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Exploitation of the Elderly in the Phenomenon of ‘Cyber Begging’ on TikTok: A Victimological Perspective

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ABSTRACT

The emergence of cyber begging on digital platforms such as TikTok has raised serious legal and ethical concerns, particularly when involving vulnerable populations like the elderly. This study examines the phenomenon of elderly individuals participating in live-stream content on TikTok, where they are often depicted in humiliating or infantilizing situations in exchange for virtual gifts. Using a normative legal research method, this paper analyzes whether such practices can be categorized as criminal exploitation under Indonesian law, particularly Law No. 21 of 2007 on the Eradication of Human Trafficking and related statutory instruments. The study adopts a victimological perspective to argue that apparent consent does not negate victimhood when participation is shaped by structural conditions such as poverty, digital illiteracy, or dependency. Furthermore, the principle of legal certainty is employed to highlight the inadequacy of current legal frameworks in addressing emerging forms of digital exploitation. The findings suggest that while cyber begging may appear voluntary, it often reflects deeper patterns of coercion and asymmetrical benefit, warranting clearer legal recognition and protective policies. This research contributes to the discourse on elder justice, digital labor ethics, and the evolution of criminal law in the digital age.

Keywords: *Cyber Begging, Elderly, Exploitation, Legal Certainty, TikTok, Victimology*

INTRODUCTION

The rise of digital platforms has significantly reshaped the dynamics of social interaction and economic activity in the 21st century. With more than 5.3 billion internet users globally the convergence of communication technologies and economic transactions is increasingly mediated by digital media.¹ Among the many platforms that facilitate such convergence, social media has evolved into a multifaceted environment that supports not only personal communication and entertainment but also entrepreneurial ventures, commodified labor, and problematically forms of exploitation.² One of the most rapidly expanding platforms in this ecosystem is TikTok, a short-form video application with over 1.2 billion active users worldwide. In Indonesia, TikTok ranks among the most widely used platforms, particularly among younger users, though its popularity has expanded across age groups. Its LIVE feature enables real-time broadcasting where viewers can send virtual gifts, a monetized interaction that provides streamers with financial compensation based on engagement metrics.³

While these features have democratized the ability to earn income through digital means, they have simultaneously introduced novel risks of exploitation, particularly among vulnerable populations. A growing concern is the emergence of cyber begging, defined as the act of requesting financial support online by displaying distress, poverty, or other emotive content aimed at eliciting sympathy and donations.⁴ Unlike traditional forms of public begging, which rely on face-to-face interactions, cyber begging is driven by digital algorithms and mass audience engagement. On TikTok, this practice has manifested through LIVE streams where individuals often elderly or marginalized perform demeaning acts or simply sit in silence, waiting for gifts from viewers. Such performances are often orchestrated by third parties and monetized through TikTok's built-in gift system. In Indonesia, viral cases have highlighted the troubling use of elderly individuals as the central figures in these performances. For example, in the case of the TikTok account @intan_komalasari92, elderly participants were directed to bathe in mud while viewers were encouraged to donate. Another case, associated with the account

¹ Malan Huang et al., "Digital Economy Empowered Entrepreneurship," *Management Decision* 63, no. 1 (January 21, 2025): 155–186, <https://www.emerald.com/insight/content/doi/10.1108/MD-09-2023-1650/full/html>.

² Andrea Geissinger et al., "Assessing User Perceptions of the Interplay between the Sharing, Access, Platform and Community-based Economies," *Information Technology & People* 33, no. 3 (June 18, 2020): 1037–1051, <https://www.emerald.com/insight/content/doi/10.1108/ITP-12-2019-0649/full/html>.

³ Koesharijadi Koesharijadi, Anak Agung Alit Merthayasa, and Ikhsan Nendi, "Development of Digital Marketing Strategy and Service Quality Using Social Media Towards Digital Economy," *Journal of Social Science* 3, no. 4 (July 27, 2022): 799–804, <https://www.jsss.co.id/index.php/jsss/article/view/375>.

