



## *Critical Discourse Analysis on the Podcast “Putusan MK: Palu Hakim Patah Berkeping”*

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### **Abstract**

*The existence Constitutional Court decision regarding the requirements for registering Candidates for President and Vice President Republic of Indonesia has caused a number of controversies in society today. An issue Gibran Rakabuming Raka, Mayor of Surakarta, will take part in the 2024 Presidential Election as Candidate Vice President. However, the age threshold criterion 40 years is an obstacle for the son of President Joko Widodo. So, this was done by suing the Constitutional Court to revise the criteria for presidential election participants, especially regarding minimum age. This raises big questions regarding President Jokowi's relationship with the political dynasty, which made the controversial phenomenon increasingly discussed by the media. For this reason, this research uses a qualitative descriptive research method using a critical discourse analysis approach modeled by Teun A. Van Dijk analyzing text in Najwa Shihab's podcast with the title "Putusan MK: Palu Hakim Patah Berkeping" with a duration of 27 minutes 36 seconds which was uploaded on October 18, 2023, on Najwa Shihab's Youtube channel. The podcast discussion criticized the judge's decision which was interfered with by political interests. The results of the research show that democratic order is now increasingly shifting to the power held by political elites who are in power so that power they have can change laws and slowly break the spirit of democracy in Indonesia.*

**Keywords:** *critical discourse analysis, Najwa Shihab, constitutional court decision, democratic, podcast*

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### **INTRODUCTION**

The development of the growing digital era provides flexibility for the public to receive and disseminate knowledge simply and openly. The main factor in accepting openness comes from advances in technology and information. The presence of technology makes information faster and easier to access for audiences whenever and wherever people can receive access to information effectively. This means that the existence of digital media, can make it easier for audiences to be able to access information up to date and not be hampered by space and time. However, on the other hand, the digital era also brings good and bad effects so it becomes a new challenge in human life in this digital (Marysca, 2021).

Digital media also applies the principle of media convergence, requiring a forum for internet technology as a means of applying information sources to be presented to the public. As well as print media that have relied on newspapers or newspapers as a means of disseminating information to the audience. However, in this era of media convergence, various media platforms come with breakthroughs that can be accessed faster via the internet known as the use of media in online networks. Online media is all types of mass media published through the internet online including print media and electronic media (Vera, 2016).

Along with the development of time, the birth of a variety of new media apart from online media that runs with the development of the internet in Indonesia. Various new media are also present such as online television, video streaming, and what is currently increasingly popular with the public, namely the Youtube platform (Purnomo, 2019). The rapid pace of digital media, especially the focus of this research, is Youtube which is a forum in the process of delivering information to the public, then in the future, there will also be more and more content and news delivery in the latest style while still referring to the pattern

of the times. This makes the Youtube platform a new digital media that is increasingly relied upon and in demand by the public to obtain information (N.L.A. Puspitawati, 2022).

Currently, YouTube is also widely used by public figures and journalists as a place to convey trending information by referring to the principles of online journalism that still sees something based on facts that occur. As is the case today, namely the birth of the decision of the controversial Constitutional Court (MK) of the Republic of Indonesia on the question of the age limit for registration of Presidential Candidates and Vice Presidential Candidates who will run in the 2024 Presidential Election. This Constitutional Court ruling, interpreted by various figures and political observers as an agenda to constitutionally legalize the registration of the first son of the President of the Republic of Indonesia Joko Widodo, Gibran Rakabuming Raka as a Vice Presidential Candidate who is rumored to accompany Prabowo Subianto in the 2024 Presidential Election. The Constitutional Court, which is the highest state institution that regulates Indonesia's constitutional law system, is currently threatened by its credibility and is widely questioned by various parties.

This is not without intent if there is no background of political interest issues that interfere with the decision of the Constitutional Court. President Jokowi is considered an actor in utilizing his power as President of the Republic of Indonesia to 'move' the Constitutional Court for Gibran's passage in registering participants in the Presidential Election. As is known according to the previous Law, the Mayor of Surakarta is hampered from advancing in the grand contestation of the Presidential Election because his age has not met the requirements. Thus, the Constitutional Court's decision that 'passed' Gibran attracted controversy, especially Anwar Usman as Chairman of the Constitutional Court is the brother-in-law of President Jokowi. The Chief Justice is considered to be tarnishing his own institution by using the position he has to 'smooth the steps' of Gibran regarding the registration criteria for participants in the 2024 presidential election which is full of political dynasties.

