



# Government Involvement Upon Freedom of Expression in Mass Media in the Era of Digital Globalization

Aulia Hasanatu Fial<sup>1</sup> (✉), Muhamad Alief Hidayat<sup>1</sup>, Sunny Ummul Firdaus<sup>2</sup>, and Abi Novyanto<sup>2</sup>

<sup>1</sup> Faculty of Law, Sebelas Maret University, Surakarta, Indonesia  
aulia.fial@student.uns.ac.id

<sup>2</sup> Center for Democracy and National Resilience, Universitas Sebelas Maret, Surakarta, Indonesia

**Abstract.** People's sovereignty is something absolute in a democracy. This power allows the people to participate directly or indirectly in the government of a state. It should be noted that there are various ways in which the people can exercise their sovereignty, such as through political representatives elected once every five years or by voicing their orders directly through multiple actions and the media. One of them is the mass media. The use of mass media in Indonesia has been intensively carried out since the Soeharto presidency, marked by the presence of the minister of information and a special department that handles mass media coverage. With this, it is clear that there is an understanding of how powerful the mass media is and the impact it has on people's sovereignty, public opinion, and government sustainability. On the one hand, awareness of the use of mass media and freedom of expression is a positive and practical thing to do. However, what if the facility is a boomerang for the people's sovereignty? What if public opinion is planned to fit the country's political agenda? Using qualitative research methods, this article will discuss what is possible and what has happened from the relationship between the mass media and people's sovereignty in a democratic state. This research is also expected to make the public aware of the importance of literacy and education in dealing with mass media coverage, Not only false news and simply deception by news and propaganda techniques.

**Keywords:** Democracy · Freedom of Speech · Government · Mass Media

## 1 Introduction

According to Bhagwat and Weinstein in *The Oxford Handbook of Freedom of Speech*, it is stipulated that freedom of speech has an important role in informing something, enabling people to vote and participate in the public decision, and voice opinions from the people's side [1]. Freedom of expression is also part of the legal legitimacy that frees the public to take part in public deliberation through public opinion until legal regulations are successfully formed. The right to exercise freedom of expression not

only acts as a crucial legal system in unity but also gives each individual the power to express himself legally.

Freedom of expression in its implementation will depend on the concept of a democratic system of government of a country, whether the country has indirect or representative democracy, or democracy that involves the direct consideration of its people [2]. Mass media is intended as a tool used to convey and disseminate information from communicators to the wider community. The devices used in delivering the message themselves instance newspapers, radio, television, and multiple kinds of digital devices [3]. In this regard, technological advances have become one of the supporters of mass media to convey multiple a piece of information to the public. The freedom of the mass media in conveying information in this era of globalization also opens the door to two unavoidable realities. Whatever role the mass media plays in producing information, the mass media must be able to present information about various public issues to every citizen. On that basis, the functions of the mass media or press include the press or media as a civic form and the press as a government watchdog [4].

Firstly, easier access to information by the public so that anything that occurs in the seat of government will be conveyed quickly and the sovereignty held by the people will be heard more vocally. This looks very beneficial in the relationship between the occupants of the government and the people considering the currents of globalization and technology have blurred the dimensions of distance and time. Such changes are certainly beneficial because they can increase public awareness of democracy in Indonesia. However, it should be noted that changes that occur in the media will be followed the changes in society [5]. Secondly, the emergence of easy access to information to improve democracy and the implementation of people's sovereignty is prone to be ridden by a hegemony that has special interests, either individually or in groups. What needs to be watched out for is whether this will have a good or bad impact on the development of people's sovereignty. The ability to form a new model of participation to support the spread of democracy to the farthest corners of the world. This shows that the power of the mass media to provide understanding and direction to the public is becoming easier and more trustworthy. So that the existence of freedom in the use of mass media as a means of conveying substance is certainly an important part. Meanwhile, this paper will discuss the role of the government in guaranteeing and protecting the freedom of mass media through the perspective of regulations and field events through socio-legal research methods.

## **2 Discussion**

### **2.1 State's Government Role in Freedom of Expression**

In some jurisdictions, freedom of expression can be grouped as various parts of freedom of speech on different digital and analog platforms. This freedom is the freedom of the initiator. However, a speaker does not express his opinion directly, considering that a speaker who exercises freedom of opinion can determine what he wants and does not want to be published. Mass media is an agent of socialization (dissemination of values) playing an important role in the transmission of attitudes (behavior), thoughts (cognitive), and relationships (interactional) [6]. These freedoms are identified as individual freedoms.

This still applies even though conveying it directly but through mass media that can be reached the general public. In this regard, the government faces vis-à-vis interests related to state decisions related to freedom of expression that is not by constitutional interests [7].

