

## **Independence and Responsibility of Mass Media in Indonesia: The Sweetness and Bitterness of Freedom**

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### **Abstract**

It is recognized that the press in Indonesia has not entirely implemented a professional and responsible press quality in reporting. This should be watched out for, considering that not all Indonesians have adequate education and intelligence levels. In this study, using the document analysis method and in-depth interviews, it was found that the press was allowed to run without control and responsibility, so this could potentially become a medium of agitation that could affect the psychology of the uneducated community, which, in fact, is greater in number than the educated community. Therefore, this study suggests that press freedom needs to be limited, at least through legal means and legislation. So that the news carried out by the press can become responsible and accountable press reporting. The first use of press freedom was in England 316 years ago. This use is a development of the concept of freedom of speech, which has its roots in Greece since the glorious days of the Romans and Greeks. Indonesia today is said to be practicing responsible press freedom. In terms of philosophy, the Indonesian press is not a responsible press freedom because the press is very free beyond freedom itself. To achieve responsible freedom of the press, several elements or other powers in society need to be

given wider independence. The trick is to strengthen the four elements of the branch of power, namely the legislature (the people), the executive, the judiciary, and the press. On the other hand, the executive power, the legislative power that is the most powerful in the country today, needs to be balanced according to its function and should be limited or reduced, in line with the limited government principle, so that the system of mutual control, balance and does not bring down each other contained in the Constitution. And Pancasila becomes more meaningful. Empowering the elements of power based on the Pancasila ideology above will make Indonesia more open, the press more independent, and the freedom to have a wider voice. Its implementation involves and refers to the need for a press law by responding to the needs of the government, society, and the press itself; realize a social contract regarding the freedom of the press which is responsible between the government, the press, and the public; create a code of ethics for the press. Ideally, the idea of responsible press freedom should be implemented in Indonesia today. This idea will not weaken the government; on the contrary, it will strengthen democracy in this country.

**Keywords:** Independence, Responsibility, Media, and Legislation

## INTRODUCTION

The Indonesian mass media landscape has undergone dramatic changes over the past two decades. From a highly controlled environment during the New Order era to a relatively liberal and dynamic ecosystem, the media in Indonesia now enjoys greater independence. Nevertheless, with increased freedom comes heightened responsibility. This article examines the "sweetness" of media freedom and the "bitterness" arising from ethical lapses, political influence, and commercial pressures that affect the integrity of the mass media.

The mass media play a crucial role in shaping public opinion, disseminating information, and acting as a watchdog in any democratic society. In Indonesia, the role of mass media has evolved significantly over time, particularly since the end of the authoritarian New Order regime in 1998. Under President Suharto's administration, media outlets were strictly controlled by the government, and freedom of the press was severely limited. Media content was carefully monitored to align with state interests, leaving little room for dissent or independent reporting (Sen & Hill, 2006).

The fall of the New Order marked a turning point in Indonesian media history. The post-reformasi era introduced an unprecedented wave

of media liberalization, resulting in the proliferation of print, broadcast, and digital media. The enactment of Law No. 40/1999 on the Press abolished the licensing system for media organizations, encouraged freedom of expression, and protected journalists' rights. These reforms facilitated a more pluralistic and independent media environment, enabling journalists and media institutions to report on issues of public interest without excessive state intervention (Romano, 2003).

However, along with this newfound freedom came a series of challenges. The commercialization of media, concentration of media ownership, political partisanship, and the rise of disinformation have emerged as critical issues in Indonesia's contemporary media landscape. While the liberalization of the media sector has been praised for supporting democratization, it has also been criticized for enabling ethical violations, sensationalistic reporting, and the prioritization of commercial and political interests over public welfare (Heryanto, 2008).

This study examines the evolution of press independence in Indonesia since the New Order, analyzing how media freedom has strengthened democracy while identifying emerging ethical, political, and structural challenges. It evaluates whether current regulations and journalistic ethics effectively address these tensions, bridging the gap between media theory and practice. The research aims to assess media independence, document its democratic contributions, analyze journalism's challenges, and scrutinize the adequacy of ethical-legal frameworks. These objectives collectively seek to illuminate the dualities of Indonesia's media landscape—its freedoms and constraints, achievements and shortcomings.

