

Digital Journalism and Press Freedom: The Relevance of the Press Law in the Era of Social Media Platforms

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Article	Abstract
<p>How to cite: Tenang Haryanto, et. al, 'Digital Journalism and Press Freedom: The Relevance of the Press Law in the Era of Social Media Platforms' (2025) Vol. 6 No. 1 Rechtenstudent Journal Sharia Faculty of KH Achmad Siddiq Jember State Islamic University.</p> <p>DOI: 10.35719/rch.v6i1.51</p> <p>Article History: Submitted: 31/01/2025 Reviewed: 11/02/2025 Revised: 29/03/2025 Accepted: 09/04/2025</p> <p>ISSN: 2723-0406 (printed) E-ISSN: 2775-5304 (online)</p>	<p>Advances in digital technology have significantly changed the face of journalism and press freedom. Today, people can easily create and disseminate information through digital platforms, such as social media, without the need to be part of the official media. This phenomenon raises legal issues, especially with regard to the relevance of Law No. 40/1999 on the Press in the context of digital journalism. This research applies the normative juridical method with a regulative and conceptual approach to analyse the compatibility of the norms in the Press Law with the practice of journalism in the digital era. The research findings show that many current journalistic activities including the creation and dissemination of news by non-press persons or institutions are not expressly regulated in the Press Law. As a result, supervision is less effective, the risk of spreading misinformation and disinformation increases, and legal protection for digital journalism actors is blurred. The current Press Law only covers a small part of modern journalism practices and is not responsive to the challenges of press freedom in the decentralised digital space. Therefore, it is necessary to update regulations or develop supporting norms that can deal with the realities of today's digital media without compromising the principle of press freedom.</p> <p>Keywords: <i>Digital Journalism, Press, Social Media.</i></p> <p>Abstrak Kemajuan teknologi digital telah secara signifikan mengubah wajah jurnalisme dan kebebasan pers. Saat ini, masyarakat dapat dengan gampang menciptakan dan menyebarkan informasi melalui platform digital, seperti media sosial, tanpa perlu menjadi bagian dari media resmi. Fenomena ini mengangkat isu hukum, terutama berkaitan dengan relevansi Undang-Undang Nomor 40 Tahun 1999 mengenai Pers dalam konteks jurnalistik digital. Penelitian ini menerapkan metode yuridis normatif dengan pendekatan regulatif dan konseptual guna menganalisis kecocokan norma-norma dalam UU Pers dengan praktik jurnalisme di era digital. Temuan penelitian menunjukkan bahwa banyak kegiatan jurnalistik saat ini termasuk pembuatan dan penyebaran berita oleh orang atau lembaga non-pers tidak secara tegas diatur dalam UU Pers. Akibatnya, pengawasan menjadi kurang efektif, risiko penyebaran misinformation dan disinformasi meningkat, serta perlindungan hukum bagi pelaku jurnalisme digital menjadi kabur. UU Pers saat ini hanya mencakup sebagian kecil dari praktik jurnalisme modern dan belum tanggap terhadap tantangan kebebasan pers di ruang digital yang terdesentralisasi. Oleh sebab itu, perlu dilakukan pembaruan peraturan atau penyusunan norma pendukung yang dapat menghadapi kenyataan media digital saat ini tanpa mengorbankan asas kebebasan pers.</p>

Introduction

Developments in information and communication technology have brought significant changes in journalism practices and press freedom in Indonesia. Currently, anyone can create and disseminate news through various digital platforms such as social media, blogs, or video-based channels without following official journalistic procedures or being under the auspices of a media company. This phenomenon has created blurred lines between professional journalism and content produced by individuals, while also presenting new challenges for the legal system that regulates the media in Indonesia.¹

Law Number 40 of 1999 on the Press was designed within the framework of traditional media and classical broadcasting, before the explosion of the digital era. The law defines press activities in a limited way, namely those carried out by registered press companies that have a legal entity. This problem arises when many current journalistic activities such as citizen journalism, news by influencers, or alternative digital media are not well covered by the applicable legal framework. As a result, digital journalism practices are vulnerable to abuse, especially in the form of spreading misinformation, disinformation, and unverified news.²