⁴ Brian Nicholson, Petter Nielsen, and Johan Saebo, "Special Issue: Digital Platforms for Development," *Information Systems Journal* 31, no. 6 (November 13, 2021): 863–868, <https://onlinelibrary.wiley.com/doi/10.1111/isj.12364>.

@sukoy_14, featured an elderly woman engaged in childlike activities in a manner that was widely viewed as humiliating.⁵ Despite these public concerns, law enforcement responses have been limited. Officials such as Kombespol Teddy of the NTB Regional Police have claimed that no criminal offense occurred due to the apparent voluntariness of the elderly participants.⁶

However, interpretations grounded solely in the notion of “consent” overlook more complex legal and victimological dimensions. The fact that participants agreed to partake in such content does not necessarily eliminate the possibility of exploitation particularly when consent is shaped by structural vulnerabilities such as poverty, digital illiteracy, or economic dependency. While research on digital exploitation has grown in recent years, much of it has focused on children, sex workers, and migrant laborers with little attention given to the elderly . Studies on digital precarity suggest that many online laborers consent to participation not out of freedom, but due to necessity and systemic constraint.⁷ This research gap is especially glaring in the Global South, where economic hardship often intersects with exploitative digital practices. Therefore, this study aims to critically assess whether cyber begging involving elderly individuals on TikTok can be classified as a form of criminal exploitation under Indonesian law. Furthermore, the study explores this issue through a victimological framework to analyze the psychological, financial, and structural harms experienced by those involved.

Conceptually, cyber begging differs from conventional begging by being mediated through digital platforms, particularly TikTok’s LIVE streaming feature. This innovation allows creators to monetize audience interaction by soliciting virtual gifts in exchange for emotional performance or spectacle.⁸ In many cases, these performances are not self-directed but guided by individuals who manage content, coordinate actions, and distribute income. The commodification of empathy is at the core of this digital begging economy, raising serious ethical questions when the performers are elderly and likely unaware of the nature of the platform or the implications of their participation.

From a legal standpoint, cyber begging while not explicitly criminalized as a cybercrime exists within a grey area of digital law. According to Arwana, cybercrime encompasses all illegal acts conducted through the use of technology

⁵ Paola Tubaro, “Disembedded or Deeply Embedded? A Multi-Level Network Analysis of Online Labour Platforms,” *Sociology* 55, no. 5 (October 31, 2021): 927–944, <https://journals.sagepub.com/doi/10.1177/0038038520986082>.

⁶ Kompas TV, “Berita Kasus Teddy Minahasa Terbaru,” last modified 2023, accessed July 24, 2025, <https://www.kompas.tv/tag/kasus-teddy-minahasa>.

⁷ Iman Kassam et al., “Patient Perspectives and Preferences for Consent in the Digital Health Context: State-of-the-Art Literature Review,” *Journal of Medical Internet Research* 25 (February 10, 2023): e42507, <https://www.jmir.org/2023/1/e42507>.

⁸ Irvan Manggala, Ismi Dwi Astuti Nurhaeni, and Andre Rahmanto, “Commodification of the Elderly in TikTok Live Streaming (TikTok Account Case Study @intan_komalasari92),” *Formosa Journal of Social Sciences (FJSS)* 2, no. 4 (December 28, 2023): 495–510, <https://journal.formosapublisher.org/index.php/fjss/article/view/6995>.

for material or immaterial gain.⁹ When cyber begging is conducted under manipulation, coercion, or misrepresentation, it arguably constitutes an abuse of digital platforms. The blurred line between content creation and exploitation calls into question the responsibilities of both content creators and the state in ensuring the digital safety and dignity of vulnerable groups.

The monetization features of TikTok, including LIVE gifting and TikTok Shop, have created new opportunities for digital entrepreneurship but also incentivize sensational content. Alva argue that visibility and economic success on TikTok are algorithmically determined, rewarding emotional vulnerability and shock value.¹⁰ This creates a situation in which elderly participants, who may lack digital awareness or media literacy, are placed at a disproportionate risk of exploitation. They may perform acts they do not fully understand, with little to no control over how their image is disseminated or monetized.

