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**Mass Media And Human Rights :  
The Case Of Indonesia**

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MASS MEDIA AND HUMAN RIGHTS:

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BY TRIBUANA SAID

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INTRODUCTION

Indonesian journalists had sought the realization of fundamental human rights some forty years before the United Nations General Assembly adopted the Universal Declaration of Human Rights in December 1948. As a matter of fact, the same people who pioneered the national press in Indonesia were simultaneously the forerunners of national emancipation from conditions of poverty, illiteracy, injustice and political bondage during the Dutch colonial rule. Their newspapers preceded the founding of Budi Utomo, the first political-cultural nationalist movement launched on May 20, 1908, and now commemorated annually as National Awakening Day. Among the earliest national media were Bintang Hindia (Star of the Indies), started in West Sumatera in 1902 by

Abdul Rivai, and Medan Prijaji (Arena for Administrators), founded in West Java in 1907 by R.M. Tirtohadisurjo.

Three groups made up the structure of the press in Indonesia during the colonial period. They were the Dutch-language media owned by Dutch nationals, the Chinese-owned press which appeared in either Chinese or Indonesian or both languages, and the indigenous media. The communication role of the Indonesian-owned media was initially to raise and nurture the national consciousness, dignity, solidarity and unity of the people. In contrast, the Dutch and Chinese press followed the universal concept of the press as a disseminator of news and opinion, ostensibly with editorial overtones basically supportive of colonial, business or other vested interests. As a political vehicle in colonized Indonesia, the national press became the mouthpiece of the independence struggle, carrying essentially messages about nation-building, from education, health, housing and economic opportunities, etc, to issues about solidarity, equality, dignity, etc.

In the political vocabulary of independent states today, nation-building is synonymous with what we call national development. However, in the present-day world of more than a hundred states of varying sizes, historical and cultural backgrounds, human and natural resources, etc., development



in one country may be conceived differently in another. National philosophies between states may differ, hence also their development strategies and policies. In fact, development processes within one country may even vary through time as national leaders strove to design and redesign state policies on which nation-building should be founded.

In the case of Indonesia, for example, within a span of 15 years from 1950 till 1965, this country had adopted and repudiated two national policies. Between 1950 and 1959, it pursued a liberal democratic system of government began in November 1945 which witnessed the continuous rivalry and conflict between political parties grappling for influence and power. The press, then the dominant mass communication media, became entangled in the turmoil as more and more newspapers emerged as organs of political parties. Under Sukarno's "Guided Democracy" and the concept of revolutionary competition among nationalist, religious and communist political forces, inter-party wrangling and political agitation in the press continued from 1959 till 1965. During this period, national unity, welfare and justice deteriorated, and international cooperation was swept aside.

The New Order era under Suharto from 1966 onward has set as its priority the pursuit of development policies which conform with the nation's philosophy, Pancasila and the 1945 Constitution. The five principles of Pancasila consist of Belief in One Supreme God, Just and Civilized Humanity, Unity of Indonesia, Democracy led by the Wisdom of Representation and Consultation, and Social Justice for the entire people of Indonesia. Suharto revoked the previous presidential style and political set up as well as the concomitant press system. Ostensibly, the New Order programmes to redress the misdeeds of the ancien regime could not avoid taking a number of tolls. Military rebellions and armed insurrections had been crushed by force in the past. Similarly, the overthrow of "Guided Democracy" in the months following the attempted coup by the Indonesian Communist Party on September 30, 1965, compelled security forces to take stern measures against the party, its affiliates and their members.

Following a three-year programme of stabilisation and rehabilitation of national life which culminated in 1969, nation-building is set out in Five Year Development Plans in accordance with the general guidelines determined by the People's Consultative Assembly, the nation's highest legislative body as prescribed in the 1945 Constitution. The role and tasks of the communication media are embodied in

these guidelines while provisions concerning its further development are outlined in the Five Year Development Plan. This constitutes an important feature of the present government that has from the start pledged to implement Pancasila and the 1945 Constitution purely and consistently.

Any assessment of mass media development and the realization of human rights must use as its reference the prevailing national political context. Hence, this paper will review the constitutional and legal framework of communication and human rights development accordingly. Following this will be assessments of the status and types of human rights violations, media coverage of human rights and the performance and problems of the media in meeting the challenges of national development. In the concluding section, a summary and evaluation will be given.

## THE CONSTITUTIONAL AND LEGAL FRAMEWORK

For a proper understanding of Indonesia's national development it is necessary to look into the concept of the state in Indonesian society. Briefly put, the concept stresses the enhancement of unity and the harmonious relationship between government and people, of harmony in life of man as an individual as well as in his relations with God, society and nature, and in fulfilling his material and spiritual needs.

