



Legality and social impact of "Cancel Culture"

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Abstract

This study examines the legality and social impact of cancel culture in digital spaces by situating it at the tension point between freedom of expression, the protection of human dignity, and legal certainty. It departs from the phenomenon of mass social punishment through boycotts, stigmatization, and "trials" by public opinion on social media, and seeks to explain how cancel culture operates as a mechanism of accountability while simultaneously holding the potential to generate violations of constitutional rights, particularly the right to reputation and the right to due process. The study employs a combination of normative and empirical legal methods: the analysis of relevant legislation, legal doctrine, and case law is integrated with a critical reading of empirical findings on perceptions, practices, and social consequences of cancel culture in the digital sphere. The findings indicate that the existing positive legal framework has not yet fully succeeded in balancing the function of public criticism with the prevention of mob mentality and excessive chilling effects on freedom of expression, while at the social level cancel culture is ambivalent it can amplify the voices of vulnerable groups, but also trigger psychological trauma, polarization, and the erosion of spaces for dialogue. The study recommends strengthening clearer regulations, establishing mechanisms for the restoration of reputation, adopting proportionate arrangements regarding the responsibility of digital platforms, and advancing digital literacy and communication ethics so that cancel culture can be directed towards a more humane and just form of public oversight that is consistent with the principles of a democratic rule of law.

Keywords: Cancel culture, freedom of expression, human dignity

Introduction

The phenomenon of cancel culture has created new tensions between freedom of expression, protection of human dignity, and legal certainty in the contemporary digital space (Adiyanta, 2025; Haskell, 2021; Traversa, Becker, Sengupta, & Christ, 2023) ^[2, 27]. The practice of "cancelling" an individual or institution through social boycotts, withdrawal of support, and public stigmatization often works faster than formal legal mechanisms, raising serious issues regarding its legality and social impact (Legal Forum, 2022; The Singapore Law Gazette, 2023). In this context, academic studies on the legality and social impact of cancel culture are crucial for understanding how this social practice intertwines with the principles of the rule of law, human rights, and the ethics of public communication (Adiyanta, 2025; Britannica, 2024) ^[2, 6].

Conceptually, cancel culture is understood as the practice of mass social punishment of individuals or groups deemed to have committed unacceptable actions or expressed views, primarily through social media (Haskell, 2021; Lazuardi, 2023) ^[16]. Key characteristics of this phenomenon include public shaming, withdrawal of support (unfollowing, product boycotts, dismissal petitions), and demands that the cancelled subject experience certain social and economic consequences (Britannica, 2024; The Singapore Law Gazette, 2023) ^[6]. Through the logic of virality on digital platforms, cancel culture can transform into a kind of "mob justice" that operates outside of legal procedures but produces very real social sanctions (Adiyanta, 2025; Legal Forum, 2022) ^[2].

From a social perspective, cancel culture carries a strong ambivalence: on the one hand, it is seen as an instrument of accountability when legal systems and formal institutions fail to respond to violations, particularly those related to sexual violence, racism, and ethical violations by influential

figures (Britannica, 2024; Miami Race & Social Justice Review, 2025) ^[6, 17]. Psychological research shows that groups experiencing disadvantage or injustice can feel collective validation through cancel culture practices, as they gain recognition for their experiences and voices in the public sphere (Traversa *et al.*, 2023) ^[27]. Within a social justice framework, cancel culture can be seen as an expression of resistance to unequal power relations and a mechanism for "calling out" behavior that has been tolerated or normalized (Miami Race & Social Justice Review, 2025; Haskell, 2021) ^[17].

However, the negative social impacts of cancel culture are also significant, particularly related to the potential for mob mentality, cyberbullying, polarization, and excessive deterrent effects on free speech (On Our Moon, 2020; Britannica, 2024) ^[6, 19]. The dynamics of rapid moral judgment, based on fragmented information, and without thorough verification, foster a presumption of guilt, where accusations in digital spaces are often treated as if they are final truth (Legal Forum, 2022; Adabiya, 2024). This situation can lead to psychological trauma, irreversible reputational damage, and prolonged disruption of social relationships for the targeted individuals (On Our Moon, 2020; Journal TZ, 2023) ^[19].