Previous studies such as Sen and Hill (2006) and Kitley (2000), who documented state control under the New Order; Romano (2003) and Nugroho et al. (2012) on post-reform media liberalization and ownership issues; and more recent analyses by Tapsell (2017) and Lim (2020) on the impact of digital platforms on misinformation and polarization. Despite these valuable contributions, few studies have holistically examined how Indonesian media can reconcile freedom and accountability using normative and policy-oriented lenses. This study aims to fill this gap.

The novelty of this study lies in the synthesis of interdisciplinary perspectives on media governance, particularly the comparative application of Social Responsibility Theory and Democratic Participatory Media Theory in the Indonesian context. Unlike previous studies that have focused only on the outcomes of liberalization or ethical deviations, this study links theoretical ideals with institutional mechanisms and real-world practices. The gap identified and addressed in this study is the lack of a

comprehensive framework that balances autonomy and accountability in media systems, especially in transitional democracies.

The theoretical framework draws on normative media theories that emphasize ethical obligations alongside press freedom. Social Responsibility Theory (McQuail, 2010) states that media should not only operate independently but also serve the public interest by delivering balanced, honest, and constructive content. Complementarily, Democratic Participatory Media Theory (Fourie, 2001) advocates for inclusive, community-based media that empowers citizens and reflects diverse social voices. These theories are particularly relevant in Indonesia's pluralistic society, where the media are expected to mediate public interests while navigating commercial and political pressures.

This study aims to investigate the ongoing tension between press independence and media responsibility in Indonesia. While freedom of the press is a constitutional right and a sign of democratic maturity, its application in practice has shown inconsistencies, ranging from sensationalism and misinformation to political bias and commercial exploitation. These developments call for a critical re-evaluation of how freedom and responsibility can be harmonized in the media landscape.

## **RESEARCH METHODS**

In conducting this research, the author uses a historical research approach in communication through document analysis and in-depth interviews. This research technique is expected to be able to describe the activities, independence, and responsibilities of the press in Indonesia.

In the approach to this research, the author uses in-depth interviews and document analysis methods. In this study, interviews were conducted with journalists and political observers.

This research adopts a qualitative approach, employing content analysis of existing media regulations, journalistic codes of ethics, and selected media cases that illustrate the tensions between independence and responsibility. Secondary data from scholarly articles, government documents, and media watchdog reports are also analyzed.

## **RESULTS AND DISCUSSION**

### **Media Freedom and Responsibility**

Where there is a free press and everyone can read, that is where all is safe (Thomas Jefferson, 1743-1826, President of the United States).

Indonesia, as an archipelagic country, has a population of various ethnicities and cultures, namely approximately 273 million people

(Population Census 2021), 400 ethnic groups, and approximately 200 different languages and dialects, while Indonesian is the language of unity and the official language of the Republic of Indonesia. Because of this diversity, the Indonesian state has a motto which reads as follows: "Bhinneka Tunggal Ika," which means different but still one. The Indonesian nation consists of the Mongoloid, Australoid and Oceanic Negroid races. There are six religions in Indonesia that are recognized by the state, namely Islam, Catholic Christianity, Protestant Christianity, Hinduism, Confucianism, and Buddhism. Islam is embraced by approximately 90% of the population.

Since the proclamation of the independence of the Indonesian nation on August 17, 1945, Indonesia has undergone several changes to the state system, namely the Republic of Indonesia in 1945, the Republic of the United States of Indonesia (RIS) in a federal form which was established on December 27, 1949, then in August 1950, the RIS changed to the Republic of Indonesia. (RI) In the form of a unit, as well as the development and relations of the press with power in Indonesia. During the revolution and independence, the press in Indonesia has gone through its phases, including: the press in the era of nationalism, the Soekarno era, the Suharto era from 1966-1998, and the press in the 1999-2022 era.

Recently, there have been several opinions regarding journalism being practiced in Indonesia. Some offered the name "meaningful journalism". There are also those who want to introduce "patriotic journalism". During the Soeharto era, he was often heard and known as "development journalism".

