

*Freedom of Speech? Coverage of Indonesia's "Information and Electronic Transactions"  
Law in Indigenous Online News Media*

Sufri Eka Bhakti, University of Kent, United Kingdom

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**Abstract**

Since its enactment in 2008 and amendment in 2016, Indonesia's Information and Electronic Transaction law (ITE Law) has been problematic. Critics argue that the Defamation provision of ITE Law has vague interpretations and has been used disproportionately to threaten freedom of speech on the Internet (SAFE-net, 2021). In response to this controversial law, the Indonesian president called for revising the ITE Law in 2021, drawing considerable media attention. Given the crucial role of popular online news media in shaping the public's perceptions of the issue represented, this research explores how the media covered ITE Law revision as a public discourse, as they should be neutral and unbiased. This research employs a critical content analysis grounded in a critical discourse analysis approach to analyse the representation of ITE Law revision in Detik.com and Kompas.com, two of Indonesia's most popular news media (Reuters Institute, 2022), making them key sources of information for the Indonesian society. This research examined news sources from Detik.com and Kompas.com in 2021 and performed a qualitative data analysis of 203 news articles using NVivo to explore the differences in the discursive representation of ITE Law revision. The results show that Detik.com provides more robust coverage with a reasonable diversity of perspectives. In contrast, Kompas.com reports more conservatively, which may restrict public discourse. This research revealed how issues are framed, which voices are represented, and the openness to discussing powerful figures. This realisation should make Indonesian society all the more vigilant and discerning in their consumption of mainstream news.

Keywords: Critical Discourse Analysis, Content Analysis, Freedom of Speech, Representation, Online News Media, Indonesia, ITE Law

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## **Introduction**

The Indonesian government faced significant public backlash over the Information and Electronic Transactions law (henceforth ITE Law) in 2021, which stemmed mainly from the threat of abuse due to the law's vague interpretation. It has been criticised for over-criminalising civil disputes, with many defamation cases pursued as a criminal offence seen as disproportionate. The 2020 Digital Right Situation report from SAFEnet (a year-based report) recorded an increase in criminal cases related to the ITE Law, and there are at least 84 annually; this is four times as many or up from 2019 when only 24 cases were reported. It is interesting to note here that 64 of the 84 cases were under Articles 27, 28 and 29 based on the vague provisions in ITE Law (SAFEnet, 2021). This provoked allegations that the law was being weaponised to silence critical voices, with journalists, activists, and ordinary citizens regularly charged with expressing opinions online (Amnesty International Indonesia, 2020; SAFEnet, 2021). In response, President Joko Widodo addressed those concerns and began discussions to revisit the ITE Law, but doubts remained that meaningful revision would be enacted. Since the President's official statement in February 2021 about revising the ITE Law, indigenous online media reporting has been proliferation in Indonesia.

During the last few years, the role of news organisations in defining public perception in Indonesia has been examined within a broader context. Hill (2005) wrote about the historical context, pointing out that the internet was initially viewed as a counterweight to elite-controlled media, providing opportunities for marginalised voices shaping public debate. At the same time, as digital platforms have multiplied, so too has misinformation and polarising content that mirrors and exacerbates societal fracture. Tapsell (2017) notes how oligarch-controlled media ownership enables powerful elites to control public narratives to shape attitudes and understanding of political and social matters to meet their demographic purpose. In a forthcoming update, Aspinall and Mietzner (2019) develop this analysis further by explaining how the media can escalate illiberal narratives focusing on religious intolerance and ethnic prejudice in a way that helps to breed electoral competition. However, there remains a lack of academic publications focusing on how internet regulation, such as ITE Law, represents a public discourse in Indonesian online news media. Thus, this research seeks to address this gap by examining how the ITE Law is presented in Indonesia's most popular online news media and its effect on public discourse in a democratic society.

This research reports how Detik.com and Kompas.com, Indonesia's most popular online news media (Reuters Institute, University Oxford, 2022), constructed the news about ITE Law revision as public discourse from January to December 2021. It employs a methodological approach grounded in Critical Discourse Analysis (CDA) to scrutinise the representation of ITE Law revision between Detik.com and Kompas.com, especially their relationship to power, domination, and social inequality. In examining this issue, the researcher is guided by the discursive elements within the subset of the CDA theoretical lens (Fairclough, 2003 and Van Dijk, 2015) with the following question: How does the discourse analysis of ITE Law revision on online news media in Indonesia?

