

REVIEW ARTICLE

PRESS ROLES IN DEMOCRACY SOCIETY

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ABSTRACT

Citizens can express their opinions through printed and electronic masses, one of them through mass media press. The free and responsible press is indispensable to support the formation of democracy society. Here the press role is crucial in the democracy community. The research method used in this research is normative. The data source used is a secondary data source, i.e. data obtained from literature material. The data collection techniques in this legal study use Documenter studies. The results of these studies and discussions are of the numerous press roles, which explicitly relate to the democratic community is the role of enforcing the fundamental values of democracy. The press is required to open up to the wishes of the community in participating or supervising the public agenda. Advice from the results of the discussion, the press should provide opportunities for citizens to criticize, submit claims, commit rejection of government policies that do not apply and fight for justice and truth through the independent press.

Keywords: *Roles; Press; Community; Democracy*

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INTRODUCTION

Article 28 of the Constitution 1945 mentions that freedom of union and assembly, out of mind with oral and written and so stipulated by law. This section 28 guarantees to citizens to: (1) Form an association or organization in both political and non-political, (2) free expressed opinion. The freedom to convey an opinion must be guaranteed by the Government in accordance with the direction of the Constitution as a form of state obligation to protect citizens who feel harmed by government action or to ensure the human rights of citizens in particular the right to communicate and obtain information.

Citizens can express their opinions through the media-the mass of both print and electronic media. These masses in other words are called the press. The press is a term in Dutch. The term in English is press. Literally, the press means print and outward means broadcasting on a printed or printed publication (Effendy, 2006:245).

The Department of National Education Language Center (2002: 863) gives the press meaning in 5 things: (1) Printing and publishing business, (2) The collection effort of ADM News Broadcasting, (3) news broadcasting through newspapers, magazines and Radio, (4) people engaged in news broadcasting, (5) medium of news broadcasting such as newspapers, magazines, radio, television and film.

The press or media-the masses referred to in this paper are all activities and forms of collection, printing, publishing and broadcasting of the news. The free and responsible press is indispensable to support the formation of the democracy community. The existence of the press is primarily a freedom of press believed to be

one of the criteria that must be fulfilled by a state that wants to be called Democracy (Suseno 1995: 60; Rosyada, et al. 2003:117). This free and responsible press is a pillar of Democratic enforcer other than the law nation, civil society and political infrastructures.

The values developed in democratic societies such as freedom of speech, other group freedoms, equality, cooperation, competition and belief will not be realized properly if the community or the state does not permit press or media-mass, because only a few of them produce the news or opinions of citizens and even a control window for the community to supervise or conduct an assessment of the performance of a State government. Based on the writing above, in this article the problem to be obtained is how the press role in the democracy community.

LITERATURE REVIEW

I. MEANING AND FUNCTION OF PRESS

According to article 1 of law number 40 year 1999, the press is a social institution and a mass communication vehicle that conducts journalistic activities, including: seeking, obtaining, owning, storing, processing, and conveying information both in writing, voice, picture, sound and image as well as data and graphics and other forms using printed media, electronic media and all types of channels.

In its development, the press has two understandings, namely the press in the broad meaning and in the narrow sense. The press in a broad sense includes all publications, even including electronic mass media, broadcast radio and television broadcasts; While the press in the narrow sense is limited only to the media-the printing of newspapers, magazines and Bulletin (Effendi, 2006:145).

If it is reviewed, the press is limited to print media only; But in the reality radio and television is also included in the press environment because when held press conference, which includes news in the press meeting is not only newspaper journalists, magazines and news agencies, but also radio journalists and television.

Electronic and print mass media become part of mass communication has the main characteristics, namely: the process is in one direction, the Communicator is institution, its message is general, the media raises the solidarity and communication heterogeneous. Although mass media and electronics have the same traits, they have a significant difference. Messages broadcast by electronic mass media are accepted by the audience at a glance and audiences must always be located or adjacent to the aircraft: whereas messages delivered by print masses can be re-examined, learned and

saved to be read on each occasion. Messages broadcast by electronic mass media must be packaged in such a way as to be easily digestible by listeners and viewers while the messages presented by the print mass media tend to be sophisticated and scientific.