During this reformation period (1999-2022), the term "journalism of low taste" emerged, which packaged gossip, sensation, conflict, and sex news into "saleable" news without regard to ethics, propriety, negative impacts, and the journalistic code of ethics. There is also the term "twisted journalism", which distorts facts and confuses facts and opinions. There is also the practice of "talangair journalism", which simply "pours" information from the field/news sources onto the pages of newspapers without first sorting it out through the eyes of the interests of the community, nation, and state.

In the midst of the prominent tendency of the spirit of decentralization that leads to the disintegration of the nation, there should be a form of journalism that is "fit" to be practiced and practiced in Indonesia. For this reason, according to the reviewer, the appropriate term for the current condition is "independence and responsibility journalism."

In an interview with Jamil (2022), there is an idea to discuss "national-minded journalism" or abbreviated as "inspected journalism", a

form of journalism that packs information into news/writing that puts the interests of the community, nation, and state first,

*"...in today's era, the appropriate form of journalism is journalism socially responsible national perspective..."*

American journalist and historian Paul Johnson, based on his direct experience and observations of the perverted practice of exercising press freedom, called them the " *seven deadly sins*". The seven sins are as follows:

First: Information Distortion. The practice of distorting information is commonly done by adding or subtracting information, both concerning opinions and factual illustrations, which are not in accordance with the original source, with the result that the meaning changes.

Second: Dramatization of false facts. This dramatization is practiced by providing an exaggerated verbal, auditory, or visual illustration of an object. In print media this method can be done in a narrative manner (in the form of words) or through the presentation of certain photos/images with the aim of building a negative and stereotypical image. In audio-visual media (TV), this dramatization is done by taking pictures and giving *sound effects* that are in accordance with the purpose of delivering the message.

Third: Interfere with "*privacy*". In general, this practice is carried out in covering the lives of celebrities and the elite, especially those suspected of being involved in a scandal. Various ways are done, including through telephone tapping, using a camera with a telelens, and often interviewing by asking very personal questions, forcing, or trapping. Interview opportunities are also taken at times that are not desired by the interviewee.

Fourth: Character assassination. This practice is generally experienced by individuals, groups, or organizations/companies who are suspected of being involved in criminal acts. This practice is usually done by exploiting, describing and highlighting their "bad" side. In fact, they have a good side.

Fifth: Sexual exploitation. The practice of sexual exploitation is not only a monopoly of the advertising world. This practice is also carried out in the news by placing on the front page of the newspaper writings that contain sex.

Sixth: Poisoning children's minds. This practice is carried out in the world of advertising by placing children's figures. Recently, this practice has increased with the prominence of children's figures as intermediate targets in marketing various products.

Seventh: Abuse *of power*. Abuse of power can occur not only among government officials, but also among those in control of editorial policies/mass media reporting.

The seven "sins of journalism" can also be called and identified as deviant journalistic practices, which often also occur in, and are often done by, newly published media massa

## Independence Eq

The press is an intermediary for the extension of human opinion or thought, for McLuhan (1965) it is a connection to human beings. Before there was the press, humans had expressed opinions or thoughts, but in a different form.

The birth of the press has given rise to a new concept we know as press independence. The independence of the press, in terms of its manifestations, is part of the freedom of speech from time to time. The independence of the press can be said to mean conveying opinions or thoughts through the press without any obstacles.

Today in Indonesia, the concept *of freedom of the press* is known as press freedom and responsibility. However, the term freedom of the press used today is accepted as the equivalent *of freedom of the press; therefore, the word press in this context does not mean newspapers but publishing institutions, including electronic media.*

In press freedom, the press also has broad freedom to know, to notify whether or not to agree, to report positive and negative, to talk about something, and so on, with a sense of responsibility.

## Press Responsibilities

In my opinion, the press is like river water; it needs to be dammed or cared for so that it can benefit humans and the country. Meanwhile, the concept of Responsible Independence differs according to a certain flow. According to the Western view, humans are the main focus, whose independence is individual and not subject to others. Meanwhile, according to religious views, freedom is subject to the power of God. In the view of religion, although humans are free to do something, they are still supervised by God.

## Deviant Journalism Practice

Deviant journalistic practices and other reporting practices that deviate from journalistic norms that are very prominent in Indonesia today are as follows:

1. Title exploit

This method is often practiced by creating a title that does not match the content of the news. Usually the title is agitative, emotional, and not infrequently "fun". This method is taken to attract the attention of readers and as the main weapon to increase circulation.

