

## Legal Protection for Journalists Covering News in The Digital Age in Indonesia

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**ABSTRACT:** The development of digital technology has significantly changed journalism practices in Indonesia. In the past, journalists worked mostly in print and conventional broadcast media, but now the presence of online media and social media platforms has expanded the scope of coverage and accelerated the dissemination of information. In addition to presenting factual news, journalists must also master digital technology, such as multimedia, data analytics, and direct interaction with audiences in the digital space. These changes open up opportunities to reach a wider readership and improve access to information, but they also pose new and complex challenges. In the digital age, the risks faced by journalists are increasingly diverse. Physical violence still occurs, especially when covering sensitive issues such as political conflicts, demonstrations, or corruption cases. However, threats in the virtual world are also very serious, including hacking of personal accounts, dissemination of personal data, and cyber attacks aimed at damaging the credibility of journalists. In addition, criminalization through the Electronic Information and Transactions Law (ITE Law) poses a major threat. Journalistic products that should be protected by the Press Law are often prosecuted as criminal defamation under the ITE Law. This paper aims to analyze legal protection for journalists in the digital age in Indonesia. The focus of the analysis includes the applicable regulatory framework, such as the Press Law, the ITE Law, and the role of the Press Council, as well as obstacles to its implementation in the field. Thus, this study is expected to provide a comprehensive picture of the legal protection of journalists in the digital age while offering strategic recommendations to strengthen press freedom and the safety of journalists in Indonesia.

**KEYWORDS:** Journalists, Legal Protection, Digital, Press Law, Electronic Information and Transactions Law.

### I. INTRODUCTION

The press and democracy are closely linked, with the press often referred to as the fourth estate after the executive, legislative, and judicial branches (*trias politica*).<sup>1</sup> In Australia, freedom of the press is also recognized as one of the main foundations of a democratic society. The development of democracy cannot be separated from the existence of freedom of the press.<sup>2</sup> Therefore, the level of press freedom is an important indicator in assessing the quality of democracy in a country.

Wiener in Haris Sumadiria describes law as a one-way control system carried out by a central organ that has power.<sup>3</sup> In the cybernetics paradigm of law, law is viewed as a command from the ruler that must be obeyed and complied with by society (law as command of the law giver). Thus, referring to Weiner's view, legal protection for national press freedom in Indonesia has been established and provided by the government through legislation on the press.

Freedom of the press is a key pillar of democracy that enables journalists to report facts, monitor the government, and perform a social control function. In Indonesia, Article 28F of the 1945 Constitution and Law No. 40 of 1999 on the Press guarantee freedom of the press without state interference. Thus, journalists have the authority and responsibility to report on public issues fairly and professionally.

The system of press freedom in Indonesia is an integral part of the right to freedom of expression, both verbally and in writing, as guaranteed by the 1945 Constitution.<sup>4</sup> This constitution guarantees the freedom of the people to express their ideas, opinions, and thoughts. Legally, Pancasila serves as the ideological foundation underpinning this freedom of expression. As the foundation

<sup>1</sup> Syafridi, "Press Law in Indonesian Constitutional Law First Edition", Yogyakarta: Suluh Media, 2018, p. 1.

<sup>2</sup> Rahmi, "Press Freedom and Democracy in Indonesia", Journal of Communication and Culture, Vol. 6 No. 1, 2019, p. 81.

<sup>3</sup> A.S. Haris Sumandiria, "Indonesian Journalism: Writing News and Features, 5th Edition," Bandung: Remaja Rosdakarya, 2014, p. 34.

<sup>4</sup> Idri, "The Press in Legal Discourse," Al Hikam Journal, Vol. 5, No. 2, 2010, p. 20.

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of the state and the primary source of law, Pancasila is the main basis for guaranteeing the right to freedom of expression. As a legal ideal, Pancasila is the foundation of the state and the source of all sources of law.<sup>5</sup>

The journalism profession plays a crucial role in a democratic system. However, in practice, journalists often face various threats, both physical and digital. In the digital age, although journalists' workspace has expanded, the risks they face have also increased, including cyber attacks, misuse of the Electronic Information and Transactions Law (ITE Law) to ensnare journalistic work, and violence from parties who feel aggrieved by the news coverage.