Under Indonesian law, the definition of exploitation provided in Article 1(7) of Law No. 21 of 2007 on the Eradication of the Crime of Human Trafficking includes actions that utilize a person's body or labor whether or not with their consent for material or immaterial benefit.¹¹ This expansive definition is applicable to digital contexts where individuals are used to generate profits, particularly when such use involves manipulation or staging for dramatic effect. Although the law was originally designed to combat transnational trafficking, its provisions can be interpreted to address digital forms of exploitation involving elderly participants in monetized livestreams.

Moreover, Article 1 of the same law defines trafficking as a process involving deception, abuse of power, or the exploitation of a person's vulnerable condition. Even without physical relocation, the mobilization of elderly individuals into online labor for economic gain under structurally coercive conditions may fulfill this definition. A study from Alfian has urged for trafficking laws to evolve in light of digital transformations, particularly in low-income countries where traditional enforcement frameworks may be insufficient.¹²

The legal recognition of victims under Law No. 13 of 2006 on the Protection of Witnesses and Victims includes individuals who suffer financial, psychological, or physical harm from criminal acts.¹³ In cyber begging cases, the elderly may be psychologically distressed, financially manipulated, and physically endangered especially when engaging in acts such as mud bathing for entertainment purposes.

⁹ Yudha Chandra Arwana, "Victims of Cyber Crimes in Indonesia: A Criminology and Victimology Perspective," *Semarang State University Undergraduate Law and Society Review* 2, no. 2 (July 30, 2022): 181–200, <https://journal.unnes.ac.id/sju/index.php/lsr/article/view/53754>.

¹⁰ Alva Douhan, "What Is Happening in Your Feed? A Study of Social Media Algorithms, Agency and Information Practice," no. 51 (2025).

¹¹ Republik Indonesia, *Law No. 21 of 2007* (Indonesia, 2007).

¹² M. Alfian, "Penguatan Hukum Cyber Crime Di Indonesia Dalam Perspektif Peraturan Perundang-Undangan" (2018).

¹³ Republik Indonesia, *Law No. 13 of 2006*, 2006.

Victimology scholars such as Norrie emphasize that consent does not negate victimhood when given under limited agency or economic dependency. Therefore, legal assessments must move beyond surface-level voluntariness and consider the deeper structural conditions that make exploitation possible.¹⁴

The application of a victimological lens reveals that elderly individuals in these scenarios are not simply passive participants but victims shaped by systemic inequality. The combination of poverty, social isolation, and digital illiteracy renders them highly vulnerable. While some observers might classify such incidents as “victimless crimes” due to mutual gain, this perspective neglects the reality that gain is often asymmetrical and that participation is not always fully informed or autonomous.

Finally, from a normative legal perspective, the principle of legal certainty (*rechtszekerheid*) requires that laws be clear, consistent, and enforceable. As Jan Michiel Otto emphasizes, the legitimacy of the legal system depends on predictable enforcement and the equal application of rules. In Indonesia, the absence of specific legal provisions addressing cyber begging creates ambiguity, enabling discretionary interpretations by law enforcement and leaving victims inadequately protected.¹⁵ Therefore, this study argues for a clearer statutory framework and judicial interpretation to ensure that digital exploitation particularly of the elderly is recognized, prevented, and punished within the boundaries of established legal principles.

RESEARCH METHODOLOGY

This study employs a normative legal research method which is commonly used to analyze legal norms, statutory regulations, and conceptual frameworks in response to specific legal phenomena. The normative approach is suitable for addressing the central legal question of this study, namely whether the practice of cyber begging involving elderly individuals on TikTok can be categorized as a form of criminal exploitation under Indonesian law. Normative legal research focuses on the law in books, rather than empirical social data, making it appropriate for evaluating doctrinal interpretations and the internal logic of legal provisions in relation to digital exploitation.

To support this method, the research adopts two core approaches: the statutory approach and the conceptual approach. The statutory approach involves the systematic examination of legal instruments that are directly or indirectly relevant to the issue of cyber begging. These include Law No. 21 of 2007 on the Eradication of the Crime of Human Trafficking, which provides the legal definition of exploitation; Law No. 13 of 2006 on the Protection of Witnesses and Victims,

¹⁴ A Norrie, “Justice and Vulnerability: Consent and the Limits of Autonomy in Criminal Law,” *International Journal of Law in Context* 18, no. 1 (2022): 1–17.