In addition to regulatory uncertainty, there is an important issue regarding the weak legal protection for digital journalists. Various situations illustrate how citizen journalists or content creators who spread critical news can become targets of intimidation, legal reporting, and even doxing, because they are not considered part of the official media. In this situation, they cannot get help from the Press Council, and cannot utilize the right of reply or correction mechanisms stipulated in the Press Law. This shows the existence of legal loopholes that are detrimental to digital journalism practitioners and at the same time reduce the spirit of press freedom guaranteed by law.³

In response to the complexity of this problem, it is necessary to conduct a legal analysis that critically evaluates the relevance and adequacy of Law No. 40 of 1999 in facing the reality of digital journalism today. This study adopts a normative legal approach to analyze existing positive legal rules, as well as identifying regulatory gaps in the protection of press freedom in the digital environment. Through a doctrinal analysis approach, this study aims to provide a conceptual contribution in updating press regulations so that they are able to face today's challenges, while maintaining the basic principles of freedom of expression and the right to information guaranteed in a democratic system.

Research Method

This study applies the normative legal method, namely a legal research approach carried out through the analysis of positive legal norms, legal principles, and applicable legal principles. This study has a qualitative-descriptive approach and aims to assess the relevance of Law Number 40 of 1999 on the Press related to the development of digital journalism practices.

¹ Eka Putra, "Jurnalisme Digital Dan Semangat Anti Hoax: Membentengi Dunia Informasi," *Syntax Literate ; Jurnal Ilmiah Indonesia*, 2023, <https://doi.org/10.36418/syntax-literate.v7i9.13770>.

² Muhammad Nadzirin and Anshari Nur, "Kebebasan Pers , Tanggung Jawab Dan Etika Jurnalistik Dalam Lingkungan Media Online Yang Kompetitif" 6 (2024).

³ Herlambang P Wiratraman, "Kebebasan Pers, Hukum, Dan Politik Otoritarianisme Digital," *Online 6*, no. 1 (2023): 1-31, <https://doi.org/10.22437/ujh.6.1.1-31>.

The main data sources are obtained from primary and secondary legal materials. Primary legal materials include relevant laws and regulations, such as Law No. 40 of 1999 on the Press, Law of the Republic of Indonesia Number 11 of 2008 on Information and Electronic Transactions (ITE) and its amendments, Press Council Regulations, and Implementing Regulations concerning freedom of expression in the digital environment.

Secondary legal materials consist of academic literature, journal articles, past research results, and reports from the Press Council and freedom of expression organizations. The analytical method applied is normative-critical analysis, by examining the alignment between applicable legal norms and the need for protection of press freedom in the realm of digital journalism.

Results and Discussion

Limitations of the Press Law on Digital Journalism Practices

Law Number 40 of 1999 on the Press (Press Law) was drafted in response to the suppression of freedom of expression during the New Order era, when the state strictly monitored press activities with a licensing and closure system. The essence of this law is to protect press freedom as the foundation of democracy, by eliminating the censorship system, establishing an independent Press Council, and recognizing journalists' rights such as the right to refuse and the right to reply. However, conceptually and normatively, the Press Law is based on the liberal press model that emerged in the 20th century, in which the press is considered a professional institution that carries out social oversight functions, presents factual information, and is accountable to the public within the legal framework of a democratic state. This model is based on the theory of social responsibility put forward by Fred S. Siebert, Theodore Peterson, and Wilbur Schramm, which states that the media operates without government intervention but has an obligation to convey accurate, fair, and objective information to the public. This theory serves as a basis for the drafting of the Press Law which emphasizes professionalism, responsibility, and the existence of press companies as official bodies that produce information. In this case, journalistic activities are considered legal and officially recognized if they are carried out by registered press companies, have a legal entity, and comply with the Journalistic Code of Ethics supervised by the Press Council.⁴

The problem arises when the reality of digital media shows that the functions of journalism today are not only carried out by media companies. In the digital era, everyone who has internet access and basic devices can carry out activities similar to journalists: collecting, producing, and disseminating information to the wider community. This activity which in its implementation is known as citizen journalism or participatory journalism eliminates the distinction between the creator and recipient of information, as well as between organizations and individuals.⁵ This model is closer to libertarian theory, which emphasizes individual freedom to express views without interference from the state, with the assumption that truth will emerge through competition of ideas in the public (marketplace of ideas).