Despite these constitutional guarantees, practices in the field show a reality that is far from ideal. The Alliance of Independent Journalists (AJI) noted that throughout 2025, as many as 75.1 percent of journalists in Indonesia had experienced violence, both physical and digital. Female journalists are particularly vulnerable to violence. In AJI-PR2 Media's research, 852 female journalists in 34 provinces stated that they had experienced sexual violence in various forms, both online and offline. The Alliance of Independent Journalists (AJI) recorded that between January 1 and August 31, 2025, there were 60 cases of violence against journalists and the media. These cases included terror, intimidation, and digital attacks targeting websites and social media accounts. Most of the perpetrators are suspected to be from military and police institutions.

In one week, AJI received a number of reports of violence experienced by journalists while covering demonstrations at the Indonesian House of Representatives building in Senayan and the Mobile Brigade Command Headquarters. For example, Antara photojournalist Bayu Pratama S was assaulted while covering the demonstration at the House of Representatives building. In addition, two photojournalists from Tempo and Antara were beaten by unknown individuals while covering the area around the Mobile Brigade Command Headquarters. Journalists from Jurnas.com also experienced intimidation while recording the chaos at the Indonesian House of Representatives building. In Bali, two journalists in Denpasar faced intimidation and violence from the authorities while covering demonstrations at the Bali Provincial Police Headquarters and the Bali Regional House of Representatives. Meanwhile, eight journalists in Jambi were trapped in the High Court building when the crowd that had previously been demonstrating at the Jambi Provincial House of Representatives stormed the location. Cases of violence also befell a TV One journalist who was arrested, beaten, and intimidated while broadcasting live via his social media account. In addition, a journalist from the student press was doused with acid while reporting at the Metro Jaya Regional Police Headquarters.

This situation raises important questions about the effectiveness of existing regulations in protecting journalists, especially in this challenging digital age. The extent to which applicable regulations can guarantee the safety and freedom of the press remains an issue that requires serious attention. Therefore, legal protection of press freedom is very important because it concerns the freedom of the press rights of journalists. Legal protection of press freedom is crucial because it is directly related to the rights of journalists in carrying out their duties. However, in practice, the implementation of this legal protection has not been fully effective. Many violations of press rights still result in acts of violence against journalists.

Based on these conditions, this study aims to comprehensively analyze legal protection for journalists in digital era reporting in Indonesia. The focus of the study covers applicable regulations, such as the Press Law, the Electronic Information and Transactions Law (ITE Law), and internal media regulations. In addition, this study also examines obstacles in implementation in the field and formulates policy recommendations so that legal protection for journalists can be realized in practice, particularly in relation to the overlap between the Press Law and the ITE Law in the digital era.

It is hoped that the results of this study will not only identify gaps in existing regulations but also offer practical solutions to safeguard press freedom as a pillar of democracy, especially amid the ever-evolving dynamics of the digital era.

## II. METHOD

This study uses a normative juridical method with a conceptual and legislative approach to examine the government's responsibility in ensuring the protection of journalists from criminalization under the Electronic Information and Transactions Law (ITE Law) in Indonesia. The normative legal method was carried out through a literature study of relevant secondary legal materials, such as legislation, legal literature, and court decisions. All collected data were analyzed qualitatively and presented descriptively to provide a comprehensive overview of the legal protection guarantees for journalists facing criminalization, while emphasizing the importance of freedom of the press and freedom of expression. The normative legal research method was conducted by examining relevant secondary materials or literature.<sup>6</sup> The collected research materials were then analyzed using qualitative data analysis methods and presented descriptively to provide an overview of the protection guarantees for journalists who experience criminalization while realizing freedom of the press and expression in Indonesia. The descriptive presentation aims to obtain a comprehensive and systematic overview. The conceptual approach utilizes legal concepts such as sources of law, functions of law, legal institutions, and so on.<sup>7</sup> This approach is supported by expert opinions and doctrines to build legal arguments. In addition, this study also adopts a legislative approach that focuses on systematic analysis of relevant legal products.

<sup>5</sup> Krisna Harahap, "Guidelines for the Journalism Profession," Bandung: Grafiti Budi Utami, 1996, pp. 20-2.

<sup>6</sup> Soerdjono Soekanto and Sri Mamudji, *Normative Legal Research: A Brief Review*, Jakarta: Rajawali Pers, 1994, p. 23

<sup>7</sup> Bachtiar, *Legal Research Methods*, Pamulang: Unpam Press, 2018, p. 12.