## **Methods**

This research used a critical content analysis (Carvalho, 2008; Macnamara, 2005; Webster et al., 2020) of Indonesian online news media reporting on ITE Law revision. The research's position is to "understand, expose and ultimately challenge the social inequality" (Van Dijk, 2015, p. 466) of ITE Law as a public discourse between Detik.com and Kompas.com, as they

were Indonesia's most popular online news media. This research stresses that CDA as a theoretical framework is relevant to answering the research questions mainly because the notion of most CDA works focuses on discourse and power, more precisely, the social power of groups or institutions (among many studies, see Fairclough, 2013; Wodak & Meyer, 2015; Van Dijk, 1995). CDA is a central notion in this research, and power, domination, and social inequality (Van Dijk, 2015) become the primary focus of the analytical investigation. Because this research aimed to analyse power relations and the representation of ITE Law revision between Detik.com and Kompas.com, a qualitative approach grounded in CDA was the most appropriate choice.

This research approach employed the CDA framework offered by Fairclough's (2003) and Van Dijk's (2015). The CDA framework offered by Fairclough (2003) focuses on textual analysis through "looking at collocations, patterns of co-occurrence of words in texts" (p.131). Second, Van Dijk (2015) stresses that journalists control media discourse through "the argumentative structures of editorials or op-ed articles" (p. 473). Van Dijk (2015) offers some well-known discursive elements, specifically "how belief may thus be manipulated" (van Dijk, 2015) through (i) Main topic (i.e. controlling the big idea), (ii) presuppositions, (iii) metaphors, (iv) lexical expressions, and (v) nominalisations (van Dijk, 2015, pp. 473-474).

The analysis starts with collocations, as it counts the recurring themes using NVivo coding to some extent to determine key messages and the central idea within the content. The researcher can identify the core narratives driving the debate from these patterns. Moreover, media robustness is analysed by comparing viewpoints across different types of news, such as interview-based news, opinion news and investigative news, to produce a composite version of coverage; this is necessary to ensure that well-rounded and informed coverage reaches the public discourse. Metaphors are also explored to provide a further understanding of how media use language to project abstract ideas onto conventional expressions. Measuring lexical diversity—the range of words and sentiment—positive or negative, are other important facets for summarising the overall sentiment. The use of the passive voice is further critiqued by considering nominalisations, whether they identify social actors or are dominated by abstract concepts. This research examines news sources to help us understand who gets more voices in ITE Law stories.

This research focuses on online news, among Indonesia's most mainstream news sources, making them vital indicators of how the media engages with ITE Law stories. The Indigenous online news media, Detik.com and Kompas.com, were chosen as they are Indonesia's most popular and widely visited online news outlets (Reuters Institute, University Oxford, 2022). This research sets a critical content analysis (CCA) to provide various carefully curated online documents from January to December 2021, when Detik.com and Kompas.com bombarded the emergence of the ITE Law revision. Gibson & Brown (2009, p. 85) claim that news articles are potentially "valuable research resources" because journalists will often have access to part of society that academics and researchers do not have; thereby, mainstream news media are rapidly growing in producing and distributing information, knowledge, and opinion.

## **Findings**

In 2021, there was a noticeable increase in media attention on the revision of the ITE Law, particularly in Indonesian most popular news media, such as Detik.com and Kompas.com

(see Figure 1). This research indicated that Detik.com had a higher initial focus than Kompas.com, but the coverage was not sustained.