2. The source of the news "reputedly said".

Not infrequently, news sources "reputedly" or "according to information sources who do not want to be named" are used. In fact, one of the implications of the principle of objectivity is the clarity of the identities of the various news sources referred to.

3. Domination of elite opinion and the majority group.

In general, the mass media still tends to prioritize the loading of opinions, opinions, or statements from the elite and the majority, for example, experts, political figures, political celebrities, government officials, religious leaders, or businessmen. The aspirations or opinions of the lower classes or minorities (ethnically and religiously) receive less attention.

4. Presentation of information that is not investigative.

The pattern of presenting information in most of the mass media in Indonesia is less investigative. Many of them only sell issues but do not complete them with objective, comprehensive, and in-depth meaning and interpretation.

In this regard, it is necessary to pay attention to the socio-demographic conditions of the Indonesian people, especially in terms of the level of education. There are still many of our people who have not been able to select and sort information critically and objectively. They are easily influenced by gossip and rumours.

The mass media in Indonesia has become what it is today as described above, starting after President Soeharto put the reins of government in May 1997 on BJ Habibie as the third President. On September 23, 1999, Habibie ratified Press Law No. 40 of 1999, replacing Press Law No. 11/1966 and Press Law No. 21/1982, which are considered no longer in accordance with the current developments.

In its decision considering Article 5 paragraph (1), Article 20 paragraph (1), Article 27, and Article 28 of the 1945 Constitution and the MPR RI Decree Number XVII/MPR/1998 concerning Human Rights,



with the approval of the MPR RI has decided and stipulate Law on Press no. 40/1999. After the Reformation era was born, the publication of newspapers no longer needed SIUPP or SIT, the Ministry of Information was replaced with INFOKOM (Information and Communication), which is now the Ministry of Information and Communication.

Although the Press Law no. 40/1999 has been stipulated as a press policy, we still see the press always being submissive when dealing with the court, justice, because the law used is always the Criminal Code, not the Press Law. 40/1999. In this case, the Press Council cannot do much, so to anticipate it, many press institutions have formed their own legal institution (Ombudsman) to defend their interests in the courts of justice, which still use the KHUP to ensnare the press in every article related to the press.

The independence and responsibility of the mass media in Indonesia are born freely, without any ties or restraints from any party, be it the government, political parties, or security. However, the independence and responsibility of the media must have limits as a social responsibility to the community in reporting more professionally and responsibly. The press must also know how to get news that does not cause unrest or division in society, so as to disrupt national stability. Freedom of the press in Indonesia is the freedom of a responsible press that has a policy of Pancasila values. Every news report must not offend "SARA" (Ethnicity, Religion, Race, and Inter-group), which will eventually cause unrest in society that divides the unity and integrity of the nation of Indonesia. The guarantee of press freedom will bring back the wheels of democratic institutions that have been under-functioning so far.

In an interview with Hiru R. Muhamad (2022), Law No. 40/1999 was born as a legal effort and legal umbrella for press independence, and also protects the interests of the journalistic profession while remaining in the independence career with its responsibilities. In addition, in order to have independence and more freedom to report all information related to the public interest, the press is also required to have greater responsibility, especially in ensuring the authenticity of the information obtained as a form of professionalism in carrying out their duties.

*"...Law No.40/1999 was born as a legal effort to protect the interests of the journalistic profession and bind the government so that it is not arbitrary to the press. Also demanded a greater responsibility..."*

## Dynamics and Regulation of Mass Media Legislation

1. The press was first introduced by the Dutch in Indonesia, and its laws *Civil Law*.

2. During independence, Indonesia has had four different press systems, namely the press of the period of Nationalism, the press of Soekarno, Soeharto, and the press reform era (1999-2010).
3. On the values of the independence of the press itself has been recognized in the Constitution 1945, which is regulated in Article 28, Article 28 E Paragraphs (2) and (3) and Article 28 F. Thus, it is clear the state has recognized that independence puts forward opinion and independence of thought are an integral part of the realization of a democratic and law-based state.
4. The press is not officially owned by the government party. In a political campaign  
All mass media are required to give equal proportions to all parties or presidential candidates, even though the press is owned by party members individually.
5. The Indonesian press as a system relates to other aspects that argue for the independence of the Indonesian press based on:  
 Idiil: Pancasila  
*Constitutional*: 1945 Policy Act and MPR Decrees  
*Juridical* : Basic Press Law Number 40/1999  
*Society* : The social values that apply to Indonesian society  
*Ethical* : Norms of the journalistic code of ethics or professional journalists
6. The law governing mass media in Indonesia is distinguished between print mass media, which is regulated by the Press Law No.40/1999, while broadcasting mass media is regulated in the Broadcasting Law No. 32 of 2002.