One of the characteristics of political dynasties is that it is motivated by the existence of a power possessed by kinship and family relations (Agus Dedi, 2022). This phenomenon also encourages common thinking, especially for political elites who hold interests and power by legalizing all means and putting forward other solutions that change the form of rules that have been regulated in previous laws and regulations. That is why the Constitutional Court's decision that candidates who do not meet the age threshold but have been Regional Heads can participate in the Presidential Election in 2024 as participants. Of course, the Constitutional Court ruling is also closely related to the political dynasty of President Jokowi considering that his eldest son is increasingly intensified by political elites as a candidate who will accompany Prabowo Subianto to run in the 2024 Presidential Election.

The controversial Constitutional Court ruling prompted various levels of society to respond to the ruling as a platform for President Jokowi's continued political power. Thus, it raises many comments and responses as a result of this Constitutional Court ruling as Najwa Shihab did. This senior journalist created a Youtube podcast with resource person Zainal Mochtar who is a Lecturer in Constitutional Law at Gadjah Mada University. The podcast entitled "Putusan Mahkamah Konstitusi: Palu Hakim Patah Berkeping" is considered as a delivery of information in the form of a video to criticize and regret the death of democracy in Indonesia which has been intervened by the interests of political elites who want to rule in the next period in a different version. Amid exposure to the emergence of this political dynastic phenomenon, resulting in a variety of information that developed (Rahman, 2023).

For this reason, in this study, researchers analyzed a problem in text structure on Najwa Shihab's podcast using Teun A. Van Dijk's critical discourse analysis model. This study aims to describe the text analysis in the podcast "Putusan Mahkamah Konstitusi: Palu Hakim Patah Berkeping" using Van Dijk's critical discourse analysis. Thus, using critical discourse analysis, information can be seen about the death message of justice democracy in Indonesia and criticize elements of political elite interests by intervening with the Constitutional Court in deciding a lawsuit regarding the registration requirements for the

2024 presidential election.

There are three previous studies related to critical discourse analysis on video podcasts, including a study by (Melinda et al., 2021) on critical discourse analysis on our stupid podcast or stupid schools which found that there are still many schools in Indonesia that have not used the latest education system. Furthermore, a study by (Bakri & Suyanto, 2023) on the discourse analysis of political messages in the video Ma'ruf Amin-Deddy Corbuzier podcast found research results that from the analysis of Teun A. Van Dijk's discourse model, there is a meaning of political study messages that talk about various aspects that are very crucial, from the economic sector to the government sector.

The second is the social knowledge of Ma'ruf Amin who has a history of Islamic scholars who are very good in their role in conveying political message information. The third is the social context about the relationship between problems that occur in Indonesian society with politics that are not getting better. The last one is a study by (Restiani & Mayasari, 2021) on critical discourse analysis in Deddy Corbuzier's YouTube podcast "Nadiem, jika bodo satu generasi, gimana bro?". The results showed that aspects of social practice through power, shown by Nadiem Makarim who had power as minister of education. Meanwhile, the aspect of power possessed by Deddy Corbuzier is as a party who has a Youtube podcast and has access that can provide information about regulations in the education sector during the COVID-19 pandemic which can later be understood by the public.

From the three previous studies, it can be traced that there is still no research on critical discourse analysis that examines and criticizes the political reality that currently occurs in Indonesia. Thus, through the research "Critical Discourse Analysis on the Podcast "Putusan Mahkamah Konstitusi: Palu Hakim Patah Berkeping" researchers can see how the information aired in the podcast in criticizing the decisions of Constitutional Court judges who are strongly influenced by the political elite in power today.

## METHOD

In this study, researchers used a qualitative approach. Bogdan and Taylor (Nugrahani, 2014) said qualitative research is descriptive information about speech, writing, and behavior of subjects can be obtained. This research focuses on the critical discourse analysis of Teun A. Van Dijk's model which focuses on text analysis to analyze the content of Najwa Shihab's video podcast which invited a constitutional law expert from Gadjah Mada University, Zainal Arifin Mochtar, by speaking and criticizing the weakening of the Constitutional Court in determining the decision lawsuit regarding the registration requirements for participants in the 2024 Presidential Election, especially regarding the age threshold requirement of 40 years.