In the Indonesiaa, the Press Law does not provide sufficient legal space for these new types of journalism. Article 1 number 2 states that a press company is an Indonesian legal

⁴ B. K., "Four Theories of the Press: The Authoritarian, Libertarian, Social Responsibility, and Soviet Communist Concepts of What the Press Should Be and Do," *International Affairs*, 1957, <https://doi.org/10.2307/2606845>.

⁵ Asty Rastiya, Hendriyani Hendriyani, and Indah Santi Pratidina, "Mapping Citizen Journalists' Profiles: A Case Study on Indonesian NET Citizen Journalist (NET CJ) Program," *Jurnal Komunikasi Indonesia*, 2018, <https://doi.org/10.7454/jki.v7i2.9767>.

entity that manages press businesses, including print media, electronic media, and all other forms of information channels. However, the term “press company” remains limited to formal, legal, and registered organizations, so that individuals or groups who carry out journalistic activities independently do not receive legal recognition or protection.

The impact of this definitional limitation is very clear. Many digital journalism practitioners do not have access to media conflict resolution mechanisms through the Press Council, are not protected by the right to refuse, and do not receive guarantees from intimidation, criminalization, or acts of digital violence. On the contrary, they are more easily entangled in criminal articles in the ITE Law when the content produced is considered to violate norms or benefit certain parties, even though its essence is a form of social criticism or public supervision.⁶

This situation indicates a regulatory gap, where existing legal regulations are unable to cover social and technological advances that have fundamentally changed journalistic practices. The Press Law has not responded to the paradigm of digital journalism which is now not based on institutions, but on networks, involvement, and open distribution. This reduces protection for press freedom.

Vulnerability to Misinformation and Disinformation Due to the Absence of Journalistic Standards

One of the major challenges to media freedom and the integrity of the public information space in the digital age is the abundance of misinformation and disinformation. In the conventional media ecosystem, the distribution of information usually goes through a strict editorial process, involving professional journalists who work according to the principles of journalistic ethics such as verification, balance, accuracy, and responsibility. However, in the decentralized digital space, these functions are weakened or even disappear completely, especially when information is produced and disseminated by non-professional actors who are not tied to official press institutions.

Misinformation refers to the unconscious dissemination of inaccurate or erroneous information, while disinformation is incorrect information that is deliberately disseminated to deceive the public or influence views. Both of these phenomena are very easy to spread through social media because of its fast, interactive, and easily viral characteristics. The lack of editorial supervision or professional standards in the creation of digital information makes it difficult for the public to distinguish between true and misleading news.

In the press law of Indonesia, Law No. 40 of 1999 does not explain in detail how journalistic standards must be applied in the creation of digital content by individuals or non-press groups. Article 7 paragraph (2) of the Press Law states that journalists must have and comply with a Journalistic Code of Ethics, but there is no legal mechanism that binds digital journalists to follow these principles, especially if they are not in a press company structure. The absence of this norm has resulted in a number of serious consequences.:

1. Decrease in the quality of public information. Content containing speculation, conspiracy theories, or unverified information can spread faster than news that has undergone a professional journalistic process. A study by Vosoughi et al. (2018) revealed that hoaxes spread faster and further on social media than accurate

⁶ Suparman Suparman, Galang Asmara, and Zunnuraeni Zunnuraeni, “Tinjauan Kritis Pasal 27 & Pasal 28 UU ITE Terhadap Kebebasan Pers,” *Jurnal Risalah Kenotariatan*, 2023, <https://doi.org/10.29303/risalahkenotariatan.v4i1.82>.