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The main legal instruments referred to include Law No. 11 of 2008 on Electronic Information and Transactions and its amendments, Law No. 40 of 1999 on the Press, the Criminal Code (KUHP), and various other supporting regulations. This approach is carried out consistently and methodologically to ensure the accuracy of legal arguments. With a combination of normative juridical methods, qualitative analysis, and conceptual studies, this research is expected to provide a comprehensive understanding of the effectiveness of legal protection for journalists from the threat of criminalization. The results are expected to form the basis for arguments for policy strengthening, while encouraging the role of the state in upholding press freedom and freedom of expression in the digital age.

### III. RESULT AND DISCUSSION

#### A. Legal Protection for Journalists in Digital Age Reporting

According to MacDougall, journalism is the process of gathering news, seeking facts, and reporting events.<sup>8</sup> Today, this activity has developed into a profession, so that people who carry out these tasks are known as journalists. In other words, journalists are individuals who professionally perform journalistic work, namely gathering and conveying information to the public. This role is important in ensuring that the public receives accurate and reliable news.

The journalism profession requires full freedom to carry out its duties. Journalists have the right to seek, obtain, store, process, and disseminate information through various forms, such as writing, speech, images, data, or other formats, using print, electronic, or any other available communication platform. This freedom is important so that the information conveyed remains accurate, balanced, and accessible to the public without unlawful pressure or restrictions. The protection of this right also ensures that journalists can work independently, maintain the integrity of the profession, and support the principle of information disclosure, which is the foundation of a democratic society.<sup>9</sup>

Peter Mahmud Marzuki argued that<sup>10</sup> the essence of rights is not merely recognized power, but rather the authority guaranteed by law to realize certain interests. This principle is in line with Article 19 of the United Nations Charter on Human Rights, which states: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers." This provision affirms that freedom of expression and access to information are fundamental rights that must be protected as part of an international legal order that upholds human dignity.

Article 28 of the 1945 Constitution guarantees "freedom of association and assembly for every individual, freedom of expression in speech or writing, and so forth, as stipulated by law." The freedom referred to here is the freedom to organize and express opinions. Freedom to express opinions, whether verbally or in writing, is a constitutional right granted by the 1945 Constitution. It takes the form of press activities. However, it should be noted that this freedom and independence of the press is also limited and guaranteed by law in order to fulfill certain obligations.

Freedom of the press after the reform has truly undergone changes in all aspects of national and state life, which are protected by the Press Law, the Criminal Code, and the journalistic code of ethics.<sup>11</sup> After the reform era, freedom of the press in Indonesia has undergone fundamental changes in various aspects of national and state life. This freedom is not only recognized but also protected by the Press Law, the Criminal Code (KUHP), and the journalistic code of ethics. The enactment of Law No. 40 of 1999 on the Press is an important milestone because it provides legal guarantees and protection for journalists, while also affirming their independence from interference or pressure from any party. This regulation affirms the press's right to freely convey information to the public without the threat of censorship. In addition, this law ensures the safety of journalists as part of professional protection. With the guarantee of freedom of expression contained therein, the Press Law serves as a main pillar for the realization of press freedom, so that the role of the media as a watchdog of power and conveyor of public information can run effectively and responsibly.

Freedom of expression is essentially a fundamental right in life that is protected by the state in the form of freedom of expression, whether in writing or through press activities. Therefore, legal protection for journalists is a right that must be protected because it is a fundamental right in life that is protected by the state. This is also contained in Article 28 E paragraph 3 of the 1945 Constitution. "Every person shall have the right to freedom of association, assembly, and expression. The state shall guarantee and provide freedom of expression to its people in order to give them the widest possible aspirations."<sup>12</sup>

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<sup>8</sup> Hikmat Kusumaningrat and Purnama Kusumaningrat, *Journalism, Theory & Practice*, Bandung: Remaja Rosdakarya, 2014, p. 15.

<sup>9</sup> Sentosa Sembiring, "Protection of Journalists," Jakarta: Bina Sakti, 2005, p. 67.

<sup>10</sup> Peter Mahmud Marzuki, 2008, "Introduction to Legal Science," Kencana Prenada Media, p. 151.