¹⁵ J. M. Otto, “Rule of Law Promotion and Legal Certainty,” *Law and Governance Beyond Borders* (2020): 87–104.

which defines the rights and recognition of victims; the Indonesian Criminal Code (KUHP); and relevant provisions in laws regulating electronic information and transactions (ITE Law).¹⁶ These legal sources are analyzed to determine whether existing statutory language and criminal elements are adequate to address exploitative behaviors in digital environments, particularly when involving vulnerable populations such as the elderly.

Complementing this is the conceptual approach, which allows the researcher to engage with legal theories and doctrines that explain the underlying principles of criminal responsibility, exploitation, victimhood, and the nature of consent. The conceptual approach is crucial in bridging the gap between the traditional definitions of trafficking and exploitation often based on physical coercion or movement and the evolving nature of digital exploitation facilitated through social media platforms. The digital space, unlike conventional exploitative environments, presents unique challenges such as voluntary visibility, monetized attention, and algorithmic amplification, which require nuanced theoretical reflection.

To further deepen the analysis, this study is guided by two key theoretical frameworks: victimology theory and legal certainty theory. Victimology theory provides a lens through which the status of elderly individuals in cyber begging content can be evaluated. It moves beyond formal legal definitions and examines how victims may suffer psychological, physical, or economic harm, even in cases where their participation appears voluntary. This perspective is essential in identifying how structural vulnerabilities such as age, digital illiteracy, poverty, and social isolation can render apparent consent insufficient for exempting responsibility or denying the existence of harm. Victimology further enables the analysis of the power dynamics between the content creator (often anonymous or younger) and the elderly individual whose image and labor are monetized.¹⁷

Meanwhile, the legal certainty theory, as articulated by Jan Michiel Otto, is used to assess the coherence and applicability of the legal system in responding to new forms of criminality. Legal certainty (*rechtszekerheid*) is a foundational principle of the rule of law, requiring that laws be clear, accessible, consistent, and enforceable. In the context of cyber begging, the absence of explicit legal norms or judicial precedents governing such digital behavior creates ambiguity for both law enforcement and the public. This study uses the theory of legal certainty to critique the discretionary decisions of police authorities who, in recent cases, have declined to pursue criminal charges on the basis of perceived voluntariness, despite indications of exploitation. The theory supports the argument that the state bears a

¹⁶ Republik Indonesia, *Law No. 21 of 2007*; Republik Indonesia, *Law No. 13 of 2006*, 2006, accessed July 25, 2025,

<https://peraturan.bpk.go.id/Search?keywords=UUD+No.+13+of+2006&tentang=&nomor=>

¹⁷ Eric Agyemang et al., "The Street Begging Economy: Investigating the Economic Strategies of Street Beggars in Ghana," *International Journal of Sociology and Social Policy* 44, no. 2 (2024).

responsibility to evolve its legal interpretations and regulations to match technological and social developments.

The analytical method applied is qualitative in nature, relying on document analysis of legal texts, secondary literature, and selected case studies. Particular attention is given to two well-documented cases of elderly individuals featured in TikTok live-streams where they were either bathing in mud or engaging in infantilized behavior to attract online donations. These case studies are assessed in terms of the relationship between the account holder and the participant, the nature of consent involved, the financial structure of the monetization, and the public response including interpretations from law enforcement. The study further incorporates comparative insights from international human rights frameworks, digital labor ethics, and legal debates on online harm, allowing a broader contextualization of how digital-age exploitation challenges conventional legal categories.

In summary, this methodological design integrates statutory interpretation, conceptual legal theory, and case-based analysis to evaluate whether current Indonesian legal instruments adequately address the exploitation of elderly individuals through digital platforms. The use of victimological theory allows for a deeper understanding of harm and vulnerability, while legal certainty theory highlights the importance of clear and responsive legal standards in an evolving digital society. Together, these approaches aim to construct a coherent legal argument for the recognition and regulation of cyber begging as a potential form of criminal exploitation deserving of legal and institutional intervention.