According to Zainal, this is like a judge's gavel that has broken into pieces and is difficult to fix because it is motivated by the problem of major intervention by the political importance that is in power behind his decision-making. This type of research is literature research in analyzing the text of the transcript from Najwa Shihab's podcast with Zainal Arifin Mochtar. This research uses data sources from a video podcast entitled "Putusan Mahkamah Konstitusi: Palu Hakim Patah Berkeping" which was uploaded to Najwa Shihab's YouTube channel on October 18, 2023 with a duration of 27 minutes 36 seconds. However, to focus more on the discussion of the Constitutional Court ruling, this study took the duration of the video podcast from minute 0 to minute 14. Thus, the object of research that will be the focus of this study is to remain the focus of the study, namely "Critical Discourse Analysis on the Podcast "Putusan Mahkamah Konstitusi: Palu Hakim Patah Berkeping" on the Youtube channel and the reality of power democracy that is happening today as stated in the video podcast.

Critical discourse analysis is a linguistic research method in the category of discourse analysis research that focuses on the issue of discussing abuse of power, domination, and inequality created, produced, and rejected through text or oral in social

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and political contexts (Rafiq, 2020). In critical discourse analysis, there are three elements, namely macrostructure, superstructure, and microstructure. Starting from the macro structure which is a discussion of topics that become a guide in describing the meaning of messages in a text. Continuing on the superstructure that contains an introductory element that has a prefix content of information in the text that has a series of contents, namely the introduction, content, and closing used in concluding a text. Finally, the microstructure consists of background elements, presuppositions, intentions, conditional coherence, and metaphors.

## RESULT AND DISCUSSION

### Macro Structure Analysis

In this structure, there are various elements of discussion topics. The topic is a global description in understanding an issue, conversation, or discussion of information that can invite questions and cause speculation among the public. The structure contained in the podcast entitled "Putusan Mahkamah Konstitusi: Palu Hakim Patah Berkeping" discusses various topics related to the issue behind the Constitutional Court decision that presidential election candidates who have not reached the age of 40 years can register themselves as participants if they have been Regional Heads both from the Provincial and Regency and City levels. The discussion of issue was discussed by Zainal Arifin Mochtar who was a resource person in criticizing the other side behind the Constitutional Court ruling which aroused controversy in this country.

### Superstructure Analysis

In this structure, there are four schematic elements which are divided into introduction, content, and closing. Based on the analysis of research findings, it was found that some discussions in video podcasts can also be grouped into various elements. Here is the data that includes the introductory element in the podcast "Putusan Mahkamah Konstitusi: Palu Hakim Patah Berkeping" with the following:

Data 1. Introduction, minute 00:22

*"the first is what is the actual rationale for the decision? Then the second thing that perhaps must also be read is the spiritual atmosphere of the law. The conditions when the decision was made."*

Based on the data above, it is stated that the main thing in deciding the decision of the Constitutional Court is and what underlies the existence of the decision to create a condition that requires the law to be changed. Meanwhile, the fact that is happening today is that there is a reason behind the decision of the Constitutional Court which can be called the Constitutional Court as a negative legislator institution which means that the decision of the Constitutional Court is only concerned with examining a law that is contrary to the existing constitution or in another sense does not try to formulate new norms as a consequence of replacing the postponed norm (Hardani & Wardhani, 2019). This discussion starts from the topic which will then be continued on the next element, namely the content element which is as follows :

Data 2. Contents, minute 02:26

*"for example, by saying how come there is a sudden change by the Constitutional Court judges who initially agree with the open legal policy, suddenly saying the open legal policy can be violated, including the chairman of the Constitutional Court himself who was initially orderly did not want to participate in the decision process because of a conflict of interest because it was a nephew."*

In this piece of information, it is stated that there are peculiarities that occur in changes in the decision-making process that have been stated in the open legal policy rules, which means that an open legal policy is interpreted as state policy carried out by the competent body that determines and carries out the process of changing laws, which in this case is the institution of the House of Representatives that has the authority to amend amendments, not Constitutional Court. However, with the conflict of interest, namely, the

emergence of Gibran, who is the direct nephew of Chief Justice Anwar Usman, President Jokowi's sister-in-law is the one who violates and tarnishes the rule of law that he should do. It is appropriate for democracy to also be applied as a way to make changes to what happened in the past, returning the right to determine leaders to the people, rulers under the supervision of the people (Manurung et al., 2022).