<sup>11</sup> Soeprianto, S. A., and Isnawati, M, "Legal Protection for Journalists as Victims of Violence," *Jurnal Justiciabelen*, Vol. 4, No. 2, 2022, pp. 50-63.

<sup>12</sup> Hsb, M. O., "Human Rights and Freedom of Expression in the 1945 Constitution," *Al Wasath Journal of Law*, Vol. 2, No. 1, 2021, pp. 29-40.

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The form of guarantee for press freedom is further explained in Article 4 paragraph (1), namely, "Press freedom is guaranteed as a fundamental right of citizens." The meaning of this article is explained in its explanation, which states that the press is free from preventive measures, prohibitions, and/or restrictions so that the public's right to obtain information is guaranteed. Freedom of the press is a freedom that is accompanied by an awareness of the importance of upholding the rule of law as enforced by the courts, and professional responsibility as outlined in the Journalistic Code of Ethics and in accordance with the conscience of the press.<sup>13</sup>

Legal protection is understood as a guarantee of every person's right to fair treatment and protection based on the law or legislation.<sup>14</sup> Salim describes legal protection in two forms, namely preventive protection and repressive protection.<sup>15</sup> Preventive protection means efforts to prevent actions that violate formal legal provisions established by the state. In the context of journalistic activities, this protection is manifested through the Press Law, which guarantees the implementation of journalists' duties and conduct, including the right to seek, obtain, and disseminate information independently. Meanwhile, repressive protection is the enforcement of the law against violations that have occurred, with the aim of providing justice and sanctions for those who violate regulations. These two forms of protection complement each other: preventive protection prevents violations from occurring, while repressive protection ensures legal certainty when violations have already occurred. In the world of the press, the existence of preventive and repressive legal mechanisms is key to maintaining press freedom while protecting journalists from actions that threaten their integrity, safety, or professional rights, so that press freedom continues to run in line with the principles of a democratic state based on the rule of law.

Legal protection for journalists takes two main forms: preventive and repressive. Preventive protection involves measures to minimize future violations, such as clear regulations, oversight mechanisms, and education on the rights and obligations of journalists. Meanwhile, repressive protection is applied after a violation has occurred, in the form of law enforcement and sanctions against parties who threaten or violate journalists' rights. These two approaches complement each other so that press freedom can be maintained and protected. The essence of legal protection is not limited to the existence of written rules, but also reflects fundamental legal values, namely justice, order, certainty, benefit, and peace. In the context of the journalism profession, the application of these principles ensures that any acts of violence, intimidation, or restrictions on press freedom can be prevented and dealt with in accordance with applicable regulations. Thus, the rule of law not only provides a normative framework, but also guarantees effective protection practices, so that journalists can carry out their duties independently, safely, and responsibly in the public interest and for the sake of democracy. Legal protection for journalists consists of the law itself, the concept that the law provides justice, order, certainty, benefit, and peace.<sup>16</sup>

Legal protection for journalists in Indonesia is explicitly regulated in Law No. 40 of 1999 on the Press. Article 4 paragraph (1) affirms that freedom of the press is a fundamental right of every citizen, while Article 8 states that journalists are entitled to legal protection while carrying out their duties. The settlement of reporting disputes should also be pursued through the Press Council mechanism, not through criminal proceedings, in order to maintain the independence and freedom of the press. This basis for protection is further strengthened by Indonesia's participation in international legal instruments, particularly the International Covenant on Civil and Political Rights (ICCPR), which was ratified through Law No. 12 of 2005. The ICCPR affirms the right to freedom of expression, including freedom of the press, as part of human rights that must be respected and protected. Thus, the national and international legal frameworks complement each other in ensuring that journalists can work without intimidation, criminalization, or other forms of pressure. This protection not only provides legal certainty, but also strengthens the role of the press as a pillar of democracy and a watchdog of power, so that the public continues to receive accurate, balanced information that is free from interference by any party.