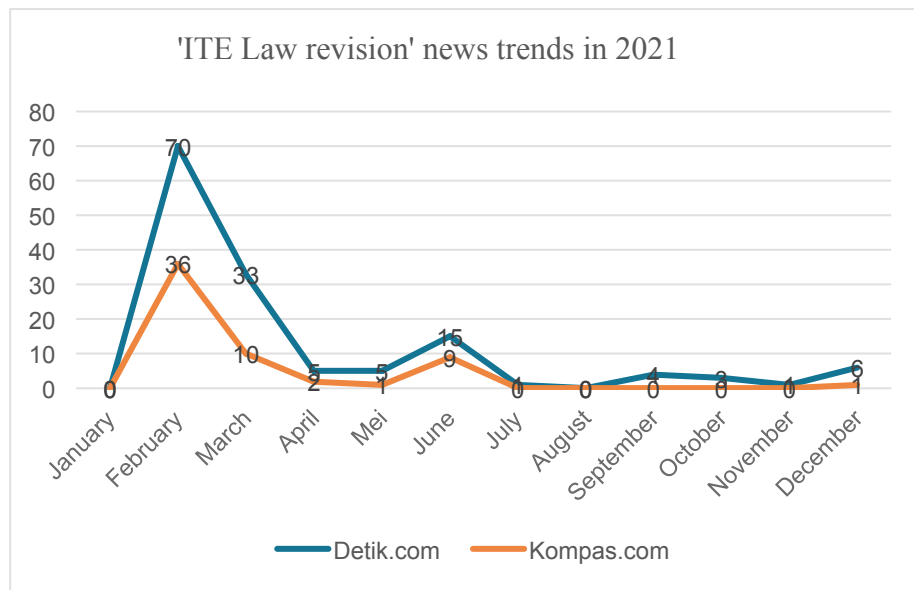


Figure 1: News Trends in Detik.com and Kompas.com in 2021

The two-word cloud comparison in Detik.com and Kompas.com (see Figures 2 and 3) reveals overlapping (and distinct) emphases in the ITE Law as public discourse. The word "revisi" (revision) dominates both word cloud analyses, strongly focusing on amending the law. These indicate a demand for legal reform and Indonesian people's dissatisfaction with this problematic internet regulation. Ambiguity in the ITE Law becomes a common narrative both in Detik.com and Kompas.com reporting, as reflected in terms such as "multitafsir" (multi-interpretation) and "karet" (rubber articles), which point to a vague provision in ITE Law that could potentially be misused to repress the legal expression on the internet and social media. Word clouds show a bigger presence of institutional actors, showing that the discourse over this episode is top-down with the initiatives led mostly by both legislative and executive powers, for instance, words such as "DPR" (House of Representatives) and "Jokowi" (Indonesian President) presences in Detik.com and Kompas.com. However, the frequent mention of "Kapolri" (chief of police) and "polri" (national police) in Detik.com emphasises the sceptical law enforcement dimensions that are notably absent from Kompas.com.



Figure 2: Word Cloud From Detik.com



Figure 3: Word Cloud From Kompas.com

Some excerpts of critical tones from Detik.com are presented below:

*Excerpt 1. Total revision of the ITE Law so that there are no more **victims** (D 03-03-2021)*

*Excerpt 2. The **victims** are the poor people (D 03-03-2021)*

Excerpts 1 and 2 in Detik.com tends to be neutral with more critical tones by utilising collocations such as "korban" (victims) and "masyarakat" (society), which express concern regarding the criminalisation of ITE Law. In contrast, Kompas.com is less critical and more concentrated only on the term "masyarakat" (society) without emphasising their cases and victims. In short, the discussion reflects institutional power dynamics, accountability, people's desire for clear facts (often at odds) and how the ITE Law reconciles with democracy and justice.

Table 1: Comparison of News Types Between Detik.com and Kompas.com

News Types	Description	Detik.com (N=143)	Kompas.com (N=59)
Interview-based news	interview-based news stories involve conversations with individuals with relevant expertise.	133 (93.0 %)	59 (24.5 %)
Opinion News	opinion-based news, also known as column, represents the viewpoints, beliefs, or arguments of the author.	8 (5.5 %)	-
Investigative News	involving in-depth research and analysis to uncover hidden information and expose issues of public interest.	2 (1.3 %)	-

The patterns in Table 1 reflect trends in Indigenous online news content that can be understood using a CDA lens, which looks at how legitimization through language, power and ideology forms the understanding of Indonesian society. Although Detik.com and Kompas.com predominantly publish interview-based news, Detik.com has included a small portion of opinion-based news that reflects robust media coverage with a reasonable diversity of opinions, which is entirely absent on Kompas.com. At the same time, Detik.com also publishes investigative news that ably exposes abuses of power, but not once on Kompas.com. The turn to interview-based reporting and a relative lack of opinion and investigative journalism points to a media ecology that privileges known authority over critical discourse that may subtly constrain the diversity of public discourse.

