

Framing Media on the Polemic Omnibus Law in Urban Communities Indonesia

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ABSTRACT

The demonstration occurred because of a form of rejection of one thing done by policymakers in making a regulation that would be implemented as a whole. In addition, demonstrations are also one of the ways that have been arranged in conveying the aspirations that want to be conveyed to a problem. In addition, several articles in the Job Creation Law are being submitted to the Constitutional Court for Judicial Review because they are considered to have legal defects in their discussion, where several laws are considered too partial to state organizers. The public assesses the urgency, where the ratification of the Job Creation Law looks like a rush and a rush, so it lacks input from various parties. Recently, there have been large-scale demonstrations carried out in various regions in Indonesia related to the rejection of the ratification of the Job Creation Law, commonly called the Omnibus Law, or it can be said to be the Sapu Jagat Law. This is due to the large amount of speculation and information that develops in the community, causing a negative sentiment from the public toward the government. By using framing theory, the author found that this negative sentiment arises as a result of defects in public communication conveyed from the government as stakeholders and policymakers and regulations that will be applied to the community. In the end, this negative sentiment caused a very massive impact, namely the increasing national instability.

Keywords: Demonstration; Omnibus Law; Public Framing; Job Creation Law; Government

INTRODUCTION

The large-scale demonstrations that occurred on October 6-8, 2020, which were carried out simultaneously by labor and student groups caused chaos in various urban areas, namely Jakarta, Banten, Bandung, Malang, Semarang, Yogyakarta, Surabaya, Makassar, became the spotlight of several foreign media, some highlighted cyber police patrols against the demonstration of the "Omnibus Law" Law which was stated in the news on the South China Morning Post news page (SCMP, 2020).

The fairly chaotic demonstration in 2020 that occurred on that date was a form of a demonstration regarding the rejection of the ratification of the Job Creation Bill, it can be referred to as the Omnibus Law and or the Sapu Jagat Bill. According to Muh Sjaiful (February 2021) in his research entitled "Normative Problems of Guaranteeing Workers' Rights in Law No. 11 of 2020 concerning Job Creation" concluded that these articles have so many normative problems, namely not protecting workers' rights guarantees, for example, the determination of wages and the amount of workers' severance pay, leave, health insurance. The emergence of the Act was aimed at creating jobs but the influence of the liberal economy on which the law was born. So this is what has drawn protests against the rejection of most people of the job creation law (Sjaiful, 2021).

The statutory model consists of many contents or discussions in it which become a reference and basis for the birth of other laws and other regulations under the law, such as government regulations (PP). The existing law of more than 1200 articles can be revised at once with only one Job Creation Law that regulates multi sectors, whereas the Omnibus Law is to make one law that simultaneously revises several laws and even dozens of laws. With the birth of the Job Creation Law, it is hoped that it will be part of efforts to recover the economy nationally, especially in encouraging economic transformation to be able to create as many new jobs as possible equally for people throughout Indonesia.

Currently, it may be considered that despite the ongoing Covid-19 pandemic, the demonstration participants are still eager to hold a protest in voicing and conveying their aspirations, which is carried out by submitting a judicial review at the constitutional court through institutions or organizations affected by the ratification of the Job Creation Law. This arises because of the many polemics that exist in the community regarding the ratification of the Job Creation Law which is carried out suddenly and immediately validated. (Fajar Kurniawan, 2020). In addition, the Job Creation Law, which is also the foundation of dozens of other laws and hundreds of regulatory derivatives in many sectors, was severely criticized when it was proposed and eventually caused various negative perceptions and hoaxes in the community because it was considered too beneficial to company owners and also harmed many parties including workers. Omnibus Law when it was published had triggered protests, even though demonstrations carried out by labor groups occurred in January 2020 or after the law was included in the PROLEGNAS list. In the monitoring process regarding the Job Creation Law at the time of judicial review, there were indications of violations of the previous Constitutional Court decision, where on November 21, 2021, the Constitutional Court read out its decision, namely the Job Creation Law was declared conditionally unconstitutional, and the government and the House of Representatives were given 2 (two) years for formal and material improvements, then the government was also asked to postpone strategic actions or policies and form regulations legislation related to the Job Creation Law, thus affecting the dynamics at the community level. In addition, these violations also affect foreign investment. However, the decision does not necessarily invalidate the Job Creation Law and even remains in force, which means that the law will continue to be felt by the public. The employment cluster is in the spotlight a lot