RESULTS AND DISCUSSION

This section presents and analyzes the results of the study based on the normative legal framework and victimological theory outlined in the previous chapters. Drawing from the statutory and conceptual approaches, this study critically examines whether the practice of cyber begging involving elderly individuals on TikTok can be legally classified as exploitation under Indonesian law. By applying a victimological lens and the principle of legal certainty, the discussion interrogates the validity of consent, the role of structural vulnerabilities, and the adequacy of existing legal instruments in addressing this emerging form of digital harm. The analysis focuses on two documented TikTok cases involving elderly participants in live-streamed begging scenarios, exploring the nature of their involvement, the legal interpretation of such acts, and the implications for policy and law enforcement. Each sub-section develops a thematically structured discussion to reflect both doctrinal legal reasoning and normative critique.

Cyber Begging Practices Involving Elderly Individuals as a Form of Exploitation

The findings of this study indicate that cyber begging on TikTok, particularly content involving elderly individuals engaged in humiliating performances (such as mud bathing), aligns with the legal characteristics of exploitation as defined in Article 1(7) of Law No. 21 of 2007 concerning the Eradication of Human Trafficking. Although participation may be claimed to be voluntary, the law stipulates that consent does not negate the classification of an act as exploitation when it involves the use of a person's labor or body for material or immaterial gain.

In these viral cases, elderly individuals are seen performing actions at the direction of an account holder who orchestrates the content, including staging scenes of sadness to trigger audience sympathy. The livestreams are monetized through TikTok's virtual gift feature, which provides financial returns to the account holder reportedly up to IDR 9 million over nine sessions. These facts fulfill four critical elements of exploitation: (1) the presence of a vulnerable subject (elderly), (2) the involvement of another party directing and profiting from the act, (3) economic gain derived from the act, and (4) actions resembling forced labor or humiliation.

This phenomenon may also be examined through the lens of Article 504 of the Indonesian Criminal Code (KUHP), which criminalizes public begging. While digital platforms are not explicitly mentioned in the law, the spirit of the provision preventing public degradation and coercive solicitation applies analogously. Moreover, the modus operandi of incentivized performances ("1 rose = 1 pour of mud") mirrors traditional begging tactics adapted to the digital stage. These activities further risk the health of elderly participants, particularly given exposure to unsanitary conditions and cold weather during late-night streaming.

However, Indonesia's Law on Electronic Information and Transactions (ITE Law) lacks explicit provisions addressing online begging, indicating a regulatory gap. The recent issuance of Circular Letter No. 2 of 2023 by the Minister of Social Affairs attempts to fill this void by urging local governments to prevent the exploitation of vulnerable groups including the elderly through online media.¹⁸ Yet, as a non-binding policy instrument, it lacks coercive legal force.

Victimological Assessment of Elderly Participants in Cyber Begging

Using the victimology theory, this study argues that elderly individuals featured in TikTok cyber begging videos can be classified as latent victims or predisposed victims, based on their social vulnerability and limited awareness of the digital environment. The definition of a victim under Law No. 31 of 2014 on

¹⁸ Ariij Salsabil Alamsyah, Devita Gloria Ardida, and Raushani Nadzifa Yahya, "Legal Protection for Victims of Online Begging Exploitation Based on Circular Letter No. 2 of 2023," *Jurnal Hukum Prasada* 12, no. 1 (April 11, 2025): 45–57, <https://ejournal.warmadewa.ac.id/index.php/prasada/article/view/10992>.

Witness and Victim Protection includes those suffering physical, psychological, or financial harm due to a criminal act.¹⁹ Meanwhile, Law No. 21 of 2007 extends this definition to include social and economic suffering in the context of human trafficking.²⁰

The elderly individuals involved in these videos were reportedly unaware of the broader implications of their actions. They were not educated by content creators about the nature of the platform, nor did they understand that their actions may constitute begging or that they were being economically exploited. Their involvement was driven primarily by economic necessity, not by informed consent. This raises serious questions about the ethical and legal boundaries of "consent" in digital labor performed by vulnerable groups.