In the digital age, legal protection for journalists is no longer sufficient to guarantee freedom of the press, but must also include digital security. The threats faced are increasingly complex, ranging from hacking of social media accounts, theft or dissemination of personal data (doxing), to various forms of cyber attacks aimed at intimidating or silencing journalists. This situation calls for more specific protection, as digital attacks can threaten personal safety, the confidentiality of sources, and the integrity of information conveyed to the public. However, to date, Indonesia does not have specific regulations that comprehensively regulate digital security for journalists. Existing protections still rely on general provisions, such as the Criminal Code (KUHP) and the Electronic Information and Transactions Law (ITE Law). Ironically, the ITE Law is often used to prosecute journalists, rather than protect them from cyber threats. This gap highlights the need for more progressive and comprehensive legal policies, so that

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<sup>13</sup> Wina Armada Sukardi, "The Virtues Behind the Controversy of the Press Law," Jakarta: Press Council Publishing House, 2007, p. 196.

<sup>14</sup> Aji Mulyana, "Legal Protection for Women and Children as a Result of Criminal Abortion," *Jurnal Wawasan Yuridika*, Vol. 1, No. 2, 2017, pp. 139–154.

<sup>15</sup> Salim and Erlies Septiana Nurbani, "The Application of Legal Theory in Theses and Dissertations, 2nd Edition," Jakarta: Raja Grafindo Persada, 2013, p. 264.

<sup>16</sup> M. Djen Amar, "Journalistic Communication Law," Bandung: Alumni, 2004, p. 76.

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journalists can work without fear of digital threats, while ensuring that press freedom is maintained amid the rapid and complex development of information technology.

In carrying out their duties, journalists often face various forms of violence, ranging from verbal intimidation and physical threats to attacks that endanger their safety. This situation underscores the importance of clear and effective legal protection. Law No. 40 of 1999 on the Press stipulates that journalists are entitled to protection when carrying out their profession, including from acts of violence or threats that obstruct journalistic work. To that end, law enforcement officials must take firm action against perpetrators of press rights violations and ensure that legal proceedings are carried out without interference. Criminal sanctions must be applied as a form of deterrent, while also emphasizing that freedom of the press is a constitutionally protected right. This protection is not only important for the safety of journalists, but also for the public interest, because violence against journalists ultimately hinders public access to accurate and independent information. Therefore, the state's commitment to enforcing the law and providing a sense of security is key to maintaining the integrity of the journalism profession and strengthening the role of the press as a pillar of democracy. Without such guarantees, press freedom can easily be eroded by violence and intimidation. The authorities must be firm with those involved in such acts of violence.<sup>17</sup>

Violence against journalists in Indonesia is still common and poses a serious threat to press freedom. Cases of intimidation, physical attacks, and destruction of work equipment are often ignored or not followed up legally, creating a sense of insecurity for journalists carrying out their duties. This situation demands the attention of all parties, especially law enforcement officials, to ensure real protection so that journalists can work without fear. Violence not only harms journalists physically, but also hinders them in delivering accurate and balanced information to the public. When journalists are intimidated or attacked, the public's right to obtain accurate information is also threatened. Such attacks clearly contradict the principle of freedom of the press guaranteed by the constitution and Law No. 40 of 1999 on the Press. Therefore, strict law enforcement against perpetrators of violence is needed, accompanied by systematic preventive measures. Effective protection not only safeguards the safety of journalists, but also ensures that the press continues to play its role as a watchdog of power and a conduit of public information, so that democracy can flourish in a safe and threat-free environment.

Protection from journalistic institutions in Indonesia is still limited, leaving many journalists feeling isolated when faced with threats or violence and unsure of where to report them. This situation makes journalists vulnerable and unsafe when carrying out their duties. Threats to press freedom have now also spread to the digital realm, such as online persecution through bullying, insults, dissemination of personal data, and false information or hoaxes that damage the reputation of journalists. It is important to remember that press freedom is not only a right of journalists, but also a right of the public to obtain accurate and reliable information. Continuous violence or threats against journalists ultimately reduce the quality of information received by the public and weaken the role of the press as a pillar of democracy. Therefore, media organizations and journalist associations must actively fight for stronger protection for their members, including providing clear reporting mechanisms and legal support. With adequate protection, journalists can maintain their integrity and professionalism, work independently, and convey information without fear, so that the public's right to accurate information remains guaranteed and press freedom can be properly maintained.

When it comes to protecting journalists, there are two things that the Indonesian government must prioritize. First, freedom of the press and media in the journalism sector must include guarantees for the protection and safety of journalists. Second, journalists' employment rights must be fulfilled in order to support the quality of public information obtained by the community. Therefore, the government needs to make progressive efforts so that Indonesian journalists can gain a better position and recognition amid the democratic crisis.