In Indonesia's democratic government, people's sovereignty is a very important power in delivering aspirations for the future of the country. Democracies have an important feature, where the means of obtaining information is freedom of the press, and the press has the function of realizing press freedom by fulfilling the right of the people to know and access information [8]. The existence of people's representatives in the seat of government is not enough to facilitate this power. The power over public freedom to participate indirectly in government is currently in strong symbiosis with mass communication media. Regarding this, freedom of the press is very necessary. Mass media is expected to increase public participation in processing, conveying, and obtaining information. However, this does not seem to be able to guarantee changes in the public sphere. Other provisions must also be maintained so that the community still gets their rights. Unfortunately, constitutional guarantees as legal protection for press freedom are also not very reliable. This happens because the influence of political and cultural actors is very strong which causes the media movement to become dependent on the needs of certain interest groups' thoughts, driving public opinion, and or black campaigning for the facile regulation of political actors, for an instance [9].

The role of the mass media in synergy with freedom of speech in the construction of social reality cannot be separated. In simple terms, mass media as communicators direct ideas and messages to the audience. In certain circles of society, such as community leaders or other figures, the mass media is an infrastructure of power. It can be said that regulations, for example, are statutory regulations. In political life, mass media is often referred to as the fourth pillar in addition to the executive, legislative and judicial branches [10]. The media has a strong influence on the formation of mindsets, attitudes, and behaviors of audiences [11]. So that it becomes important that the role of the government is to regulate the freedom possessed by the mass media so as not to cause opposition and cause wrong public opinion or the emergence of hoax news. An opinion states that there are five ideal roles of the media in realizing democratic life. The first role of the media is to provide information about what is happening, the second role is to provide education to the public about what is happening in the field. However, in reality, today many political elements use the mass media as a means of political interests. The mass media influences political campaigns (print and digital media) because in determining political decisions, people will always need references. Through the news that is broadcast, the media has indirectly provided references to the public to influence their political decisions. The more often the news is given, the greater the influence that will be obtained by the community from here then the freedom of speech is affected. The mass media is the most important pillar in the implementation of government [12]. Where the first to third pillars are executive, legislative, and judicial institutions, while the fourth pillar is the media industry (press). A modern government cannot carry out development without the participation of the media. Society and the media have a relationship of mutual interaction that influences each other in nation-building [13].

In addition, the existence of regulations and laws and regulations that are part of the government's tools plays an important role in being enforced so that media behavior is in line with national interests. Regulation is a regulation that must be followed by the media in carrying out its role and function in society. The establishment of this law is also to guarantee and protect freedom of expression or express thoughts orally or in writing, including guaranteeing freedom of creation by relying on access to justice, democracy, and the rule of law [14]. The regulations that currently exist to accommodate the problem of mass media freedom are the existence of Law Number 40 of 1999 concerning the Press and the Code of Journalistic Ethics. So that the content of this regulation must be enforced by the government to create protection for mass media actors and also readers or the Indonesian public.

## **2.2 Freedom of Speech is Not Always 'Free'**

Regarding the development of the media in Indonesia, the factor of share ownership in media institutions and economic factors and media marketing will greatly determine how the media is guided by an ideology, in this case, the ideology leads to a media political economy approach that is not in line with communication ethics. As a result, the existing communication ethic has only become a mere instrument and has no meaning in determining the substance of the mass media and the quality of news information that is delivered. The public political communication, especially in Indonesia, in its attachment to an ideology with political parties, also intersects with the basis of religion, nationalism, or populism.

The media is a compounder of the political agenda that provides information and sorts out issues that will ultimately influence public opinion. Another role of the media is as a government monitor. The point is that the media also has a role to criticize the government, be it policies or programs made by the government. In his book, McNair also mentions that the media in this digital era has a role to advocate for several political views, namely as a channel for political parties to convey their point of view. In general, the mass media have various functions for the community, namely as a provider of information, providing comments or interpretations that help understand the meaning of information, forming agreements, correlating parts of society in responding to the environment, transmitting cultural heritage, and expressing values and symbols. Culture needed to preserve the identity and continuity of society. Related to the interests that occur, the mass media can indirectly insert all kinds of propaganda or campaigns that occur. Furthermore, the aspect of press freedom according to Oemar Seno Adji consists of: a) free expression press which is the freedom to have and express opinions through the press; b) preventive censorship as a legal institution is seen as contrary to the independent press, so it should be banned; c) the freedom of the desired press, where the concept of the desired freedom of the press is not an unlimited freedom of the press, unconditional and not absolute in nature; d) restrictions that are in the form of the possibility of imposing restrictions on press freedom but are repressive in nature; e) the nature of independence, independence, and freedom of the press here is adjusted to the duties of the press which are not only negative in character and the form of constructive criticism but also in the positive character that conveys government initiatives [15].