Judging from its ideological, press are categorized into four namely: (1) Authoritarian press, (2) Libertarian Press, (3) social responsibility Press, and (4) Soviet Communist Press (Effendy, 2006:146). Based on the four types of press, the most appropriate for the development of a country's democracy is libertarian press and social responsibility press.

According to the Act No. 40 year 1999, the national press function is as: (1) Information media, (2) educational media, (3) entertainment media, and (4) social media.

The press has the independence to find out and convey information as an important effort to ensure the realization of human rights or which is often referred to by HUMAN rights. The Constitution of the year 1945, as certify Human rights, especially in article 28 E paragraph (3) and article 28 F, article 28 E paragraph (3) states: "Every person is entitled to freedom of association, gathering and issuing opinions." Article 28 F reads: "Everyone has the right to communicate and obtain information, to develop his/her personal and social environment, and to seek, acquire, own, store, process and convey information using all available channels."

Press as an education, hopefully can serve as a source of knowledge for audiences. When people or groups are in the audience or involved in the press, new insights intellectual acuity and critical awareness are significantly increased. Then from the political aspect, the mass media that provides the choice of news becomes an important part of the political education process that helps create conditions for the community to learn to find other alternatives (Ibn. Chamim, et.al 2003: 153).

Both print and electronic mass Media provide entertainment facilities that can be enjoyed by the audience of readers, listeners or spectators. For newspapers and magazines, news or entertainment information such as short stories, serialized stories, rhymes, caricatures, funny stories, celebrity drawings and interesting advertisements provide services to readers, while also serving to compensate for heavy news and weighted articles. The entertaining function of the press is primarily television giving a compelling choice to viewers who are working or studying. In front of television, smiling as viewers, laughing at the group of Joker who were performing or drifting sad when watching soap operas. From the radio, listeners can request their favorite songs, enjoy the songs that are heard and hear the humor and the will of his investigator.

The press also conducts social control, the responsibility of the community to be able to live according to the agreed norms. Similarly, through news, opinions or

other information offerings, the press can be used to prevent misuse of corruption, collusion, and nepotism or misappropriation and other irregularities.

II. PRESS RIGHTS AND OBLIGATIONS

The press has independence, namely as one manifestation of the sovereignty of the people based on the principles of democracy, justice and rule of law, the Sound of Article 2 Act number 40 of 1999. The independence of the press is secured as a human right of the state, meaning that the press is free from the precautionary, prohibition and or emphasis of the community's right to obtain guaranteed information. Such rights are secured by Constitution 1945 i.e. 28, 28 E paragraph (3) and 28 F. Law Number 39 of 1999 about human rights also provide similar assurance. Article 23 paragraph (2) of the Law states: "Every person is free to have, issue, and disseminate the opinion according to his or her conscience, orally and or in writing through print or electronic media with regard to values, religion, morality, order, public interest, and the integrity of the nation."

Unlike the previous provisions, against the national press shall not be subjected to censorship, limit or violations of broadcasting (article 4 paragraph 2, Law No. 40 year 1999). This is a step forward rather than the press conditions during the new order. The new order as a fear regime caused the occurrence of silent society or Silence-society. Similarly, the mass media fear not dare to voice a different view or opinion for fear of being bullied. In order to ensure the freedom of the press, the national press has the right to seek, acquire, and convey ideas and information. Journalists as a human press have a right to reject the news in front of the law.

The rights owned by the press and members of the public, especially those who have been practiced during the Reformation are able to apply democratic values such as freedom, equality, appreciation of differences or diversity, equality, cooperation, competition, openness and trust.