From a legal perspective, cancel culture raises a number of complex issues related to the boundaries between freedom of expression, the right to a good name, and protection against hate speech (Adiyanta, 2025; Siregar, 2025) ^[2, 24]. Several studies indicate that cancel culture practices can result in violations of constitutional rights, particularly the right to reputation, the right to self-protection from unlawful acts (including defamation), and the right to due process (Adiyanta, 2025; RGSA, 2023) ^[2]. On the other hand, overly repressive legal responses to public expression are feared to potentially silence legitimate criticism and reduce the space

for citizen participation in controlling power (The Singapore Law Gazette, 2023; Adabiya, 2024).

In the realm of public policy, several authors emphasize that cancel culture is an extralegal social practice that requires careful regulatory and policy design, as it intersects with digital platform governance, data protection, content moderation, and digital literacy education (Adiyanta, 2025; RGSA, 2023) ^[2]. Policy proposals address not only positive legal aspects but also encourage collaboration between the government, platform providers, civil society, and individual users to build a more ethical and inclusive communications ecosystem (The Singapore Law Gazette, 2023; People Management, 2024). This includes developing fair reporting mechanisms, correction and reputation restoration procedures, and strengthening public capacity to sort information and manage differences constructively (Adiyanta, 2025; Adabiya, 2024) ^[2].

Based on these various descriptions, it appears that the study of the legality and social impact of cancel culture is highly urgent, both theoretically and practically (Haskell, 2021; LSPR Communicare, 2024). Theoretically, this research is crucial for enriching the discourse on the relationship between law, public morality, and digital power within the framework of a state based on the rule of law and constitutional democracy (Adiyanta, 2025; SSRN, 2024) ^[2]. Practically, a comprehensive study is expected to provide a basis for argumentation for policy formulation, regulatory refinement, and the development of social media ethics that protect human dignity, guarantee freedom of expression, and prevent disproportionate social punishment.

Research Method

The research method used in this study on the legality and social impact of cancel culture combines normative and empirical legal research. Normative legal research is conducted by examining relevant laws and regulations, such as provisions on freedom of expression, protection of honour and reputation, and regulations related to hate speech and cybercrime. This research is combined with an analysis of general legal doctrines, principles, and concepts. This approach is reinforced through a literature review of journal articles, books, court decisions, and various academic studies discussing the phenomenon of cancel culture, resulting in a systematic legal construction regarding the position of cancel culture practices within the framework of the rule of law and human rights. The analysis is conducted qualitatively by interpreting legal norms and doctrines and then linking them to evolving social facts to produce legal arguments that are logical, coherent, and academically accountable.

Meanwhile, empirical legal research is used to capture how cancel culture is practiced and perceived by the public, particularly social media users, and its implications for the targeted subjects and the broader freedom of expression ecosystem. This approach can be implemented through primary data collection using in-depth interviews with victims, perpetrators, activists, legal practitioners, and policymakers, as well as documentary studies of cancel culture cases exposed in the digital public sphere. Empirical data is then analyzed qualitatively by identifying emerging patterns, themes, and dynamics of power relations, and then linked to normative findings to examine the gap between applicable law and social practices on the ground. Through the integration of these two approaches, the research is

expected to provide a more comprehensive picture of the extent to which the positive legal framework is able to respond to the cancel culture phenomenon and its social implications, while also offering recommendations for improving regulations and policies that are more humane and equitable.

