic linguistics, psycholinguistics, and pragmatics.