In an interview with Arifin (2022), the press since 1999 until now has made progress in the quality and quantity of news coverage. In addition to having independence and also being free to report information immediately related to the public interest, the press is also required to have greater responsibility.

*"...Law No.40/1999 is the basis for the freedom and independence of the media to report information to the public without neglecting their responsibilities..."*

#### Values of Media Independence, Responsibility, and the Law

Regarding the values of independence and responsibility for the mass media themselves in Indonesia, they have been accommodated in the amended 1945 Constitution, which is regulated in Article 28, Article 28 E Paragraphs (2) and (3), and Article 28 F. Therefore, it is clear that the state

has recognized that freedom of expression and freedom of thought are part of the realization of a democratic state and has a policy of law.

However, it should be realized that press personnel are still ordinary citizens who are subject to the laws in force in Indonesia. In this case, however, the principle of *equality before the law* still applies to all Indonesian citizens, including journalists, who in fact are members of the press. The principle of equality before the law is also explicitly regulated in the 1945 Constitution, which has been amended, namely in Article 27 Paragraph (1) and Article 28 D Paragraph (1). Thus, press personnel in Indonesia cannot be excluded or have immunity as subjects of criminal law and must remain subject to the Indonesian Criminal Code ("KUHP").

However, this does not mean that press freedom has been restricted by law. Instead, the concept of thinking that must be developed is that the legislation is made and enforced with the aim of forming a press that is balanced, transparent, and professional between the interests of the government, media, and society.

However, nowadays, it must be acknowledged that the press in Indonesia has not yet fully implemented a professional and responsible press quality in reporting. This should be watched out for, considering that not all Indonesians have adequate education and intelligence levels. If the press is allowed to run without control and responsibility, then this can potentially become a medium of agitation that can affect the psychology of the uneducated community, which in fact is greater in number than the educated community. Therefore, the freedom of the press needs to be given limitations, at least through legal means, so that the news carried by the press can become responsible press reporting.

The problem is if press reporting is used as a tool to slander or insult a person or institution and has no news value ( *news* ), and in the news, there is an element of intent ( *opzet* ) and an element of error ( *schuld* ) that fulfills the elements of a criminal act.. So what needs to be emphasized here is that punishment must still be applied to perpetrators who intentionally commit insults or slander by using press coverage as media. Meanwhile, the freedom of the press to report, if it is carried out in a responsible and professional manner, even though there are errors in the facts of reporting, should not be punished. For example, *Newsweek's* story about the harassment of the Qur'an at Guantanamo, which turned out to be the source's fault, and *Newsweek* apologized for the mistake and promised to be more careful in reporting.

UU no. 40 of 1999 concerning the press itself has not accommodated this problem. The Press Law itself only regulates criminal sanctions in the form of fines if press companies violate ethical norms and the presumption of innocence, as well as advertising problems that are

prohibited by law (Article 18, Paragraph 2 of the Press Law). Meanwhile, the rest of the Press Law only regulates the right to reply and the right to correct for news that is considered problematic. This is actually what the parties considered to be an imbalance for a while. However, in this case, the press cannot be blamed, because what is wrong is the Press Law, which does not regulate the potential for complicated and serious legal problems that can arise in press reporting.

Based on the description above, it is clear that the concept of press freedom in expressing opinions and thoughts is an absolute must for the democratization process of a country. However, this independence and independence is not absolute and without limits. To prevent the misuse of the press as a medium for insults, slander, and incitement, other legal instruments are needed, whose actually aim is not to curb press freedom but to make the Indonesian press more professional and responsible and respect the law and human rights.