Results and Discussion

Configuring the Legal Framework for Cancel Culture Practices in the Digital Space

Configuring the legal framework for cancel culture practices in the digital space fundamentally hinges on the inconsistent relationship between guarantees of freedom of expression, protection of honour and reputation, and the state's obligation to protect human rights in the digital realm. From a human rights perspective, freedom of expression is regarded as a fundamental right that is a prerequisite for a democratic society. However, this right is not absolute because it is limited by the obligation to respect the rights and reputations of others, general consent, and public morality (OHCHR, 2019) ^[18]. Positive legal frameworks in various jurisdictions, including Indonesia, place freedom of expression and protection of reputation as equally guaranteed constitutional rights. Therefore, any social practice that has the potential to cause reputational damage, such as cancel culture, must be carefully interpreted within the framework of mutually limiting and balancing rights (Adiyanta, 2025; Juniman, 2023) ^[2, 15].

In Lawrence M. Friedman's legal system theory, legal configuration cannot be separated from three main elements: legal structure, legal substance, and legal culture (Friedman, 1975, as cited in Adiyanta, 2025; RGSA, 2023) ^[2]. Legal structure refers to the institutions and law enforcement officials authorized to enforce regulations; legal substance refers to written norms that govern behavior; while legal culture reflects society's values, perceptions, and habits regarding the law. In the context of cancel culture, these three elements converge in the digital space: law enforcement officials and related institutions engage in safeguards that originate from social media timelines. Legal norms must be "translated" into agile and transnational digital communication practices. Meanwhile, society's legal culture is shaped by "viral" dynamics, moral outrage, and the logic of trending topics (Roldan *et al.*, 2024; Tandoc *et al.*, 2022) ^[22].

At the legal substantive level, the practice of cancel culture intersects with various regulatory regimes, including criminal law concerning defamation, hate speech, and cyberbullying; civil law concerning unlawful acts and compensation for immaterial losses; and administrative and labor law concerning termination of employment or forgiveness based on public pressure (Baptista Advogados, 2023; Digital Commons LMU, 2021) ^[4, 9]. In Indonesia, regulations regarding expression in the digital space are often referred to the Electronic Information and Transactions Law (UU ITE) and its implementing regulations. While intended to protect the public from harmful content, cancel culture is often criticised for establishing norms that are open to multiple interpretations and potentially leading to overcriminalization (Aurellia, 2025) ^[3]. This situation often leads to cancel culture emerging as a form of "alternative social sanction" when society deems that formal legal instruments are not yet functioning adequately.

From a human rights theory perspective, the key issue lies in whether cancel culture itself can be classified as a violation of the right to freedom of expression or, conversely, a legitimate expression of citizens' freedom of expression. Several authors argue that cancel culture, as a collective expression of approval and boycott, is essentially a form of public exercise of freedom of expression, as long as it does not exceed legal boundaries prohibiting hate speech, threats of violence, and defamation (Freedom Forum, 2024) ^[13]. However, when the practice evolves into a systematic campaign to eliminate individuals' social, economic, and professional space, accompanied by the spread of unverified accusations, intimidation, and mass bullying, it can raise allegations of violations of the right to reputation, the right to security, and even the right to employment (Adiyanta, 2025; Vitrana, 2024) ^[2, 28].

The perspective of legal accountability becomes crucial when cancel culture escalates from mere expressions of disapproval to actions that cause concrete harm. In the civil realm, damage to reputation, loss of employment opportunities, and damage to professional relationships can form the basis for a lawsuit against an individual or group actively spreading defamatory information (Baptista Advogados, 2023; Alycia, 2022) ^[4]. In the criminal realm, if cancel culture practices contain elements of insult, defamation, or hatred as defined by national law, the perpetrators can be held criminally liable. However, determining who is liable in the context of digital interactions involving thousands of accounts is a challenge, thus encouraging a more selective and proportionate research approach to assessing liability in cyberspace (Digital Commons LMU, 2021; Vogel *et al.*, 2021) ^[9].