Data 3. Closing, minute 03:05

*“we can also see the story as if in the verdict there were 2 waves of petitions. that wave of appeals has been rejected by the Constitutional Court, suddenly entered the second wave with little twist of reason so that it becomes a reason to grant.”*

Based on this piece of data information, the results of the closing element were obtained which explained that the core conclusion of the Constitutional Court decision process was 2 applications and the last application was arranged in such a way that when the first submission was rejected it did not affect the long term onwards. In this case, we can also conclude that the first wave of submissions, namely the question of applications for age limits of less than 40 years, was rejected by the Constitutional Court and was granted by the Constitutional Court regarding candidates for the Presidential Election being able to register as participants by having been regional heads even though their age has not reached 40 years. This of course we can interpret as the end of the Constitutional Court decision that passed Gibran Rakabuming Raka to register for the Presidential Election considering that he had not yet reached the age of 40 years but had been a regional head, namely the Mayor of Surakarta before continuing to discuss related controversial issues in a large round of Constitutional Court rulings.

#### Microstructure Analysis

In this analysis, several elements are discussed in the research guide. Starting from the first element, namely the setting of events, historical setting, presuppositions, intentions, conditional coherence, and metaphor). So it starts from the discussion of the first element about the background of events as follows :

Data 4. Event Setting, minute 05:38

*“It's simple if we talk about the impact of democracy, I candidly say what Mr. Jokowi really thinks, but if we realize that Mr. Jokowi is actually as if he is betting at a very expensive betting price.”*

In this piece of information, Zainal wanted to explain a process of political consequences that would be obtained by President Jokowi when the democracy he had managed to master suddenly as a result of simalakama when the former Governor of DKI Jakarta lost a democratic match that he destroyed. Indeed, the information above, also strongly implies that the impact of what actions have been taken by President Jokowi, of course, in the future will also greatly give birth to democratic milestones that are not good in the development of the judicial bureaucracy in the country. The political developments currently displayed by the power of President Jokowi and other interest elites, display falsehoods above the truth that are covered up in order to always build a positive outlook among the public (Jamil et al., 2023). Furthermore, it is to explain from the analysis of data included in the category of historical settings which include the following :

Data 5. Historical Setting, minute 06:33

*“PDIP has a big role in Mr. Jokowi's career itself plus his son's career if the story circulating is true that Gibran was brought to Solo with the intervention of his father and the direct blessing of Mrs. Mega.”*

Based on this piece of information, it is stated that behind the success of Joko Widodo's political figure who started from the Mayor of Surakarta to the Governor of DKI Jakarta to reach the highest leadership at the executive level, namely as the number one person in the country, it turns out that there is a big role from parties who have always been loyal to support Jokowi as a figure who deserves to be a leader who is none other than coming from his party itself namely PDI-P which is a political vehicle very faithfully accompany Jokowi's political career when talking about history before he could lead the government in this country. Proof of President Jokowi's success, made him want to continue and encourage his son, Gibran, to also enter politics by obtaining the green light

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from PDI-P to follow in his career footsteps as Mayor of Surakarta. So, in the future, this is done to prepare Gibran to participate in general election contestations which are not without other than seeing elections as a tool to gain power, a tool for political elites to play to gain legitimacy from the people to gain power (Hawing & Hartaman, 2021). Next, it discusses the appropriate presupposition elements in the video podcast as follows :

Data 6. Presumption, minute 11:03

*"Including saying that his children are more about doing business just arrived" experienced changes. he has a vehicle to more or less be able to stop, I give you the example of PSI."*

Referring to the information above, it can be explained that there is an assumption about the children of President Jokowi, namely Gibran and Kaesang who will not enter politics. But this assumption has disappeared and both are now following in the footsteps of their father's career success in Indonesian politics. Kaesang, who as is well known, as the Chairman of the Indonesian Solidarity Party (PSI), is a form of President Jokowi's new political vehicle to support his son's success in politics as he followed his previous career. Political dynasties can be referred to as systems that are contrary to democracy because they have limited the scope of democracy which should open up opportunities in politics as widely as possible (Hayati et al., 2017). Then it discusses the elements of intent which are as follows :

Data 7. Meaning, minute 10:34

*"Mr. Jokowi let in many levels. at the initial level, at least when Mr. Jokowi forced his son to run in the election process itself. that it then very likely translated dynastic politics and it was preserved."*

Reflecting on the piece of information above, which seems to describe the current political reality that occurs within the scope of President Jokowi's family, which has now been described as dynastic politics carried out by Jokowi, especially in encouraging his son to move forward, which, as we already know, Gibran was elected Mayor of Surakarta in the 2021 regional elections which is not without possibility not directly encouraged by his father who is the helm of the government the highest in the country. A term that is now popular about dynastic politics which is an effort of a leader based on the results of general elections starting from the central and regional levels who are currently occupying an office or who are in power to position their family members and relatives to be used as successors or successors to power and become leaders of the next period and place family relatives in strategic positions in the government (Triyono, 2020).