Table 2: Recurring Themes in Detik.com and Kompas.com

Category	Description	Detik.com (N=143)	Kompas.com (N=59)
Discourses	ITE Law; revisions; articles.	143 (100 %)	129 (53.75 %)
Government	member of parliament; Indonesian president; ministers.	49 (34.2 %)	52 (21.6 %)
Society	victims; cases.	16 (11.1 %)	-

As can be seen in Table 2, the two platforms heavily feature government-related content—however, Detik.com include societal perspectives compared to Kompas.com. For instance, the key themes in Detik.com also focus on society, such as the discourse on victims and cases, while Kompas.com is often oblivious. In discursive strategy, Detik.com's efforts have effectively established a more comprehensive scope of media organisations promoting more all-around diversity and have created a more inclusive range of media outlets, contributing to a more pluralistic media environment and reinforcing democratic practices in Indonesia.

Table 3: Metaphorical Usage in Detik.com and Kompas.com

Category	Description	Detik.com (N=82)	Kompas.com (N=40)
Emotional tone			
Uncertainty	Rubber refers to the ITE Law article, which can be stretched and elastic with multiple meanings, confusing and ambiguous.	75 (91.4 %)	38 (95 %)
Fear	The ITE Law is likened to a ghost and something scary because it is dangerous, vicious, and so on.	4 (4.8 %)	2 (5 %)
Optimism	There is hope and emphasis on the good parts of ITE Law revision.	2 (2.4 %)	1 (2.5 %)
Pessimism	Sceptical and doubtful about the future of ITE Law revision.	1 (1.2 %)	1 (2.5 %)
Social Issues			
Discrimination	The ITE Law is likened to a device or trap for catching people. ITE Law provision is described as a dangerous or unpleasant situation someone has got into and from which it is difficult or impossible to escape.	11 (13.4 %)	4 (10 %)
Injustice	The ITE Law enforcement is likened to a knife that is sharply downwards (to society) and bluntly upwards (to the government or power).	3 (3.6 %)	-

Metaphors are linguistic devices that enable the understanding of abstract ideas compared to solid terms. Lakoff and Johnson (1980) demonstrated how metaphorical language in free speech can easily control how public debate around issues is framed. This research uncovered that Detik.com employed more metaphors compared to Kompas.com (Table 3). Detik.com uses metaphors to make complex issues accessible and shape public understanding. Excerpts of metaphors in Detik.com are presented below:

*Excerpt 3. **The rubber articles** of the ITE Law are like **a frightening specter** in society (D 27-03-2021)*

*Excerpt 4. **Knife to kill** freedom of expression, speech, and expression of thoughts and opinions (D 17-02-2021)*

Excerpts 3 and 4 show that Detik.com played an influential part in shaping public understanding of complex issues by referring to ITE Law as "the rubber articles", "a frightening spectre", and "knife to kill". Detik.com's use of these metaphors in transforming many issues of ITE Law enforcement into much easier-to-digest information for the public became a crucial part of the public's understanding of priority issues. Using these imaginative languages in reporting makes the ITE Law stories more engaging and memorable.

Table 4: Lexical Expressions Between Detik.com and Kompas.com

Category	Description	Detik.com (N=138)	Kompas.com (N=54)
<b>Loanwords</b>			
English	such as: 'hoax'; 'restorative justice'; 'internet shutdown'; 'omnibus law' 'hate speech'.	62 (44.9 %)	11 (20.3 %)
Latin	such as: 'a quo'; 'resultante'.	11 (7.9 %)	-
Dutch	such as: 'beleid'; 'genus delict'; 'haatzai artikelen'; 'klacht'.	7 (5.0 %)	-
<b>Polarity</b>			
Negative Expression	such as: cases; defamation; multiple interpretation; hatred; violation; criminalisation; to silence.	121 (87.6 %)	47 (87.0 %)
Positive Expression	such as: justice; freedom of expression/speech/opinion; democracy; human rights; to protect; to guarantee/ensure.	108 (78.2 %)	47 (87.0 %)