The Press Law does not adequately protect the journalism profession, which remains vulnerable to the threat of ambiguous articles in the Electronic Information and Transactions Law (ITE Law). In addition to threats to press freedom and criminalization under the ITE Law, Indonesian journalists also face other difficulties. As one of the laws governing governance and behavior on the internet, the ITE Law has a number of problems, ranging from ambiguous articles, interpretations that exceed justice, abuse with motives of revenge, and arbitrary punishment by officials. The second revision of the ITE Law did not provide good momentum for change and only restricted the activities of the community, especially in the field of journalism.

The "rubber" articles of the ITE Law have the potential to curb press freedom because news about corruption cases, political positions, manipulation, criticism of performance, and disputes can be considered defamation and hate speech. Under the ITE Law, police officers can also arrest individuals, including journalists. Therefore, the Indonesian government must be responsible for guaranteeing the protection of journalists, which can be achieved through the revision and judicial review of the ITE Law by the Constitutional Court, as well as the strengthening of the Press Law to ensure the existence of the journalism sector, while improving the welfare of journalists by fulfilling their labor rights.

Violence against journalists is a serious violation of human rights and must be resolved immediately through strict legal proceedings. These cases of violence show that legal protection for press freedom still has gaps that need to be examined more

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<sup>17</sup> Haq, A.S., and Hufron, "Forms of Legal Protection for Journalists Against Physical and Non-Physical Violence in the Course of Their Professional Duties," *Journal Evidence of Law*, Vol. 2, No. 3, 2023, pp. 178-182.

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deeply. Many journalists experience denial of their rights while carrying out their duties, thus requiring the consistent and effective enforcement of laws. As a form of legal protection, Law No. 40 of 1999 on the Press is an important basis. Article 18 paragraph (1) stipulates criminal sanctions for anyone who deliberately violates the law and commits acts that hinder the implementation of the provisions of Article 4 paragraphs (2) and (3). Perpetrators can be sentenced to a maximum of two years in prison or a fine of up to Rp500,000,000.00 (five hundred million rupiah). This provision is intended to provide a deterrent effect and ensure that journalists can work without pressure, intimidation, or violence. The enforcement of this article is crucial so that freedom of the press as a pillar of democracy remains protected and the public's right to obtain accurate information is not obstructed by violent practices that undermine the integrity of the journalism profession.

### B. Barriers to Implementing Legal Protection for Journalists in the Digital Age

Law and society develop side by side to create harmony, order, and peace in social life. As social beings, humans need clear legal rules to maintain harmonious relationships between individuals. The law acts as a guarantee for everyone in defending their rights, while also providing certainty and justice in social and state life. Without law, efforts to maintain order and protect individual rights would be difficult to realize. Therefore, the existence of law is an important foundation for the creation of a social order that is safe, fair, and in harmony with human values and common needs.<sup>18</sup>

Indonesia is a democratic country that considers the press to be an important pillar in providing information to the public. As a processor, presenter, and disseminator of information, the press plays a strategic role in ensuring that the public receives accurate and balanced news. Therefore, freedom of the press is a fundamental element that must be upheld, because without it, the press's function as a watchdog of power and a means of public communication cannot function optimally. Freedom of the press is not only the right of journalists, but also the right of the public to receive accurate information, thus becoming the main pillar for the sustainability of the democratic system in Indonesia.<sup>19</sup>

Positive law governing press activities in Indonesia is contained in Law No. 40 of 1999 on the Press. Article 2 of the law affirms that freedom of the press is a manifestation of people's sovereignty based on the principles of democracy, justice, and the rule of law. This provision emphasizes that press freedom has a strong constitutional basis, but that does not mean it is unlimited. This freedom must still be exercised responsibly, with respect for the law and the public interest. Thus, press freedom is understood as a protected right, but one that remains within the corridor of ethics and applicable legal rules. Hans Kelsen stated that law is a command on human behavior. Law is a primary rule that establishes sanctions.<sup>20</sup>

Although the Press Law normatively guarantees protection, practices in the field still face various obstacles. One of the main problems is the overlap between the Press Law and the Electronic Information and Transactions Law (ITE Law). Many reporting disputes that should be resolved through the Press Council mechanism are instead brought to the criminal realm with allegations of defamation based on the ITE Law. This situation demonstrates the low level of understanding among law enforcement officials regarding the principle of *lex specialis*, which places the Press Law as a special rule that should be prioritized in journalistic disputes, so that protection for press freedom is not effective.