information, mainly due to the design of the platform's algorithm which focuses more on emotions and user engagement levels)⁷

2. Social polarization and decreased public trust. Disinformation that has a political or ideological aspect can exacerbate social fragmentation and strengthen echo chambers closed information spaces where people are only presented with views that align with their own. As a result, people become less receptive to facts or other arguments, and trust in media institutions and democracy declines significantly.⁸
3. Criminalization is caused by ambiguity in legal boundaries. Many digital journalism practitioners who want to convey criticism or public information are instead criminalized because the information they spread is considered a hoax or damaging to reputation. In such a situation, they cannot utilize the correction mechanism or right of reply regulated in the Press Law, because legally they are not recognized as part of a press institution.

The lack of implementation of journalistic standards in general shows that press law in Indonesia has not been responsive to new developments in information production. There is no legal instrument that connects freedom of expression in the digital world with the ethical responsibility to convey information to the public. This creates a problem: allowing information to flow without limits risks giving rise to lies; but restricting it too tightly can violate the right to freedom of expression.

Several countries have responded to the threat of digital disinformation through various regulatory approaches. The European Union, for example, passed the Digital Services Act (DSA) to regulate the obligations of digital platforms regarding circulating content, including disinformation. Conversely, approaches that focus on education and information literacy are also encouraged to strengthen the capacity of the community to identify authentic content. Unfortunately, in Indonesia, there is no comprehensive regulation to regulate the position of digital journalism actors, both in terms of ethics and legal protection. Therefore, it is important for the national legal system, especially in the context of the Press Law reform, to think about strengthening the journalistic standard mechanism that includes digital information actors. This mechanism functions not only to control the quality of information, but also as a tool to protect significant press freedom, regardless of the form of media.

Inconsistency of Press Law with the Structure and Dynamics of Social Media

One of the most striking shortcomings of Law Number 40 of 1999 concerning the Press is its inability to anticipate fundamental changes in the structure of information distribution, especially those facilitated by social media platforms. When the Press Law was adopted, the most dominant types of media were still one-way (one-to-many), such as newspapers, radio, and television. The structure of information dissemination was managed by formal media institutions that had strict editorial, editorial, and legal responsibility mechanisms. Currently, with platforms such as Facebook, X (Twitter), Instagram, TikTok, YouTube, and others, the structure of public communication has shifted to many-to-many and is highly dependent on the closed algorithmic systems of large companies.

⁷ Jonas L. Juul and Johan Ugander, "Comparing Information Diffusion Mechanisms by Matching on Cascade Size," *Proceedings of the National Academy of Sciences of the United States of America*, 2021, <https://doi.org/10.1073/pnas.2100786118>.

⁸ Cass R. Sunstein, *#Republic: Divided Democracy in the Age of Social Media* (New Jersey: Princeton University Press, 2017), <https://press.princeton.edu/books/paperback/9780691180908/republic>.

This change has a systemic impact on the role of the media and the sustainability of digital democracy. Data previously produced and distributed by professional journalists now competes in the same arena as entertainment content, propaganda, and disinformation. The curators of information are no longer editors or media institutions, but algorithms created to maximize user engagement and advertising revenue. Content that is full of emotions such as anger, fear, or surprise tends to be more favored by these algorithms, thus triggering the emergence of sensational content, including hoaxes, compared to factual information.⁹

The Press Law does not regulate at all the relationship between media and digital platforms as new actors in the information ecosystem. There are no provisions in this law that recognize the existence of digital platforms as news disseminators that have social responsibilities like press companies. Currently, most Indonesians get news and information through social media. The Digital 2024 Report from We Are Social and Meltwater revealed that more than 80% of internet users in Indonesia get news through social media, with YouTube, Facebook, and TikTok as the most dominant¹⁰¹¹.

The impact of this misalignment can be seen in various aspects:

1. Social media has its own rules about content moderation called community guidelines.

If content is deemed to violate these policies, the platform has the right to delete, limit the reach of, or suspend user accounts, including official media accounts. However, this process is carried out unilaterally, without transparency, and does not follow procedures that respect journalistic principles and press freedom.