Table 4 summarises the words or phrases regularly used to refer to specific topics from lexically coded expressions. Lexical expressions are a natural process of free discourse, frequently reflecting social shifts or priorities. In Table 5, Detik.com offers more diverse linguistic resources, including Dutch, Latin, and many English words, while Kompas.com is only based on English terms, so it does not contain Dutch or Latin references. Detik.com loan words from Dutch, such as 'beleid' and 'klatch', to describe how existing law in Indonesia adopts the Dutch legal system because Indonesia was a Dutch colonial colony, and Indonesia did not yet have laws originating from its traditions. Further, Detik also uses Latin words such as 'a quo' and 'lingua franca'. These loanwords significantly enlighten Detik.com's reader regarding ITE Law revision as a public discourse and contribute to their interconnectedness in a global context. The data also shows that negative expressions regarding polarity dominate both sources, and they saw similar results to what was written under "defamation, hatred, and criminalisation", including positive terms, like "justice, freedom of speech, and democracy", also play a good part. Through this balanced expression, online news media can enable the public to critically process complicated issues while preserving trust in democratic institutions and processes.

Table 5: Nominalisations Pattern in Detik.com and Kompas.com

Category	Description	Detik.com (N=47)	Kompas.com (N=15)
absent or hidden the agent			
Law enforcement officials	hidden or concealed law enforcement officials such as police institutions, prosecutors, and judges.	37 (78.7 %)	6 (40 %)
Power	hidden or concealed the actors from power such as the state or government.	13 (27.6 %)	4 (36.6 %)
present or expose the agent			
The State	exposed elements of the state apparatus are more specific, such as regional heads, ministers, attorney general, and police.	4 (8.5 %)	-
Police	exposed the 'police department' as the institution responsible for the implementation and law enforcement.	3 (6.3 %)	-
Ministry	exposed the names of ministers and executive actors who are hidden.	1 (2.1 %)	-
Power	expose the actors from power such government, businesspeople, and the police.	1 (2.1 %)	-
President	first and only, they exposed and mentioned the president's name.	1 (2.1 %)	-

Nominalisations can play a role in how ITE Law enforcement, as per the ITE Law process, and the public perceptions thereof are framed—see Table 65— which relates to free speech context. Both Detik.com and Kompas.com have a predisposition to hide or obscure major agents, especially law enforcement and power figures. However, Detik.com has also exposed the state apparatus, such as the names of ministers and executive actors who are hidden; even Detik.com was the only media to mention the president's name related to ITE Law enforcement cases and Kompas.com, but not once. The excerpts below demonstrate the present agent and expose the actors in Detik.com:

*Excerpt 5. Jokowi to lose at the high administrative court in the Papua Internet shutdown case (D 16-02-2021)*

*Excerpt 6. For example, accusations of defamation against Moeldoko and Luhut Binsar Pandjaitan by several activists resulted in criminal complaints to the police (D 28-09-2021)*

Excerpts 5 and 6 in Detik.com disclosed state actors explicitly, such as the president and the ministry, who have yet to be exposed on Kompas.com. Detik.com suggests that the transparency with which influential figures are discussed contributes to the degree of freedom of speech in a democratic society, while Kompas.com's reluctance to confront those powers.



Table 6: Comparison News Sources in Detik.com and Kompas.com

Category	Description	Detik.com (N=143)	Kompas.com (N=59)
Government	the system used for controlling a country.		
Executive Institutions	president, vice, ministers, presidential spokesperson, staff/office.	90 (62.9 %)	46 (77.9 %)
Legislature Institutions	member of parliament (DPR), legislative council ( <i>Baleg</i> ).	36 (25.1 %)	20 (33.8 %)
Political Party	ruling party and opposition.	24 (16.7 %)	12 (20.3 %)
Other Institutions	police department; constitutional court	26 (18.1 %)	3 (5.0 %)
Society	large group of people who live together in a country.		
Experts and Academia	professor, analyst, researcher, lawyer.	28 (19.5 %)	6 (10.1 %)
Non Government Organisations (NGOs)	Southeast Asia Freedom of Expression Network (SAFENet).	24 (16.7 %)	23 (38.9 %)
Victims	someone who has been imprisoned because of the ITE Law.	19 (13.2 %)	6 (10.1 %)
Ordinary Citizens	civil society.	14 (9.7 %)	9 (15.2 %)