Second, law enforcement against perpetrators of violence against journalists remains very weak. Records from the Indonesian Independent Journalists Alliance (AJI) show that throughout 2023 there were 89 cases of attacks against journalists, but only two cases were successfully brought to court. This data illustrates the high level of impunity and the lack of decisiveness of the authorities in protecting press freedom. The low rate of legal resolution not only harms the victims, but also sends a signal that perpetrators of violence can get away without punishment, thereby reducing journalists' sense of security at work and undermining efforts to protect press freedom as an important pillar of democracy.

Third, legal protection related to digital security for journalists is still very limited. Many journalists do not yet have adequate digital literacy, while national regulations do not yet provide specific instruments to protect them from cyber attacks. In fact, digital threats continue to increase as social media becomes more widely used as a channel for distributing news. This situation leaves journalists vulnerable to hacking, doxing, and various forms of online intimidation without adequate legal protection. The absence of clear rules requires the government and stakeholders to immediately develop comprehensive policies that are capable of maintaining digital security and press freedom in the information technology era.

Therefore, it is necessary to harmonize regulations between the Press Law and the Electronic Information and Transactions Law (ITE Law), accompanied by an increase in the capacity of law enforcement officials in handling press disputes. In addition, the formation of specific policies focused on protecting the digital security of journalists is urgently needed. These steps are important so that legal protection does not stop at the normative level, but is truly effective in facing threats of physical violence

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<sup>18</sup> Fuqoha, "Legal Protection of Employment Opportunities for Local Communities in Cilegon City," *Jurnal Wawasan Yuridika*, Vol. 2, No. 2, 2018, pp. 35–57.

<sup>19</sup> Wahyu Wibowo, "Towards Ethical Journalism, the Role of Language, Business and Politics in the Global Era", Jakarta: Kompas Media Nusantara, 2009, p. 2.

<sup>20</sup> Agus Sudaryanto, "Introduction to Law, Its Definition and Development in Indonesia," Malang: Setara Press, 2015, p. 13.

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and cyber attacks in the digital age. With an integrated approach, journalists can work safely, independently, and continue to carry out their role as providers of accurate public information.

Kustadi Suhandang defines journalism as “the art or skill of seeking, gathering, processing, compiling, and presenting news about daily events to satisfy the public's conscience.”<sup>21</sup> However, in order to obtain information that is considered to be of public interest, some journalists sometimes ignore the rules and violate the privacy of their sources.<sup>22</sup> Such practices often lead to conflict and incite violence against journalists. In fact, journalists are the main pillars of press freedom. Therefore, the state, society, and media companies have an obligation to provide strong legal protection so that journalists can work professionally, respect ethics, and remain safe in carrying out their function as conveyors of information.

In carrying out their duties, journalists often encounter individuals, institutions, or other parties who reject or object to published reports. Therefore, the Press Law is important to provide legal certainty that can integrate and balance various interests that have the potential to conflict with one another. The law must serve as an instrument that not only prevents conflicts of interest, but also protects all parties involved. With clear legal protection, the press can work independently, while the rights of other parties are respected within the framework of democracy and the principles of justice.<sup>23</sup>

The function of the Press Council is no longer limited to advising the government as stipulated in the previous law. Article 15 paragraph (2) letter a of the Press Law emphasizes that this institution has the duty to protect press freedom from interference by any party. With its position independent from government influence, the Press Council plays a strategic role in regulating the relationship between the state and the press. Its presence is expected to ensure that the media is not used as a propaganda tool or a means for those in power to maintain the socio-political order in accordance with their interests. This protection is important so that the press can carry out its function of control and convey information freely, accurately, and responsibly within the framework of democracy.<sup>24</sup>

Legal protection is generally understood as a mechanism closely related to the government's power to protect the rights and interests of citizens. However, this concept does not only apply to the relationship between the state and society. In practice, various groups or entities that have social, political, or economic power can also provide, or even require, legal protection for other groups that are in a weaker position. This means that the law functions as a balancing tool to prevent abuse of power by more dominant parties. Thus, legal protection is not solely the authority of the government, but a universal instrument for maintaining justice, protecting human rights, and preventing power imbalances in various social and institutional relationships.<sup>25</sup>

Normatively, freedom of the press in Indonesia is guaranteed by the Press Law. However, in practice, the implementation of this law often conflicts with other legal approaches and various interpretations, so that the protection of press freedom often gives rise to differences of opinion and challenges in its application.