If you look from the point of view of the Criminal Code Law, the Articles of the Criminal Code Law have accommodated the problem of insults and slander that can occur in press reporting.

The articles of the Criminal Code Law have clearly regulated the criteria for criminal acts of humiliation, which can be seen from the following elements, namely, every person, verbally, insults to attack the honor or good name of another person, accuses something, with the intention that it is known to the public.

Meanwhile, for criminal acts committed in writing, it is regulated in Articles and Paragraphs of the Criminal Code Law, as a weight for criminal acts. The weight will be imposed if the insult fulfills the following elements: it is carried out with writing or pictures that are broadcast, displayed, or posted in a public place. Thus, if the criminal act of humiliation is carried out through press reporting, it has fulfilled the elements stipulated in the Articles and Paragraphs of the Criminal Code Law. However, the Articles and Paragraphs of the Criminal Code Law also stipulate a policy of justification for doing the things regulated, namely, if the act is carried out in the public interest or because it is forced to defend itself.

For the criminal act of slander, this is regulated in the Articles of the Criminal Code Law. The criminal act of slander itself is a development of the criminal act of humiliation, both regulated in the Articles and Paragraphs of the Criminal Code Law. The crime of slander is a criminal act of humiliation, which adds an element of opportunity for the perpetrator of the insult to prove the truth of what he is accused of, and if what is alleged by the perpetrator is not proven, then he has committed a criminal act of slander. If the criminal act of slander is carried out through

the press media, then the criminal act of slander will fulfill the elements of the Articles and Paragraphs of the Criminal Code Law.

Thus, the KUHP Law itself, on the other hand, is also sufficient to provide protection for press freedom, namely an opportunity for accused perpetrators of insults or slander to prove the truth of what they are accused of. Or in the event that the insult or slander is carried out through press reporting, the journalists who carry out the reporting can be given the opportunity by the judge to prove the truth about the reporting. This is regulated in the Articles and paragraphs of the Criminal Code Law, where it is regulated that proving the truth of the allegations made can only be done in certain cases. *First*, the judge deems it necessary to examine the veracity of the allegations in order to consider the defendant's statement that the defendant committed the act in the public interest or because he was forced to defend himself. *Second*, civil servants are accused of doing something while carrying out their duties.

Furthermore, the Articles and Paragraphs of the Criminal Code Law provide a policy of forgiveness for perpetrators of insults and slander, namely if the accusations made by the perpetrator are proven to be true based on a judge's decision that has permanent legal force ( *in kracht van gewijsde* ), then the perpetrator cannot be convicted of slander. This, of course, also applies to criminal acts of slander committed through press reporting. If the truth of the press reports that are deemed insulting or slanderous can be proven, then the journalists who are accused cannot be convicted of charges of insulting or slandering. On the other hand, if the judge's decision has permanent legal force, the alleged act is not proven, then the insulted person or the defamed person is acquitted of what was alleged, and the decision is perfect evidence that what is alleged is not true. In this case, it is really necessary for a judge or court to truly appreciate and understand the intricacies of applying criminal law, especially regarding insults and slander.

In the event of a case of insult or slander, the trial process for the accused of defamation or slander will be postponed first if the judge decides to prove the truth of what is alleged in the insult or slander, which is carried out both verbally and in writing (including press media). After the trial on the issue of proving the truth of the accusation has a decision that has permanent legal force, then the trial process for cases of insult or slander will continue. This is done because proving the truth about what is alleged in the insult or slander will be very decisive evidence in the trial of cases of insult or slander.

It should also be emphasized that the crime of insulting and slandering is a complaint offense because the perpetrator of the crime of insult and slander will not be prosecuted, if there is no complaint from the

person who has the right to complain, except if the person who is insulted or slandered is a civil servant who is carrying out his assigned duties. Legitimate.

Based on the explanation above, it can be understood that the freedom of the press in presenting news is maintained, but that does not mean that criminalization in the press is not possible. In the event that the press has become a tool to commit insults and slander, of course, the person must be punished. So it is not the press as a news media that is criminalized, but the perpetrators, individuals who may ride the press or use the press for purposes that violate the law, will be criminalized. So it is the perpetrators who are being judged and not the press.