Dominant news sources can set the agenda for public debate and silence alternative perspectives, determining the formal exercise of freedom of speech, as Herman and Chomsky (2021) claim that mainstream news sources shape who gets to speak. The selection of sources from Detik.com and Kompas.com focuses on government and executive institutions. However, Detik.com has played a more significant role in promoting an informed and engaged citizen (commonly referred to as the citizen). For example, in Table 6, Detik.com focuses more on societal perspectives such as experts, academia, NGOs, victims, and citizens' expression by actively ensuring that a range of social voices are included and heard. Detik.com holds firm to its fundamental values of free speech, striving to create space for various workable opinions and critical discussions to thrive through the mediascape, which creates a more diverse ideas forum and encourages active citizenry. However, Kompas.com seems more conservative in its reporting, which is more aligned with government narratives, potentially limiting the diversity of perspectives.

### Limitations

This research may have needed to be more comprehensive to capture all ITE Law stories, as they involved perspectives and contexts, such as the government and societal representatives, to understand the complex interplay between the state, media, and society regarding the unintended consequences of ITE Law. The interpretation of content may be subjective, even if the NVivo coding scheme is well-defined. Another caveat is that different coders may interpret and code news content differently, which can impact the accuracy of the analysis. The method often quantifies the frequency of certain discursive elements, which might only partially capture the significance of all Indonesian online news media.

## **Conclusions**

This research concludes that (i) while both focused on the government perspective, Detik.com takes a more critical position on the ITE Law revision by demonstrating potential problematic issues of "masyarakat"(society) and "korban" (victims) in their reporting of ITE Law revision. In contrast, Kompas.com tends to be a more legal-political lens without underscoring ITE Law's victims and their cases. However, both online news platforms note the threat of ambiguous understanding of ITE Law by using the metaphorical term 'karet' (rubber) in their reporting; (ii) Detik.com has a more robust reporting style featuring three article types: interview-based, opinion and investigation news, while Kompas.com only has one reporting style, interview-based news; (iii) the recurring themes of Detik.com news engage more in society, such as cases and victims, but Kompas.com is not concerned about cases and victims; (iv) the loanwords used in Detik.com news are more diverse than Kompas.com; (v) Detik.com exposes agents from government institutions such as the president, and minister; yet Kompas.com tends to hide agents and conceal social actors regarding ITE Law enforcement; (vi) While both platforms foregrounded on NGOs, Detik.com also constructed public political engagement by referencing societal voices and incorporating perspective from experts and academia, including some cases and victims experiences that remain overlooked in Kompas.com's reporting.

Detik.com has emerged as an online news media that facilitates a more comprehensive discussion by providing opinion-based and investigative news regarding ITE Law revision, which was absent on Kompas.com. Detik.com has also spotlighted the voiceless, such as victims and their cases of ITE Law, which often go unnoticed in Kompas.com's reporting. This research argues that Detik.com has a more robust coverage with a reasonable diversity of perspectives, which promotes a more critical media environment, while Kompas.com's conservative approach and cautious tactic may subtly limit it. The contrasting approaches imply that Indonesia's media remains essential to its democratic experience. However, there is a wide divergence in the extent to which platforms are willing to take on their watchdog function. This difference speaks to larger systemic issues of freedom of speech, especially political influence on Indonesia's media landscape. Democracy encompasses more than the political realm, and for Indonesia's democracy to thrive, it must also cultivate an ecosystem of media that embodies robust media coverage, such as diverse reporting approaches, interacts with society, and brings transparency to political coverage. This research emphasises the importance of being attentive to how media narratives are built, as they directly affect ontological understanding, political accountability and democratic consolidation in Indonesia.

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**Contact email:** [ss2536@kent.ac.uk](mailto:ss2536@kent.ac.uk)