because many articles have been changed, deleted, or inserted, around there are four Laws, especially Law No.13 of 2003 concerning Manpower (Iqbal, 2020).

In dealing with this problem, the government has made earnest efforts to anticipate and face global challenges and their impact on the national interest, thus the reason for the need for an omnibus method in matters of efficiency and effectiveness that are sectoral, but strategic in nature that regulates the variations of various areas of the nation's life. the three reasons for the enactment of the Job Creation Law are; First, the problem of slowing down the national economy as a result of economic globalization. The second is to reduce the unemployment rate, and the third is to overcome by adding the need for employment (Public Relations Bureau of the Ministry of Law and Human Rights, 2020).

The enactment of the Omnibus Law is needed as a government strategy to prevent Indonesia from being trapped in a crisis country by facing possible dangers that will be faced, government attitudes and policies require public understanding and participation with full awareness as citizens to help launch the implementation of the updated Job Creation Law. The homework that is being done by the government regarding the process of discussing the Job Creation Law in the legislature, is a matter of relatively limited time. So facing this, there are several possibilities, namely using ordinary procedures or through government regulations instead of laws.

The preparation of the Omnibus Law must be based on the principle of effectiveness and the principle of efficiency, so it should not be a pretext for the drafters of the law not to involve the public in the preparation process. The public has the right to know what substance is regulated in law and has the right to be involved in the drafting of laws, especially in the mechanism of Public Hearing Meetings (RDPU). However, the RDPU implemented by the DPR Legislature involving experts is still too few when compared to the total population of Indonesia which is more than 200 million people. Therefore, it is very natural that the public feels that information disclosure and public participation in the preparation of the Job Creation Law are very low. Second, Indonesia's weak economic competitiveness compared to neighboring countries, and thirdly the uneven development between regions in Indonesia. The problems of these three reasons encourage the acceleration of the implementation of an omnibus to increase efficiency and effectiveness to prevent the adverse effects of globalization of the world economy which is now in recession due to the Covid-19 pandemic.

Public information disclosure and community involvement in the decision-making process are challenges that must be faced by democracies because this system encourages the government to continue to ask questions and invite the public to participate in all actions that have an attachment to the sustainability of the state. According to Saddu the right of the public and public bodies to public information disclosure, where the more people are given information, the more significant their role in the dialogue between the government and community members (Saddu, 2016).

The latest polemic with the passage of the Omnibus Law is the loss of articles that have fulfilled the rights of workers that were previously listed in the Manpower Law. This is due to the lack of transparency and public participation during the drafting process and is even considered to further emphasize the dominance of the executive rulers. However, the government is of the view that there are three benefits to implementing the Job Creation Law, namely, it can eliminate overlap between regulations, increase efficiency in changing or repealing laws and regulations and the last is eliminate sectoral egos contained in various laws and regulations.

The presence of the Job Creation Law is considered to make it more difficult for workers to obtain permanent work status, this is because there are legal rules to extend the status of the labor contract. In addition, the Job Creation Law still tends to be an effort to create jobs, not the quality of work. Quality employment is characterized by job security or conditions and a

feeling of comfort in carrying out work, so there must be real thoughts and treatment from employers to see young workers and professionals as human capital, but what has happened until now is that the young workforce is often placed in conditions that do not have career path opportunities and the fulfillment of clear employment rights.