Furthermore, contemporary legal frameworks must also consider the position and responsibilities of digital platforms that serve as spaces for cancel culture to occur. The debate over platform liability includes the extent to which platform providers can be held liable for the spread of harmful content, including extreme cancel campaigns, given their technical capacity to moderate, flag, and remove content (Adiyanta, 2025; RGSA, 2023) ^[2]. Many investors are still seeking a balance between maintaining platform neutrality as "intermediaries" and the demand for information that platforms share responsibility for preventing the spread of content that clearly violates the law and harms the human rights of others. Notice-and-takedown regulatory frameworks, due diligence, and algorithmic transparency obligations have become important discourses in responding to this phenomenon (The Digital Services Act; see also OHCHR, 2019) ^[18].

The digital legal culture of society is an equally crucial element in configuring the legal framework for cancels culture. Critical analysis shows that cancel culture is often fueled by moral outrage, where emotions of injustice and moral outrage intertwine with the mechanism of virality, thus fostering the formation of a "court of public opinion" that does not always align with the presumption of innocence (Juniman, 2023; Roldan *et al.*, 2024) ^[15, 22]. In this context, the law functions not only as a repressive instrument but also as an educational tool to build a more balanced communication culture, respect the process of clarification, and open up space for recovery for parties who have apologized or made amends. Digital literacy efforts, social media ethics, and awareness of the legal consequences of speech in the digital space are integral to

the strategy of fostering a healthy legal culture (OHCHR, 2019) ^[18].

Studies highlight that restricting norms in the digital legal sphere cannot directly "encourage" the emergence of cancel culture as an alternative mechanism of social control. When the public perceives law enforcement against perpetrators of sexual violence, discrimination, or corruption as ineffective, public pressure through revocation campaigns is seen as a way to compel institutions to take action (Yudha, 2025; Vitrana, 2024) ^[28, 29]. On the other hand, overcriminalization and vague formulation of norms in digital regulations can discourage citizens from using formal legal channels, preferring to express protests through cyberspace (Aurellia, 2025) ^[3]. This situation emphasizes the need for regulatory reform that guarantees the principles of *lex certa*, proportionality, and protection of fundamental rights, so that the law is again positioned as the primary mechanism for resolving issues, rather than being replaced by uncontrolled social sanctions.

Within the framework of legal and democratic theory, the phenomenon of cancel culture also challenges the concept of the public sphere as a rational space for the exchange of arguments. Some authors believe that the dominance of the logic of cancellation can narrow the space for deliberation, as individuals become reluctant to express differing or controversial views for fear of being "canceled" (Debating Matters, 2023; Liedetectortest.uk, 2023) ^[8]. This has the potential to have a chilling effect on freedom of expression, ultimately weakening the quality of substantive democracy. In such a context, the law has a role to play in ensuring that efforts to correct and criticize those in power continue to open up space for dialogue and transformation, rather than simply eliminating those deemed in error (Adiyanta, 2025) ^[2].

Experience in academic settings shows that cancel culture can function as a public sanction against community members deemed to have violated norms, but this contradicts the principle of academic freedom, which is also protected by law. Research in Indonesia on cancel culture against members of the academic community shows that social sanctions through cancellation are not explicitly regulated in higher education regulations, yet they have a significant impact on an individual's reputation and the sustainability of their academic career (Vitrana, 2024) ^[28]. This raises the legal question of how to position cancel culture within the typology of sanctions, whether as part of informal moral sanctions or as a practice that can lead to legal consequences if it exceeds certain limits. This debate demonstrates that the legal framework needs to accommodate fair accountability mechanisms, due process, and opportunities for rehabilitation, so that social sanctions do not become disproportionate life sentences.

At this point, it becomes clear that the configuration of the legal framework for cancel culture in the digital space cannot be constructed sectorally or fragmentarily. An approach that integrates human rights foundations, legal system theory, and the realities of digital communication culture is needed to develop regulations that not only protect individuals from unfair harm but also maintain the functions of public criticism and participation essential to democracy (Adiyanta, 2025; Juniman, 2023) ^[2, 15]. Strengthening clearer regulations, establishing reputation restoration mechanisms, clarifying platform responsibilities, and educating the public about digital media ethics are all urgent

legal reform agendas. Thus, it is hoped that the law will be able to respond to the cancel culture phenomenon in a more humane, proportional and just manner, without getting caught up in a false dichotomy between freedom of expression and protection of human dignity.