A concrete example can be seen in the case of the removal of independent media investigative content that is considered “sensitive” by the platform, even though the content has high public value and has been verified by journalists. In some cases, media or journalists do not have a fair appeal mechanism, because they are not recognized as platform partners or are not legally protected in the digital framework.

2. No Platform Responsibility for the Spread of Fake News

The Press Law places full responsibility for the dissemination of false or inaccurate news on the media or journalists. However, in reality, most false information spreads through the platform's algorithmic network that supports high virality potential. Platforms have no legal responsibility for content disseminated by users, because in various jurisdictions they are considered "neutral intermediaries" (mere conduit), not publishers.

In Indonesian positive law, the legal position of digital platforms as disseminators of information is still uncertain. The ITE Law regulates content users more than platform managers. As a result, there is no accountability mechanism for digital platforms in supporting the maintenance of a healthy information ecosystem, even though they play a dominant role in the distribution of news content.

3. Protection Gap between Conventional Media and Digital Media

When news content is removed by platforms, or digital journalists face account restrictions, there is no equivalent legal protection as is afforded to print or electronic

⁹ Zeynep Tufekci, “The Medium and the Movement: Digital Tools, Social Movement Politics, and the End of the Free Rider Problem,” *Policy and Internet*, 2014, <https://doi.org/10.1002/1944-2866.POI362>.

¹⁰ Ministry of Communications and Informatics, “Digital Literacy Status in 2021-2022,” no. November (2022): 205–7, <https://www.c2es.org/content/renewable-energy/>.

¹¹ We Are Social & Hootsuite, “Indonesia Digital Report 2020,” *Global Digital Insights*, 2020.

media registered with the Press Council. The Press Law protects the right to reply, the right to correct, and the right to reject, but these rights are difficult to implement in the context of algorithmic moderation by foreign technology companies that are not directly subject to national legal systems.

While conventional media can access the Press Council for mediation or complaints, independent digital journalists do not have equivalent channels. As a result, many digital journalists face not only content removal, but also digital attacks such as doxing, silencing, or criminalization, without adequate institutional support.

The global nature of digital media requires international cooperation and harmonization of copyright laws, a challenge that is not common in conventional media.¹²

4. Lack of Transparency and Algorithm Audits

The unchecked transparency and auditing of social media algorithms presents significant challenges and opportunities for public scrutiny. The opaque nature of these algorithms raises concerns about bias and discrimination, prompting calls for stronger audit mechanisms.^{13,14}

One of the most problematic aspects of social media structures is the use of closed algorithms that are not publicly audited. These algorithms determine what content appears on users' timelines, thus indirectly influencing public discourse and public perception of certain issues. In this sense, digital platforms have enormous editorial power, even beyond the role of media editors.¹⁵

However, there are no provisions in the Press Law or the ITE Law that require platforms to be transparent or responsible for how their algorithms work. As a result, the mechanism for controlling public information has shifted from journalistic institutions to global business entities, whose operations and interests are not always in line with democratic principles.

Given the facts above, it is clear that the Press Law is experiencing a normative lag in dealing with the dynamics of contemporary information technology. Our legal system still treats the press as a formal institution, without touching on the digital structure that is now the backbone of information dissemination. This inconsistency creates an imbalance between legal principles and practical reality, where social media has great power but without specific regulations in the context of press freedom and social responsibility for information.

The Urgency of Reformulating Press Legal Policy in the Digital Era

¹² Fatima Jassim Mohammed, "Legal Protection for Works in The Digital Environment in International Agreements and Legal Legislation (Comparative Study)," *Journal of AlMaarif University College*, 2023, <https://doi.org/10.51345/.v34i1.652.g337>.

¹³ Basileal Imana, Aleksandra Korolova, and John Heidemann, "Having Your Privacy Cake and Eating It Too: Platform-Supported Auditing of Social Media Algorithms for Public Interest," *Proceedings of the ACM on Human-Computer Interaction*, 2023, <https://doi.org/10.1145/3579610>.