From the perspective of victim typology, these elderly participants are not merely passive agents; rather, they are situated within a complex structure of digital coercion where their poverty and lack of technological literacy are manipulated for profit. This challenges simplistic narratives that categorize the acts as consensual and thereby legally permissible.

Furthermore, while some may argue that these cases represent victimless crimes or mutual victimization, such a perspective fails to appreciate the power asymmetry and lack of informed agency on the part of the elderly participants. The concept of self-victimizing victims though valid in some contexts such as prostitution or drug use cannot be appropriately applied when the victim lacks knowledge, power, or alternatives. Instead, these individuals fall within the scope of victims needing protection rather than prosecution.

Sociolegal Imperatives for Elderly Welfare and Protection

Indonesia's Law No. 13 of 1998 on the Welfare of the Elderly provides a foundation for protecting and empowering elderly citizens, categorizing them into potential and non-potential elderly.²¹ In the TikTok cyber begging cases, the elderly involved are classified as potential elderly, capable of working and earning income. However, their choice to participate in exploitative digital labor underscores a failure of the state and society to provide adequate livelihood alternatives.

To address this, the state must not only criminalize exploitative acts but also fulfill its positive obligations by implementing the rights enshrined in Article 11 of the Elderly Welfare Law. These include providing mental and spiritual services, healthcare, work opportunities, vocational training, access to public infrastructure, legal assistance, and social aid. Strengthening such services will reduce the

¹⁹ Republik Indonesia, *Law No 31 of 2014*, 2014, accessed July 25, 2025, <https://peraturan.bpk.go.id/Search?keywords=UU+No.+31+2014&tentang=&nomor=>.

²⁰ Republik Indonesia, *Law No. 21 of 2007*, 2007, accessed July 25, 2025, <https://peraturan.bpk.go.id/Search?keywords=Undang+Undang+No.+21+of+2007+&tentang=&nomor=>.

²¹ Republik Indonesia, *Law No. 13 of 1998*, 1998, accessed July 25, 2025, <https://peraturan.bpk.go.id/Search?keywords=UU+No.+13+1998&tentang=&nomor=>.

economic desperation that drives vulnerable populations to participate in exploitative digital labor.

The case of TikTok cyber begging reflects a broader failure to synchronize legal protection with socioeconomic policy, leading to the normalization of exploitation disguised as entrepreneurship. Therefore, legal reform must be accompanied by a coordinated policy agenda aimed at poverty alleviation and digital literacy, particularly for the elderly.

CONCLUSION

The phenomenon of cyber begging involving elderly individuals on TikTok highlights a concerning intersection between digital monetization and structural vulnerability. Although such acts are often framed as voluntary or innocuous content creation, this study demonstrates that the apparent consent of elderly participants must be understood in light of broader socio-economic conditions such as poverty, digital illiteracy, social isolation, and intergenerational power imbalances. From a victimological perspective, these conditions diminish the validity of consent and render elderly individuals highly susceptible to exploitation under the guise of entertainment or income generation.

Legally, Indonesia's current regulatory framework including Law No. 21 of 2007 on the Eradication of the Crime of Human Trafficking and Law No. 13 of 2006 on the Protection of Witnesses and Victims provides a basis for classifying such practices as exploitation. However, the absence of explicit provisions addressing digital coercion and algorithmic monetization results in enforcement ambiguities. These legal gaps often lead to discretionary interpretations by law enforcement authorities, which may overlook the structural harm experienced by victims.

To ensure justice and protection for vulnerable populations in the digital age, it is essential that legal interpretations evolve alongside technological developments. Lawmakers must establish normative standards that acknowledge new forms of exploitation facilitated by digital platforms. Furthermore, this study advocates for the integration of victimological analysis in legal proceedings, particularly when assessing cases involving structurally marginalized individuals whose agency is compromised. Ultimately, safeguarding the dignity and rights of elderly citizens in digital environments requires not only ethical regulation by platform providers like TikTok, but also robust and adaptive legal frameworks.

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