According to Ahmad Redi (Omnibus Law: The Idea of Regulation for People's Prosperity, 2020), there are several advantages of the Omnibus Law, where the advantages are: a. Resolve conflicts over laws and regulations quickly, effectively, and efficiently; b. Uniformize government policies at both the central and regional levels to support the investment climate; c. Making licensing management more integrated, efficient, and effective; d. Breaking the lingering chain of bureaucracy; e. Improve coordinative relations between relevant institutions because they have been regulated in an integrated regulatory policy; f. So that there is a guarantee of legal certainty and legal protection for policymakers;

Meanwhile, in general, the weakness of the Omnibus Law method consists of three parts as explained in the paper entitled Omnibus Bill: Constitutional Constrains and Legislative Liberation, Ottawa Law Review by Adam M. Donek:

- Making parliament powerless and difficult to hold the government accountable;
- It is difficult for lawmakers to conduct research that is balanced with research conducted by the government;
- There is a radical impression because it changes and produces at once many articles and many laws.

When in the process of forming legislation, it is required to include a human rights basis that is based on indicators of public participation. If the process of drafting the Job Creation Law is indicated to be unaccountable and participatory, it will certainly appear to be contrary to the spirit of the constitution and the Human Rights Law which affirms the access to openness and the right of the public to participate directly in the preparation of legislation.

The weakness of civil society is due to activists in the past who have entered the government structure, both executive and legislative, and the weak control exercised by the mass media. The Job Creation Law has been revised, and at least 80 laws and thousands of articles have been revised. This includes the Manpower Law, Plantation Law, Mining Law, Oil and Gas Law, Farmer Protection Law, Tax Law, investment-related law, to laws related to spatial planning. No wonder that during its discussion, the Job Creation Law always received sharp scrutiny and even received a massive rejection, ranging from academics, community organizations, and workers, to students. All circles also highlighted where the time gap in conducting discussions was very fast and the discussion period was carried out during the Covid-19 pandemic.

For example, Solihin said to BBC.com, the points regarding the contract system, the loss of social security and welfare, and the implementation of the provincial minimum wage are the three points that Solihin fears. Mr. KeCe further tried to summarize all the issues that became questions about the Job Creation Law on the Opinion id Youtube channel which aired on October 15, 2020. At least the issues raised by Mr. KeCe are manuscripts that have not been finalized but have been approved, related rules that do not yet exist, and also the discussion seems rushed. This is also in line with the writing (Idris, 2020) in his article which focuses on the absence of a final manuscript for the wider community, causing hoaxes. In addition, there are still irregularities and "vagueness" of the rules in the text of the Job Creation Law summarized by Mr. KeCe in his video.

Many problems occur as a result of the passage of the Job Creation Law. Based on these problems, it is necessary to explore the core of the problem from the point of view of framing carried out by the government, media, and the public in understanding an issue that is happening. How mindsets influence reasoning and ultimately decide conclusions in

understanding a particular event that is being experienced by them. This research will be limited to framing studies through online mass media related to the social responsibility of the community only.

Although framing in online news media hints at negative impressions and responses, with the information about and views of several experts who then use digital media to better socialize the Job Creation Law, it will be easily understood by the public. One example made by Governor Anies Baswedan is that Anies is considered capable of utilizing digital media as a place to bring himself closer to the public and also provide information on his performance achievements during his time as Governor of DKI Jakarta in his political framing (Indra & Wahid, 2021).

THEORY

This concept of framing was first coined by Gregory Bateson (1972) as psychological frames defined as spatial and temporary constraints of interactive message sets. It can also work in the form of metacommunication, or secondary communication about how information can be interpreted (Hallahan, 2008). In other words, the basic basis of this theory is the search for a core message to be conveyed related to a particular issue that is limited by a certain place. To understand a framing framework, Goffman (1974) in his book entitled *Frame Analysis: An Essay on the Organization of Experience* posits that people interpret what is happening in their world through their primary framework, or primary framework, which is taken for granted by its users. There are two differences in the primary framework, namely:

- Natural framework, which is to identify events as physical events and take understanding literally without linking other social forces to the causes of events.
- Social framework, which is to see events as events caused by human social factors. This affects how data is interpreted, processed, and communicated