The Dynamics of Cancel Culture's Social Impact on Freedom of Expression and Individual Dignity

The dynamics of cancel culture's social impact on freedom of expression and individual dignity demonstrate a complex tension between the need for moral accountability and the protection of everyone's fundamental rights. On the one hand, the practice of cancelling is often positioned as a way for online communities to demand accountability for behaviour deemed to violate values of justice, equality, or decency, especially when formal channels are perceived as slow or insensitive (Adabiya, 2023; Putri, 2024) ^[1, 21]. However, on the other hand, the intensity and pattern of mass attacks that accompany cancel culture often lead to social punishment that is out of proportion to the wrongdoing, thus threatening the dignity of the targeted individuals and fostering a climate of fear of speaking out in public spaces (Salisah, 2025; Sriyana, 2025) ^[23, 25].

Within the framework of human rights theory, freedom of expression and the right to dignity are two fundamental rights that are interrelated and equally in need of protection. In principle, everyone has the right to express their opinion, but at the same time, they also have the right not to be humiliated, stigmatized, or disproportionately attacked in digital spaces (OHCHR, 2019) ^[18]. Cancel culture becomes problematic when the morally legitimate practice of "calling out" turns into "cancelling," which eliminates the opportunity for dialogue, clarification, and healing for individuals, potentially violating the principle of respect for the inherent human dignity of every person (Custer, 2024; Foelster & Leon, 2024) ^[7, 12].

Numerous studies have shown that the experience of being a victim of cancel culture has serious implications for an individual's mental health and social relationships. Comparative studies of cancel culture in various countries have identified psychological impacts such as profound public shame, depression, suicidal tendencies, and prolonged social exclusion, particularly for public figures in the spotlight (Putri, 2024) ^[21]. Similar findings have been demonstrated in psychological studies, which note increased anxiety, feelings of isolation, and decreased self-esteem in individuals facing the pressure of cancellation, as well as feelings of guilt or regret among those who participated in the "punishment" (Premier Science, 2025; Therapy Group DC, 2025) ^[20, 26].

The social impact of cancel culture on freedom of expression is evident through symptoms of self-censorship and the emergence of a culture of "fear of saying the wrong thing" (chilling effect) among citizens, particularly the younger generation who are highly active on social media. Research on college students in various contexts shows that fear of cancellation drives individuals to refrain from expressing opinions deemed unpopular, choose silence on sensitive issues, or simply follow the dominant view to avoid the risk of rejection (Foelster & Leon, 2024) ^[12]. Studies in Indonesia also note that many social media users delete posts or avoid certain discussions out of concern that their reputations and social networks will be damaged if they are perceived as differing from the mainstream (Lazuardi, 2023; Salisah, 2025) ^[16, 23].

From the perspective of deliberative democracy theory, this situation threatens the quality of public space, which ideally serves as an arena for the rational and inclusive exchange of arguments. When cancel culture is used as an instrument to reject or silence differing views without providing space for debate, the result is a narrowing of the discourse horizon and a strengthening of social polarization (Barcelona Metropolis, 2023; Digital Society, 2020) ^[5, 10]. Freedom of expression, which is intended to enrich the diversity of thought, is instead reduced to a uniformity of views imposed by social pressure, thus undermining the basic prerequisites of democracy that value plurality and disagreement (Custer, 2024) ^[7].