In proving the criminal offense of defamation and slander that is carried out through the press media, of course, there must be *opzet* or the intention of the perpetrator to commit a crime, and also the existence of *schuld* or error in the act. So it's not really press reporting that is criminalized, but the act of insulting or slandering that is what is being punished.

It must be admitted that not all Indonesian press are professionally managed and capable of reporting responsibly. Many press companies issue rumors and statements that are untrue or biased. Viewed from the other side of the public interest, of course, a press that is not qualified will be very detrimental because it does not educate the public and serves as a shaper of public opinion. The press will be very dangerous if it is used by certain individuals who have unlawful purposes.

Therefore, if viewed from the point of view of criminal law, especially in the Criminal Code Law, the law has balanced between press freedom and accountability for the content of the news. And keep in mind that the articles on insults and slander in the Criminal Code Law are articles that regulate criminal acts of humiliation and slander in general (So they do not only refer to press reports. Precisely with the articles regarding insults and slander in the Criminal Code Law, the Indonesian press is encouraged to be more professional and more responsible in publishing news. This is because the press, apart from having a duty to provide information openly and transparently to the public, also has a responsibility to educate the public and to safeguard public opinion, which is vulnerable to socio-political situations in a country like Indonesia.

However, there is something that needs to be criticized in the articles regarding insults and slander of the Criminal Code Law, namely about proving the truth of the accusations made by the accused of insulting or slandering policies that are in the public interest or self-defense. Based on the Articles and Paragraphs of the Criminal Code Law, proving the truth of the accusations made by the accused of insulting or slandering is

entirely dependent on the judge's decision, whereas proof of what is alleged to be insult or slander must be carried out without exception because this is evidence of whether the defendant actually committed a crime. Or not.

Another thing that needs to be criticized is the inefficiency of the trial because the trial to prove the truth of accusations of slander or slander will definitely take a long time, so that the principle of a fast trial and low fees is difficult to apply in cases of insult and slander.

Following the end of Suharto's regime in 1998, Indonesia experienced an explosion of media outlets. The new Press Law (1999) abolished the requirement for media licenses, encouraging media proliferation. However, with increased independence came challenges such as media ownership concentration, commercialization, and partisan reporting.

The benefits of media freedom in Indonesia include a more vibrant public sphere, greater access to information, and the ability to hold power to account. Investigative journalism has exposed corruption and human rights violations, contributing to democratic consolidation.

Despite these advances, media freedom has been accompanied by sensationalism, ethical breaches, and the dissemination of misinformation. Political and business interests often influence media content. The absence of strong enforcement of journalistic codes of ethics and media laws exacerbates these.

## **Closing**

Freedom of the press is an absolute thing to be controlled by law. However, the press as part of democracy must have professionalism and responsibility in carrying out its duties. Freedom of the press cannot be denied is an important element in the formation of a democratic, open, and transparent state system. The press as a medium of information is a democracy that goes hand in hand with law enforcement to create balance in a country. Therefore, it should be if the press as a medium of information and also often a medium of correction, guaranteed independence in carrying out the profession of journalism. This is important to maintain objectivity and transparency in the press world so that the news can be presented truthfully without fear or under threat from the government.

If we refer to the purpose of freedom of speech in Islam is to oppose tyranny and uphold justice. Without freedom of speech, there will be no prevention of tyranny, and in turn lead to ruin. It needs to be emphasized that freedom of speech does not mean arbitrarily uttering abusive words and rampantly insulting others. The act of exposing the ugliness of others is indeed strictly prohibited by religion, but there are exceptions in the case

of tyranny, where those who are persecuted have the right to expose the ugliness of the perpetrators of tyranny, on the policy to uphold justice, as Allah SWT says. Meaning: Allah does not like bad speech (spoken) openly (to expose shame and evil) except by those who are persecuted. And indeed, Allah is All-Hearing, All-Knowing (An-Nisa'4: 148).

In order for the press to play its role between independence and responsibility, and to ensure independent and responsible journalism in developing Indonesia, the mass media in Indonesia must be guided by the main dimensions, namely the five media values by interpreting the development of the life of the Indonesian people and nation and which must be based on the five media values are:

- The One Almighty God
- The interests of the people and the safety of the country
- Continuation and completion of the national struggle until it national goal is realized
- Morals and etiquette
- National personality

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