Data 8. Conditional Coherence, minute 08:21

*"the way the Constitutional Court treats this will shift the democratic principle of policy-making taken by elected officials to shift into a juristocracy. The democratic process taken by the jury is not taken by the demos."*

Based on the data on this piece of information, it can be seen from the information that Zainal wants to convey the changes in the democratic system carried out by the Constitutional Court by eliminating democratic principles that are no longer based on decisions based on public participation in contributing to maintaining the spirit of the highest constitution of the country, but instead the judge prioritizes aspects of desire motivated by political interests in making the decision. Public participation has a crucial meaning as the right of the public to be heard, the right to be considered, and the right to get an explanation for the opinions given (Merriam & Grossman, 2015). Then, continue to discuss the elements of metaphor as follows:

Data 9. Metaphor, minute 05:09

*"The judge's gavel was completely broken and the judge's gavel was blown to pieces. And I think the Constitutional Court has hit the judge a lot of times."*

Referring to the words of this sentence, Zainal described a new reality that hinted that the collapse of integrity and moral values by some Constitutional Court judges was based on the element of interest. With this political interest, the enforcement of punishment based on the rules that have been regulated is no longer achieved. Thus, gives birth to a democracy of justice and morality that should be properly held by judges, but they ignore it

and allow the firm mandate of the judiciary which has been maintained for years, to be destroyed instantly because of the intervention of the interests of the political elite. On the other hand, conflicts of interest also give birth to a situation that can trigger or disrupt even logical consequences that can negate the objectivity of one's partiality due to the combination of interests, duties, responsibilities, and personal interests (Zakaria Habib Al-Ra'zie & Heru Wahyudi, 2022).

## CONCLUSIONS

The emergence of the Constitutional Court decision in passing candidates for presidential candidate and vice president in 2024 is suspected to be full of the interests of political elites who want to continue their power in the next period. This was also motivated by the birth of the issue (at that time) that President Joko Widodo's eldest son, Gibran Rakabuming Raka, would also enliven the 2024 Presidential Election contestation accompanying the presidential candidate of the Advanced Indonesia Coalition, Prabowo Subianto. However, the age background that has not reached 40 years old prevents Gibran from registering as a participant in the Presidential Election because the regulations related to the requirements to become a presidential candidate and vice presidential candidate are at least 40 years old. Armed with this regulation, it triggered a lawsuit to the Constitutional Court to change these requirements with the intention that Gibran could pass the registration of Vice President candidates.

Based on the political interests of Chief Justice Anwar Usman and President Jokowi, who incidentally are a family, the decision of the presidential candidate's lawsuit ultimately passed Gibran as a candidate with the criteria of being in a position elected through general elections including regional head elections. Based on the Constitutional Court ruling, there are many controversies and questions behind President Jokowi's involvement in intervening in the Constitutional Court to pass his son. This phenomenon was studied in this study by raising Najwa Shihab's podcast entitled "Putusan Mahkamah Konstitusi: Palu Hakim Patah Berkeping" as a critical discussion in criticizing the integrity and authority of power possessed by Anwar Usman over his partiality in political interests.

In a podcast entitled "Constitutional Court Verdict: Judges' Hammer Broken in Pieces", it is concluded that there is a shift in democratic values that negates public participation in the decision-making process and prioritizes the interests of MK judges which are interpreted as full of political interests towards the 2024 Presidential Election. There is also the erosion of democratic values that should allow citizens to participate either directly or through representatives in the formulation, development, and making of laws (Syarifudin, 2022). Zainal Arifin Mochtar, who was the speaker of this podcast, criticized various matters related to the Constitutional Court decision and the collapse of democracy which can now only be played and controlled by the interests of the political elite, especially for President Jokowi. By analyzing using critical discourse analysis, conclusions from the structure of the text were found in understanding the message on this podcast that criticizes the constitutional enforcement of laws that currently occur not based on laws and regulations. Thus, making a pattern of justice and moral democracy that should be upheld by the judges of the Constitutional Court, but if they ignore it and let the institutional mandate that they have built for years, be destroyed instantly because of the intervention of the interests of the political elite in power in the republic.

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Anthropology,  
and others.