Framing is a theory that is often used in studies related to media, politics, and social movements because framing is a process of communication from its source that ultimately defines and constructs political issues or public controversies (Nelson, Oxley, and Clawson, 1997). Entman (1991) identifies five popular ways of media and news framing: conflict, human attraction or personalization, consequences, morality, and responsibility. Furthermore, Entman (1991) says that framing can only be detected in its entirety and is also credible when a particular narrative has a comparative narrative. There are also two levels of framing, namely:

- Framing in communication consists of communication from different actors and sources. Politicians often adopt framing patterns used by other politicians, the media, and the public; whereas media framing is usually imitated from politicians, social activists, other editors, or the public; whereas societies usually adopt framing of the things they do in discussions with others (Chong and Druckman, 2007). This can eventually have both positive and negative impacts;
- Framing in thought consists of mental representation, interpretation, simplification, and also manipulation of reality. In the end, this focuses its view on ideas and thoughts that arise as a result of a stimulus to understand and describe an event or events, as well as predict things that may happen in the future as a result of the event or events.

METHOD

The method used is hermeneutics by interpreting and analyzing the text of online news that has been published from October 5, 2020, to November 15, 2020, which is considered relevant and can be explained through the frame theory framework. Hermeneutics is a transliteration modified from the Greek "hermeneutics" which means to express loudly, to explain or interpret, and to translate (Schmidt, 2006). Schleiermacher (in Bowie, 1998) says that hermeneutics is an art to understand spoken and written language. He says that the main purpose of hermeneutics is to understand what others have expressed correctly and understand better than the original author, especially in the form of writing. In practice, hermeneutics is divided into grammatical (through written language) and technical (psychologically "the original thinker") forms. Gadamer (1991) in this case acknowledges Schleiermacher's idea of grammatical interpretation, but his critique arises in technical interpretations that are based on the psychology of the original author because to be able to do so, the translator must find the seminal decision of the original author. Gadamer states that this psychological interpretation from the author's side is impossible to do. Therefore, this paper will only focus on the grammatical interpretation of each of the online news stories that have been collected.

RESULTS AND DISCUSSION

Many reports have emerged related to the ratification of the Job Creation Bill in the mass media, both online, print, and broadcast. But these reports tend to have a negative context. There were many acts of rejection, demonstrations, submissions of judicial review, and even anarchist actions. There are also hashtags "#MosiTidakPercaya", "#PembangkanganSipil", and various other hashtags as a form of the continued rejection of the ratification of the Job Creation Bill on social media, especially Twitter. Quoting from CNNIndonesia.com, WALHI even further said that the ratification of the Job Creation Bill is the culmination of the state's betrayal of the rights of workers, farmers, indigenous peoples, women, and also the environment in future generations. The ratification of the Job Creation Bill is considered a malicious conspiracy of the legislative process that ignores the interests of human rights and the environment.

In addition to WALHI, Lucius Karus as a Researcher at the Parliamentary Caring Community Forum (FORMAPPI) assessed that the DPR used the Covid-19 pandemic as a shield to attract the public to accelerate the schedule for the ratification of the Job Creation Bill. Lucius considers that the DPR is outwitting and manipulating community groups who reject the Job Creation Bill by accelerating ratification and considers that the DPR and the government seem to have succeeded in distancing the public from talking about the substance of the Job Creation Bill. As a result, Wasisto Raharjo a researcher from the Indonesian Institute of Sciences (LIPI) said that there was a decrease in the level of trust in the government from workers, activists, informal workers, and the private sector.