In addition to having the above rights, the national press is obliged to preach events and opinions by respecting religious norms and the sense of public morality as well as the presumption of innocent principles. Similarly, the press must serve the right of responsibility and correction rights. So the press at any time is under the control of society. Control can be done by individuals as well as public agencies such as media monitors and the Press Council. Activities undertaken by the public to ensure the implementation of this control function are: (1) Monitor and report analysis on the breach of laws, ethics, and technical errors of the press, (2) Submit

proposals and suggestions to the press board in order to safeguard and improve the national press quality.

METHOD

This research uses the normative juridical research approach. Normative legal research, also known as Literature Law Research, is: "Legal research conducted by researching a library material or secondary data. (Soekanto & Mamuji, 2010: 12). This research is a research in the form of analyzing of positive law that is focused on collecting data on the prevailing law that is the law of the Press regulations.

The data source used in this study is a secondary data source. Data obtained from libraries or literature materials that have a relationship with the research object. Then the primary legal material which is a legal material that has binding power. So, the primary legal material in this study covers legislation, namely Act No. 40 year 1999 about the press. The legislation approach is one of normative legal research approaches according to Johnny Ibrahim (2008). The Statue approach is an approach used to analysis and examine something that will be examined.

So, this research is using a regulatory approach, by reviewing the press role in the democracy community based on the legislation governing the press. As for the data collection techniques in this legal research, namely using Documenter study. The documentary study is a study that examines the sharing of documents, both related to statutory regulations and documents (Salim & Nurbani, 2014: 19). The documentary study is certainly related to the press role in the Democracy society.

ANALYSIS OF PRESS ROLES IN DEMOCRACY SOCIETY

Democracy is a society in which the principles of freedom, equality and pluralism are developed. Democracy according to Dahl (2001:53) provides various opportunities for: (1) effective participation, (2) The equality in voting, (3) gaining a clear understanding (bright), (4) conducting final supervision on the agenda, (5) Adult conversation.

Dahl (2001:63) gives a reason why society should be democracy, namely: (1) Avoiding tyranny, (2) Ensuring human rights, (3) to ensure greater personal freedom, (4) helping people to protect their fundamental interests, (5) giving the most sense of sincerity for people to use the freedom to determine their own fate, (6) to give maximum opportunity to carry out moral responsibility, (7) to help human

development more in total, (8) to help the relatively high level of political equality , (9) help make peace and avoid war, (10) Accelerate prosperity.

The parallel democracy with liberalism is a system that has a high commitment to equality, freedom, individuality and rationality (Bellany in Roger Eatwell and Anthony Wright (ed) 2004:32).

On the next level, democracy in the realm of liberalism evolved into a liberal democracy, namely the liberal first (aiming to restrict state power over civil society) and later democracy (aiming to create a structure that would secure the people's mandate for the holders of State power).

The quality of democracy must increase to the level of democratic autonomy, Held. According to Held, the autonomy of democracy requires a statement of human rights (the bill of right) beyond the right to elect to provide the same opportunity to participate and to find personal preference and supervision by citizens of the public Agenda (Sorensen, 2003:15).

The growth of democracy requires the three main values that are the principle of the existence of democracy, namely (1) freedom (2) equality, (3) the sovereignty of majority vote (Nurtjahjo, 2006: 75).

The values of democracy as a primary prerequisite of community formation or democratic rule do not appear on their own. Democracy is not dating from the sky. Democracy must be cultivated. One community or social institution that is expected to implement democratic values is the press or mass media.

Almost all authors, such as: Dahl, Powell, Jr, Sorensen, Lively, Mayo, Budiardjo, Widjaja, Rais, and Suseno agree that the freedom of the press is one of the important pillars of community or government democracy. The democratic government, according to Suseno (1995: 81), took place under the spotlight of society and the main highlighter was the press. The press provides information and facet of judgment that the community needs to form a responsible opinion on the government and political life.