Currently, there are often conflicts between various phenomena of uniformity of reporting in the mass media as a result of conflicts of interest, economics, and institutional marketing, furthermore, conflicts of political interest also affect it. The characteristics of political events always attract people's attention, this also triggers the addition of sentences that distort information that spreads very quickly with the existence of digital platforms to observe how the political developments in this country and the mass media are inseparable from current political events. Politics that is currently in the mediation era is the mass media where political actors are always trying to attract the attention of journalists so that their political activities are covered by the media. Even political events in the form of behavior and statements of political actors usually have news value even if the political events are mere routine, for example, the agenda of a party meeting or a meeting between a political figure and his supporters which is used as *vlog* content. Especially if the political event involves events involving all citizens, such as the change of president or the dissolution of parliament. It is undeniable that today's political coverage is always in the mass media every day.

So this is the basis that the state must regulate the direction and orientation of mass media so as not to endanger the life of the nation and state. This can be reviewed through the theory of public interest and the theory of public choice proposed by Djankov (2003), where the theory of public interest states that state ownership of the media is desirable for at least three reasons: information is a public commodity, the distribution of information is expensive and should be borne by the government, and the neutrality of information must be maintained. Meanwhile, the theory of public choice states that the media owned by the state is manipulative and distorts information for the benefit of the ruling party, instills regulations made by the government, and prevents the public from making decisions based on qualified information and ultimately dwarfs democratic institutions [4]. So it is necessary to optimize the application of the principle of limitation of ownership which aims to ensure diversity or diversity of opinions, where this restriction of ownership is motivated by a rationale for cultivating democratic thinking.

News or political coverage tends to be more complex when compared to other problem topics. Political coverage has the dimension of forming a public opinion (public opinion) both expected by politicians and by journalists. For political actors, political news is expected to influence public attitudes regarding the issues discussed by them. Political actors want the public to be involved in political talks and actions through the political messages they convey. Indeed, in political communication, this dimension is the main goal because it will affect the political achievements of the actors.

### 3 Conclusion

Freedom of speech in this era of digital globalization synergizing with mass media can be said one of the most effective ways in executing people's sovereignty. However, in practice, it comes with great advantages and risks. In the topic of people's sovereignty upon freedom of speech, apart from containing persuasion in voicing democracy, mass media in the current era of digital globalization often contains various kinds of political manipulation in leading public opinion. Even though the independence of the community has been recognized, it is still necessary to increase awareness of these dangers. Because

even though it has many benefits, it turns out that the mass media also has many risks in practice in the sphere of people's sovereignty upon freedom of speech. Propaganda, directed chronology, and other political manipulation. High literacy and education are needed in this era of media globalization so that the urgency of people's sovereignty can be carried out without being consumed by specific manipulations.

## References

1. F. Stone, A., & Schauer, *The Oxford Handbook of Freedom of Speech*. United States: Oxford University Press, 2021.
2. J. Bhagwat, A., & Weinstein, *Freedom of Expression and Democracy (Chapter Five)*. United States: Oxford University Press, 2021.
3. H. Cangara, *Pengantar Ilmu Komunikasi*. Jakarta: Rajawali Press, 2010
4. D. K. Habibie, "DWI FUNGSI MEDIA MASSA," *Interak. J. Ilmu Komun.*, vol. 7, no. 2, p. 81, 2018.
5. J. Straubhaar dan LaRose R, *Communications Media in the Information Society*. Belmont: Wadsworth Publishing Company, 2006.
6. D. Mulyana, *Nuansa-Nuasa Komunikasi; Meneropong Politik dan Budaya Komunikasi Masyarakat Kontemporer*. Bandung: Remaja Rosdakarya, 2001.
7. D. Grimm, *The Oxford Handbook of Freedom of Speech*. United States: Oxford University Press, 2021
8. Mursito, *Memahami Institusi Media*. Surakarta: Lindu Pustaka, 2006.
9. W. Bohman, James, & Rehg, *Jürgen Habermas*. Stanford: Stanford Encyclopedia of Philosophy Archive, 2017
10. B. McNair, *An Introduction to Political Communication*. London: Routledge, 2003
11. Akil, *Standarisasi Manajemen Penyiaran: Mewujudkan profesionalisme radio dan TV*. Sulawesi Selatan: Penerbit KPID, 2009.
12. Mc Nair, *Journalism, and Democracy (Dalam The handbook of journalism studies)*. New York: Routledge, 2009
13. M. A. Akil, "Regulasi Media di Indonesia," *J. Dakwah Tabligh*, vol. 15, no. 2, p. 138, 2014.
14. I. J. Koenti, "Perkembangan Media Massa dalam Kerangka Politik di Indonesia dan Perannya dalam Pemilu," *J. Konstitusi PKHK-FH*, vol. II, no. 1, p. 57, 2018.
15. O. S. Adji, *Mass Media dan Hukum*. Jakarta: Erlangga, 1977.

**Open Access** This chapter is licensed under the terms of the Creative Commons Attribution-NonCommercial 4.0 International License (<http://creativecommons.org/licenses/by-nc/4.0/>), which permits any noncommercial use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.