According to a press statement from Amnesty International quoted by Putsanra (2020) in www.tirto.id, Amnesty considers this bill to have the potential to violate human rights and is contrary to Indonesia's international obligations to protect human rights in the legislative process and substance, especially related to the right to work and rights in the workplace. Usman Hamid, Executive Director of Amnesty International Indonesia, considers that this bill contains articles that can threaten everyone's right to have pleasant and fair working conditions, are contrary to the principle of non-retrogression in international law, and are also not by international human rights standards because they have the potential to cause human rights

violations related to exploitation. The new rules are seen as potentially weakening workers' rights protections which include wages that are beaten flat because they do not take inflation into account, the elimination of maximum time limits for contract workers, increasing overtime limits, and the elimination of some forms of paid leave. In addition, Usman also assessed that the process of preparing the Job Creation Bill was not transparent and open. Cooperation with the 14 unions as a public consultation process claimed by the government was not proven true because all unions denied the government's claims and said they had never been involved from the beginning of the process of drafting the bill.

Launching Prabowo's writing (2020) on *kompas.com*, there are at least three drafts of the Job Creation Bill that are recognized by the DPR circulating in the community and have not been signed by President Joko Widodo. It said that the first 905-page draft was an Act passed on October 5, 2020. This draft is further problematic because there are several councilors and the Legislature still there who have not received it. After all, some improvements have not been listed. After that, on Monday, October 12, 2020, another draft of the first draft revision appeared on Sunday, October 11, 2020, which was 1,035 pages thick which was different from the first draft. In this second draft appeared several clauses newly added to Chapter IV of Employment which included five articles. In the evening, Monday, October 12, 2020, there was an 812-page third draft that was claimed to be caused by a change in the format of the paper-only arrangements without any change in clauses.

Asmara (2020) in *CNBCIndonesia.com* has attached a presentation by President Joko Widodo on Friday, October 9, 2020, regarding his explanation related to the importance of the Job Creation Law that has been passed. The reasons stated are opening up new jobs that are very urgent, making it easier for small micro-enterprises to open new businesses by cutting complicated procedures and licensing, and supporting the eradication of corruption. The President understands that the protests against the Job Creation Law are motivated by disinformation related to the substance and the number of hoaxes on social media.

Based on the data above, there are visible differences in perceptions between the government and the public. The media in this case reports information that is representative of the current state of society. This difference in views is due to the different sources of information both from the side of the source and the newsroom issued. But one certain thing is that the newly passed Job Creation Law gave birth to a new problem caused by differences of opinion of each party.

Reflecting on the framing theory described in the previous section, humans tend to simplify things that happen to understand the events happening in their environment. Of course, this will not be separated from the thinking of an individual based on their respective backgrounds. In the case of the rejection of the Job Creation Law, natural and social frameworks both work in the formation of public opinion. This natural framework works at an individual stage where the community sees that a draft Job Creation Law has appeared. Everyone knows that there has been a draft of the Job Creation Law and this has been passed by the government.

Meanwhile, the social framework works at the individual and group stage where each mass mobilizer and think tank from trade unions and other non-governmental institutions including the media tries to study the draft text of the Job Creation Law that has been passed by the government. They are trying to learn what the government is working on because these rules will govern their daily lives. Based on the text, they concluded that this rule had a bad impact on them. This was concluded unilaterally because of the lack of information and the think tanks in the end only moved based on the drafts that had appeared and were presented to the public. Finally, an invitation to move and reject the ratification of the Job Creation Law was caused by improper understanding as a result of the ambiguity of the hard law that had been passed. This is reflected in the draft of three pieces, articles that have not been supplemented by other

supporting legal instruments, and written rules that have a gray meaning. President Joko Widodo said that the rejection of the Job Creation Law was motivated by disinformation on substance as one aspect. Of course, the government cannot be blamed if only a handful of people refuse because of ignorance. But this rejection also arises from various people with adequate educational backgrounds. If indeed people who have a good educational background and review the draft Job Creation Law carefully but still experience disinformation, it means that the government is still unable to elaborate the rules or good intentions to the public at large. The public only has a source of information through three drafts of the Job Creation Law that have been issued by the government, President Joko Widodo's explanation only appeared after there were large rejection demonstrations in various cities in Indonesia, so it is not wrong if the community ends up experiencing "disinformation" as said by President Joko Widodo. The government in this case has not been able to elaborate on its goals and goodwill to its people. The level of framing in this regard ends up having a considerable share of what is understood by society. Through the framing in the communication stage, three parties have contributed to framing related to the Job Creation Law, namely the government, the media, and the public. The government in this case did not convey anything related to the process and development of making the draft Job Creation Law to the public until finally suddenly the public was surprised by the ratification of the Job Creation Law. The media in this case gave a bad framing of the Job Creation Law because of the many rejections of the newly passed law. The community in this case conducts discussions with other people related to their respective opinions related to the newly passed Job Creation Law, as well as reading news about the Job Creation Law.