However, cancel culture cannot be simplified as merely a threat, as in practice, it functions as a bottom-up mechanism for social accountability. Several studies have shown that cancel culture can provide a sense of collective validation for groups experiencing structural injustice, such as racial and gender minorities, or victims of sexual violence, whose voices have traditionally been underheard (Traversa, Becker, Sengupta, & Christ, 2023) ^[27]. Within the framework of social justice theory, such collective responses can be understood as efforts to correct unequal power relations and demand higher ethical standards from public figures or institutions, especially when formal mechanisms are perceived as slow or tend to protect perpetrators (Authorea, 2023; Djamzuri, 2024) ^[11].

This ambivalent dynamic makes the debate about cancel culture inextricably linked to the question of the boundary between legitimate criticism and excessive punishment. A literature review in Indonesia confirms that cancel culture can be an effective means of social control against deviant behavior, but it also opens the door to the rise of hate speech, slander, and baseless personal attacks (Lazuardi, 2023) ^[16]. Other research concludes that massive cancellation campaigns can damage an individual's reputation to the point where they are difficult to reintegrate into society, both digitally and in the real world, thus thwarting any opportunity for social reintegration (Adabiya, 2023) ^[1]. This is where individual dignity becomes a central issue: to what extent does society have the right to "punish" without providing room for repentance and recovery.

Experiences in Indonesia and other countries demonstrate that the social impact of cancel culture affects not only individuals but also institutions and communities. A study of cancel culture in Indonesian state-owned enterprises (SOEs) demonstrates how public pressure on social media can transform into civic articulations of a crisis of transparency, communication, and accountability, while simultaneously eroding public trust in these institutions (Yudha, 2025) ^[29]. On the one hand, this kind of pressure can encourage governance reform and service improvements, but on the other hand, it risks creating a prolonged crisis of trust if not managed communicatively and responsively. This demonstrates that the social impact of cancel culture is intertwined with the dimension of social trust, a crucial foundation for societal cohesion.

From the perspective of human dignity theory, cancel culture challenges the notion that every person has value independent of their mistakes or expressed views. When an individual is reduced solely to a single viral statement or action, and then positioned as a "common enemy" deserving of removal from the social sphere, their dignity is reduced to that of an object of collective punishment (Adabiya, 2023;

Therapy Group DC, 2025) ^[1, 26]. A restorative approach emphasizes that healthy social correction should create space for reflection, dialogue, and self-improvement, not simply permanent stigmatization. Within this framework, criticism of cancel culture is not intended to protect wrongful behavior, but rather to remind us that social punishment should not exceed the principles of humanity and justice.

Finally, the dynamic social impact of cancel culture on freedom of expression and individual dignity demands a sensitive, proportionate, and humanitarian-based legal and policy approach. The law needs to exist not to stifle public criticism and participation, but to prevent symbolic and digital violence that damages a person's psychological integrity and reputation without due process (Yustisia, 2025; Sriyana, 2025) ^[25]. Efforts to strengthen digital literacy, ethical dialogue, and recovery mechanisms (reputation rehabilitation, clarification, and reconciliation) need to be placed alongside protection of freedom of expression, so that the digital public sphere can become an arena for critical and humane encounters, not a field of limitless punishment. In this spirit, legal and social studies on cancel culture.

Conclusions

Cancel culture is an extralegal social phenomenon that operates between the functions of accountability and potential rights violations. While it can be a means of correcting injustice, it also risks turning into disproportionate mass punishment, threatening freedom of expression and individual dignity. The tension between demands for moral justice and the protection of constitutional rights demonstrates that the existing legal and institutional framework is not yet fully capable of balancing the need for public criticism with preventing the excesses of mob mentality in the digital space.

There is a need for more humane, proportional, and participatory regulation and governance of the digital space by sharpening legal boundaries regarding speech, clarifying the responsibilities of state actors and platforms, and providing redress mechanisms for affected individuals. At the same time, strengthening digital literacy, communication ethics, and a culture of dialogue are prerequisites to prevent cancel culture from developing into a practice of social erasure without room for rehabilitation, but rather, directing it toward public criticism that encourages change, respects human dignity, and maintains the quality of democracy.

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