In the context of Indonesia's democratic state, the press performs the role of: (1) fulfilling the community's right to know (2) establishing the fundamental values of democracy, encouraging the realization of legal supremacy, human rights and respecting diversity, (3) developing public opinion based on precise, accurate and correct information, (4) conducting supervision, criticism, correction, and advice on matters relating to the public interest, (5) championing justice and truth.

In Saudi Arabia, as an absolute royal state, the development of the media and press has enriched the democratic process in political activity (Jebril, Nael et al, 2013).

This is evidence that the media or press can play an effective role even in countries with absolute systems.

Of the many press roles, which explicitly relate to democratic society is the role of enforcing the fundamental values of democracy. In relation to this role, the press is required to open up to the wishes of the society in participating or supervising the public agenda. The press should provide opportunities for citizens to criticize, file claims, commit rejections against government policies that do not apply and fight for justice and truth through independent press. Through the press independent, open, critical, and objective the expected values of freedom, similarity, plurality, people's sovereignty, cooperation, competition, rationality and other derivative values can grow with fertile strengthening the foundations of democratic society.

Nevertheless, freedom of the press is not absolute. The freedom of the press is a pattern of relative, contextual, and dynamic patterns (Suseno, 1995: 81). Violating privacy, corrupting other people's names, defamation, religious insults, insults the head of State, solicitation of undermines of the state or constitution, and commit criminal in almost all democratic states prohibited by law. Law number 40 of 1999 gives signs to the press company especially in AD loading. The banned advertisements are: (1) that degrading a religion and/or disturbing the harmony of inter-religious life and contrary to morality, (2) liquor, narcotics, psychotropic, and other addictive substances in accordance with the provisions of the prevailing laws and regulations, (3) demonstration of cigarette and use of cigarettes.

Relativity and contextual Press can also be examined from the contents of Law number 32 of 2002 about broadcasting. In accordance with the provisions of the Act, the contents of the broadcast must contain information, education, entertainment and benefits for the formation of intellectual, character, moral, advancement, strength of the nation, safeguard unity and unity, and practicing the values of Indonesian religion and culture.

Still according to Law number 32 year 2002, the content of the broadcast is prohibited: (1) is defamatory, inciting, misleading and/or lying, (2) highlighting elements of violence, obscene, gambling, narcotic abuse and illegal drugs, (3) to vary ethnic, religious, racial, and Intergroup. Similarly, the contents of the broadcast are prohibited from plugging, degrading, harassing and/or ignoring religious values, human dignity of Indonesia or damaging international relations.

Press or mass media accountability in addition to the roles, obligations and prohibitions to be avoided by the press, is also shown through the Indonesian journalist's journalism ethics code and the Code of the Independent Journalists Alliance. Article 3 of the Indonesian journalist's journalism code of Ethics, for

example, "Indonesian journalists do not broadcast news, writings or misleading images, distorting facts, defamatory, obscene, sadistic, and exaggerated sensations". In line with the code, Indonesian journalist Alliance instructed the members not to present the news with obscenity, cruelty, physical and sexual violence.

CONCLUSION

Press or mass media is one of the indicators of the community or democratic government. The press is seen as the most effective public institution in shaping the democracy culture of a society. Newspapers, magazines, tabloids, television and internet are believed to be important socialization agents in shaping the community imaginative democracy as it has control over the information to be presented. Democratic values such as: freedom, equality, pluralism, the sovereignty of the people (majority-rule), appreciation of Diversity, competition, cooperation and rationality can be adjusted throughout the freedom the press is guaranteed. The free press remains based on the principles of democracy, fairness and legal supremacy. The provisions of its functions, rights, obligations and roles as governed by the law shall remain to be complied with. Similarly, there are prohibitions to be avoided by the press. The existence of prohibitions and obligations is not intended to restrict press space, but instead directed to build a free and responsible press or a democratic press. Without a legal corridor, the press will fall into an anarchist act that substantially does not conform to the principles of democracy.

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