In the next stage, namely framing in thought, the government, media, and the public are trying to study the existing Job Creation Law based on their respective backgrounds. Like President Joko Widodo who thinks this is a good rule and predicts the opening of large investment fields and jobs for Indonesia in the future, Prabowo (2020) in the *kompas.com* tried to explain the differences between the three existing drafts of the Job Creation Law, WALHI which voiced human rights and the environment of life, Lucius who said the Covid-19 pandemic had been used as a shield by the government in smoothing the ratification of the Job Creation Law, Amnesty International Indonesia who considered the Job Creation Law to have violated international human rights standards. Each side has its interpretation of understanding this phenomenon and each interpretation is not to blame. This interpretation arises as a result of the background of each party which certainly has different experiences coupled with the information that tends to be gray from the main source of information, namely the government. To equalize the understanding of each party, the government as a source of information should be able to voice what is well thought to its people. However, this is considered not well done by the government as a source of information so that information spread to the public becomes distorted with various kinds of meanings that arise as a result of the efforts to understand each individual. Finally, the Job Creation Law lost its initial context caused of an improper interpretation by the community.

CONCLUSION

Reflecting on the absence of the final text of the Job Creation Law, the Omnibus Law, or the Sapu Jagat Law, the public cannot make a comprehensive comparison between the government's intentions and also the impact on people's daily lives. Not to mention the issue of related rules for which there is no explanation. In the end, people do not understand deeply what intentions are intended to be "good" by the government because what is depicted in the

Job Creation Law negatively impacts the community. There is no understanding between the government and the community, making it difficult to understand each side's points regarding what is considered good and bad. This can also be seen in the hoaxes that are scattered on the internet, especially on social media. It can be seen that there is a simplification in thinking because it is "unwritten" in the Job Creation Law so it is considered "non-existent" by the public, although it may exist but the rules are being studied and have not been passed. Specifically at that time, the final and approved Job Creation Law only changed on a page basis, from 905 pages and the latest to 1035 pages, and more recently to 812 pages. In the end, there is confusion about which manuscript should be amended by the community. Not to mention related to the views of people who want "permanent employee status" and salary to get a guaranteed sense of security, but the Job Creation Law seems the opposite for the community. In other words, the community amplified the law whose rules are very complex into negative sentiments and finally, this has an impact on the higher level of state instability during the Covid-19 Pandemic.

The Omnibus Law is a law that affects many other rules. The author feels that the government is a little negligent in providing concrete information to the public. Well-intended policies will be useless if society views them otherwise, just as good intentions carried out in the wrong way will cause negative perceptions for others. More efforts are needed for the government to voice its "good intentions" to the concerned parties, namely the people so that both parties understand the "good values" expressed by the central government. There needs to be openness to the manuscript that will be ratified so that the public can conduct a study related to the good and bad of each point listed in the manuscript. The public should also in this case not be affected by provocations and hoaxes that arise if there is a final comparison script later.

Advice to the public, wait for the final manuscript to look like first, review it, then voice the shortcomings in the manuscript through judicial review, demonstrations, and other legal actions to voice aspirations. If you don't know anything, then the results will be useless. It's not that yesterday's demo was a bad thing, it shows that there is a defect in public communication by the government toward its people. But that does not mean that this justifies the anarchism that occurs in various regions in Indonesia.

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