¹⁴ Mark MacCarthy, "Transparency Requirements for Digital Social Media Platforms: Recommendations for Policy Makers and Industry," *SSRN Electronic Journal*, 2020, <https://doi.org/10.2139/ssrn.3615726>.

¹⁵ Chloé Nurik, "Book Review: Custodians of the Internet: Platforms, Content Moderation, and the Hidden Decisions That Shape Social Media," *Communication and the Public* 4, no. 2 (2019): 182–84, <https://doi.org/10.1177/2057047319851200>.

Given the inconsistency between the norms in Law Number 40 of 1999 concerning the Press and current digital journalism practices, it is clear that there is a need for reformulation of press legal policy. This reformulation is not only a technical revision of outdated articles, but also a renewal of the legal paradigm that is able to respond to fundamental changes in media structures, the dynamics of information distribution, and the protection of basic rights in the digital era.

In the responsive legal theory formulated by Philippe Nonet and Philip Selznick (1978), it is stated that ideal law is law that can meet social needs, preserve the values of justice, and not only rely on normative certainty. In this context, the current Press Law tends to be conservative still tied to traditional media structures and has not adopted a responsive approach to advances in digital communication technology.

The following are a number of important reasons that emphasize the need for press law reformulation in Indonesia:

1. Addressing Legal Deficiencies in Digital Journalism

Social media and digital platforms are not always subject to the same regulations as conventional media, so the spread of hoaxes and inaccurate news can occur without clear legal consequences.¹⁶ Selain itu, media komunitas, hingga pembuat konten independen yang melakukan journalistic function, has no position in the current legal structure of the press. They are not recognized as official elements in the press ecosystem, so they do not receive protection from criminalization, doxing, content restrictions, or political pressure. This situation creates a legal vacuum that reduces the principle of democracy, because the role of the media as a means of social control is no longer guaranteed properly.¹⁷

Reformulation of press law policy needs to include the concept of digital journalism as an important element in the national press system, through a functional approach, not just a structural one. Everyone who carries out journalistic duties namely collecting, processing, and distributing information that is useful to the public must receive the same legal protection, as long as they comply with basic journalistic principles such as verification, balance, and accountability.

2. Strengthening Rules Regarding Digital Platform Responsibility

In the current reality, digital platform companies (such as Meta, Google, TikTok, and others) play a major role in the distribution of information and news content. However, the Press Law has not yet established a clear legal framework regarding the responsibilities of digital platforms as a connector or filter for public information. This is in stark contrast to the global trend, where a number of countries are increasingly placing certain legal responsibilities on digital platforms to protect freedom of expression while preventing abuse in the digital space.

For example, the European Union has implemented the Digital Services Act (DSA) which requires large platforms to be transparent about algorithms, protect journalists' rights, and avoid systemic disinformation. Indonesia still does not have a

¹⁶ Abdurrakhman Alhakim, "Urgensi Perlindungan Hukum Terhadap Jurnalis Dari Risiko Kriminalisasi UU Informasi Dan Transaksi Elektronik Di Indonesia," *Jurnal Pembangunan Hukum Indonesia*, 2022, <https://doi.org/10.14710/jphi.v4i1.89-106>.

¹⁷ Kseniia Zahrai et al., "Either You Control Social Media or Social Media Controls You: Understanding the Impact of Self-Control on Excessive Social Media Use from the Dual-System Perspective," *Journal of Consumer Affairs*, 2022, <https://doi.org/10.1111/joca.12449>.

comparable legal framework. Therefore, revising the Press Law or creating new rules governing the relationship between media and digital platforms is crucial to prevent the dominance of unclear algorithms that are detrimental to democracy.