The implementation of press freedom guaranteed by the Press Law often faces technical legal issues, particularly regarding its status as *lex specialis*. Debates arise because the pros and cons are equally strong. Supporters argue that establishing the Press Law as *lex specialis* is important to guarantee press freedom. Conversely, opponents argue that, both formally and materially, the law does not meet the criteria of *lex specialis* and still has many weaknesses. These differing views highlight the need for regulatory clarity so that legal certainty for press freedom can be upheld without causing conflicts of norms or overlapping regulations.

According to law enforcement analysis, the security and safety of journalists in Indonesia still faces major challenges despite being guaranteed in the Press Law. Normative legal protections have not been effectively implemented, especially in handling various cases of violence against journalists. Law enforcement, which should be the responsibility of the state, is often hampered by conditions on the ground, making litigation processes difficult to resolve. In addition, weak legal protection mechanisms and the lack of capacity of law enforcement officials exacerbate the situation, leaving journalists vulnerable to threats of violence despite having a clear legal basis to protect their profession.

One of the main obstacles to law enforcement for journalists is the low level of legal understanding and awareness among media workers. In fact, the journalism profession is highly vulnerable to legal issues. This lack of knowledge makes many journalists reluctant to report when they are victims of violence or even cancel reports that have already been filed. On the other hand, law enforcement officials, particularly the police, often display detrimental attitudes, such as delaying legal proceedings, offering inducements, or even making threats to prevent cases of violence from being pursued. This situation undermines efforts to provide legal protection for journalists, which should be guaranteed by law.

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<sup>21</sup> Kustadi Suhandang, “Introduction to Journalism: About Organizations, Products and Codes of Ethics,” Bandung: Nuansa Cendekia, 2004, p. 23.

<sup>22</sup> Samsul Wahidin, “Press Law,” Yogyakarta: Pustaka Pelajar, 2011, p. 74.

<sup>23</sup> J.C.T., Simorangkir, “Law and Freedom of the Press,” Jakarta: Bina Cipta, 1980, p. 30

<sup>24</sup> Zainal Arifin Mochtar, “Independent State Institutions: Dynamics of Development and the Urgency of Reorganization after the First Constitutional Amendment,” Jakarta: Rajawali Pers, 2016, p. 111.

<sup>25</sup> Armansyah, Introduction to Press Law, Jakarta: Gramata Publishing, 2015, p. 49.

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In carrying out their duties, journalists often face dilemmas from the preparation stage to reporting in the field. This profession demands high mental and physical endurance because various obstacles often arise during the work process. The risk of violence is also a real threat when journalists carry out their journalistic duties. In order to obtain accurate and reliable information, they often have to go directly to the scene of the incident, even though they are aware of the potential dangers involved. This situation emphasizes that the work of journalists not only requires technical expertise, but also courage and readiness to face serious consequences in order to fulfill the public's right to information.

### CONCLUSIONS

Freedom of the press in Indonesia still faces serious challenges despite the existence of a legal framework. Violence against journalists continues to this day, demonstrating the weakness of legal protections that should guarantee their safety. The existence of the Press Law has not been fully effective in preventing intimidation, persecution, and other threats that hinder journalistic work. This situation confirms that press freedom is not merely a matter of regulation, but also of implementation in the field. Therefore, more stringent legal reforms are needed, as well as training for law enforcement officials to understand and respect the rights of the press. On the other hand, raising public awareness of the importance of journalists' role in providing accurate information is also urgent, so that press freedom is truly protected and can be exercised without fear.

Challenges in legal protection for journalists in carrying out their profession, as journalists are required to perform their duties as outlined in the Press Law. In accordance with their profession, journalists receive legal protection, but in reality there are several things we need to be aware of, namely that the Press Law is not viewed in the same way by the public, the police, and the government. Therefore, it is important for these three state institutions to know and understand the Press Law. Psychologically, there are still many people who do not understand the important role of the press in the life of the Indonesian state.

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