3. The Need for Progressive Legal Protection for Journalists and Alternative Media

Journalists working outside conventional media are vulnerable to various forms of pressure, ranging from criminalization on charges of defamation, violations of the Electronic Information and Transactions Law (UU ITE), to digital attacks such as doxing and online persecution. Not a few citizen journalists or alternative media managers also face physical violence and threats to their safety without any protection from law enforcement. In many cases, instead of getting assistance or protection, they are ignored or considered illegitimate as journalists because they do not have a press card from an official institution. In fact, in substance, they are carrying out the role of the press as guaranteed in the constitution and international human rights standards.¹⁸

The need for progressive legal protection for journalists and alternative media is very urgent because they play a strategic role in democracy. Alternative media is often the only information channel that can reach marginalized communities, raise local issues that are ignored by national media, or voice criticism of power independently. Without equal protection, the press ecosystem becomes unequal, because only a portion of journalists are recognized and their rights are protected by the state.

Progressive legal protection must be based on the principle of inclusivity and diversity of journalistic practices in the digital era. The state must view the practice of journalism not only from an administrative status, but from its social function in conveying information, controlling power, and expanding democratic space.¹⁹ Press law reform needs to be directed to accommodate this reality, including by opening up opportunities for legal recognition for community media and individual journalists who practice independently. Strengthening protection from criminalization, digital attacks, and guaranteeing the right to a sense of security at work must be part of this policy reform.

Press law reform needs to focus on better legal protection, especially for independent journalists, female journalists, and those who cover sensitive topics (human rights, corruption, the environment, vulnerable groups, etc.). In line with the increasing threat of digital attacks and legal challenges for them, the legal system needs to expand the scope of protection, not shrink it..

Freedom of the press does not only mean being free from government censorship, but also being free from social pressure, cyber attacks, and criminalization through ambiguous articles such as defamation or hate speech that are used repressively. In this context, harmonization is needed between the Press Law, the ITE Law, and the Criminal Code so that they do not clash with each other, and are not used to restrain criticism or legitimate news in accordance with journalistic norms.

¹⁸ Fuqoha Fuqoha, Indrianti Azhar Firdausi, and Arga Eka Sanjaya, "Perlindungan Hukum Terhadap Intervensi Pemberitaan Dalam Kerangka Kemerdekaan Pers Nasional," *Ajudikasi: Jurnal Ilmu Hukum*, 2019, <https://doi.org/10.30656/ajudikasi.v3i1.1436>.

¹⁹ Theodora Dame Adjin-Tettey, Manfred A.K. Asuman, and Mary Selikem Ayim-Segbefia, "SAFETY OF JOURNALISTS FROM A GENDERED PERSPECTIVE: EVIDENCE FROM FEMALE JOURNALISTS IN GHANA'S RURAL AND PERI-URBAN MEDIA," *Communitas*, 2023, <https://doi.org/10.38140/com.v28i.7599>.

4. Renewal of the Role of the Press Council and Improvement of Digital Literacy

In the context of reform, the function of the Press Council must also be strengthened, not only as a supervisor of conventional media codes of ethics, but also as an institution that can Build digital journalism practitioners; Issue journalistic ethics guidelines for digital platforms; Act as an intermediary between digital journalists and platforms, and offer an online mediation system that can be easily and openly accessed.

In addition, digital literacy in society also needs to be used as a basis for policy formulation. The state cannot only rely on regulations, but must also provide society with critical skills to receive, verify, and disseminate information. The integration of regulations, ethics, and public education is what will strengthen a healthy information ecosystem.

5. Addressing the Challenges for Future Information Democracy

Information democracy is a crucial foundation in the structure of contemporary democracy. In the digital era, open, accurate, and accountable access to information is key to substantial public participation, oversight of power, and clear decision-making. However, amidst the rapid development of information technology, information democracy faces serious problems that, if not addressed systematically, could damage the quality of democracy itself.

One of the major challenges is the flood of unverified information, which triggers the phenomena of misinformation and disinformation.²⁰ Using social media and digital platforms, fake news can spread quickly in seconds, influencing public opinion, forming inaccurate impressions, and even creating social divisions. Disinformation is often used intentionally in the political realm to attack opponents, influence opinion, or reduce the power of democratic institutions. In this situation, citizens not only act as consumers of information, but also risk becoming victims of information manipulation.

Another challenge is inequality in obtaining reliable information. Although the internet has expanded access to information, not all levels of society have equal ability to use technology. The digital divide caused by economic, educational, and infrastructure factors causes some people to be marginalized in accessing relevant and quality information. In the long term, this can widen the gap in political participation and strengthen the control of certain groups in controlling public discourse.²¹

No less important is the increasing concentration of media ownership, which can endanger the diversity of information. When a number of corporations control many channels of information, the public space is likely to be filled with certain agendas that do not always reflect the interests of society as a whole. In this situation, journalistic freedom is threatened, because economic and political pressures can change the focus of the media from public service to an instrument of power.

To overcome these challenges, serious and sustained efforts are needed from various stakeholders. The state must design regulations that are flexible, not restrictive,

²⁰ Teresa Weikmann and Sophie Lecheler, "Visual Disinformation in a Digital Age: A Literature Synthesis and Research Agenda," *New Media and Society*, 2023, <https://doi.org/10.1177/14614448221141648>.

²¹ Inri Inggrit Indrayani, "Media Dan Politik Citra Dalam Politik Indonesia Kontemporer," *Scriptura*, 2012, <https://doi.org/10.9744/scriptura.3.2.129-139>.

and support the public's right to information. The regulation must be able to enforce action against perpetrators of disinformation fairly, but must also protect freedom of expression. The government should improve digital literacy widely, especially among the lower classes, so that the public is not easily trapped by incorrect information and is able to verify independently.

Reformulating the press law is not only an answer to the current situation, but also a preparation for facing future challenges. In the era of artificial intelligence, content manipulation (such as deepfakes) and automated disinformation, our legal system needs to have a flexible and responsive legal framework. The law should not be too rigid or reactive, but must provide opportunities for innovation, freedom and shared responsibility.

Thus, reformulation of press legal policy is a constitutional and social necessity, in order to maintain the sustainability of information democracy in Indonesia. Without legal reform, digital journalism will continue to be in a gray area unprotected, unrecognized, and vulnerable to being suppressed. The state must be present not as a controller, but as a protector of citizens' basic rights in accessing and conveying information, including in the ever-growing digital space. In addition, it is very important to strengthen independent and alternative media as the basis for information diversity. Support for community media, citizen journalism, and information platforms that focus on the public interest should be elements of government policy and civil society initiatives. Good information democracy requires open space for all opinions, not just for those with financial power or close ties to those in power.

Conclusion

Considering the arguments and evidence presented, the following conclusions emerge:

Law No. 40 of 1999 on the Press emerged as a result of reform law to guarantee press freedom and protect journalists from state oppression. However, advances in information technology and changes in media structures have created new challenges that are not covered by these legal norms. Journalistic activities are currently not only carried out by formal press companies, but also by various digital actors such as citizen journalists, content creators, and independent communities who contribute to providing public information through social media and digital platforms.

The Press Law, which is based on the traditional media model, has limitations in supervising digital journalism actors. As a result, many individuals who convey important information are not legally recognized and do not receive the protection they should. Instead, they are susceptible to criminalization, content restrictions by platforms, and socio-political pressure due to lack of access to journalistic dispute resolution mechanisms regulated in the Press Law.

In addition, the lack of oversight of journalism standards in the digital world has resulted in a major spike in the spread of misinformation and disinformation. Social media as the main platform for distributing information has taken over the role of curation of traditional media, but is not balanced with proportional social and legal responsibilities. Digital platforms as new entities in the information ecosystem still do not have sufficient legal regulations in the national press law system.

Given this complexity, it can be concluded that the Press Law in its current form is no longer adequate to face the challenges of digital journalism. A comprehensive reformulation of press legal policy is needed through a revision of the Press Law, the creation of supporting regulations, or integration with other digital regulations so that the state can provide fair recognition, protection, and guidance to all parties who convey public information, without exception. This reform is crucial not only to protect journalists, but also to ensure that media freedom remains the main foundation in maintaining the quality of Indonesian democracy in the digital age.

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