In 1978 the concept of state was further elaborated with emphasis on national development in the form of Guidelines for Understanding and Implementing Pancasila. National development, which must be based on Pancasila as well as the August 18, 1945, Constitution (the Preamble of the constitution embodies the five Pancasila principles), is defined as the complete development of the Indonesian man and the whole of society toward attaining a just and prosperous life. National development must also meet the following criteria:

- materially and spiritually equitable.
- in a free, sovereign, and united State

of the Republic of Indonesia, which is based on sovereignty of the people.

- under peaceful, tranquil, orderly and dynamic national living conditions.
- in a free, friendly, orderly and peaceful fraternal world environment.

This definition of national development is prescribed in the Broad Outlines of State Policy enacted by the People's Consultative Assembly. Furthermore, the assembly has determined that the following principles must shape the character and pattern of national development:

- The utility principle: that all development efforts and activities should be utilised for the maximum benefit of humanity, the advancement of the people's welfare and enhancement of their personality.
- The cooperative and kindred principles: that the effort to attain the goals and fulfill the aspirations of the nation should constitute a common endeavour of the nation and the entire people carried out by means of mutual-help and on the basis of the kindred principle.
- The principle of democracy: that is, democracy based on Pancasila, covering the political, social and economic fields, and that national problems shall as far as possible



be solved through deliberations in order to reach a consensus.

- The just and equality principles: that the material and spiritual development achievements should be equally enjoyed by the whole country and that every citizen is entitled to share in the gains of development corresponding with his/her needs and contribution to the nation and state.

- The principle of harmonious living: that is, a balance between various interests and those in the hereafter, between material and spiritual interests, between mental and physical interests, between the needs of life on land, at sea and in the atmosphere, and between national and international interests.

- Respect for the law: that is every citizen should always be conscious of and obey the law, and the state is obliged to enforce and affirm the rule of law.

- Belief in self-reliance: that is national development must be based on one's own capabilities and strength, and on the nation's identity.

By the end of 1987 Indonesia is half way through its Fourth Five Year Development Plan. An important development policy guideline adopted since the Third Five Year Development (1979/1980-1983-1984) is what is known as the Eight Equitable Distribution Paths which is intended to further extend the spread of development gains. The Eight Paths are:

- (1) Fulfill the people's basic needs, particularly food, clothing and housing.
- (2) Provide greater opportunities for obtaining education and health care.
- (3) Increase income distribution.
- (4) Expand employment opportunities.
- (5) Expand business opportunities.
- (6) Increase participation in development, particularly among the youth and women.
- (7) Spread development to all regions.
- (8) Spread the right to justice.

#### Basic Rights under the 1945 Constitution

The general policies and objectives of national development are directly linked to the realization of fundamental human rights. These rights are envisaged in the 1945 Constitution from which the Broad Outlines of State Policy and national development strategies and policies are derived.

The 1945 Constitution, promulgated on August 18, 1945, carries specific provisions similar to those prescribed in the Universal Declaration of Human Rights adopted by the United Nations General Assembly three years later. For example, Article 27 Paragraph 1 of the constitution

envisaged in the 1945 Constitution are characteristic of the concept of the state in Indonesian society. In addition, the constitution elucidates the integralistic perspective of Indonesian democracy.

#### Press Laws and Regulations

National development is dependent on popular support and participation. To create the needed positive response from the people demands not only a strong communication network but also one that shares the aspirations and goals of national development. Hence, the importance of communication development as part of and an instrument of national development.

As the nation's highest constitutionally-elected body, the People's Consultative Assembly has stipulated in the Basic Outlines of State Policy, communication, information and the mass media are required "to arouse the spirit of dedication to national aspiration, strengthen national unity and integration, fortify the sense of responsibility and national discipline, as well as promote popular participation in national development."

With respect to the national press, the Broad Outlines of State Policy prescribes: "To enhance the role of the press



in development, it is necessary to promote the development of a healthy press, that is a free and responsible press, in which the press could function as a means for the dissemination of objective information, as executor of constructive social control and as a channel for the people's aspirations, thereby promoting social communication and social participation. Within this framework, a positive interaction between the press, government and the community should be developed."

The above guidelines for the Indonesian press are elaborated further in the laws and regulations governing the mass media. The first press law in the history of the Indonesian Republic, enacted on December 12, 1966, is Law No. 11/1966 on Basic Provisions on the Press. On September 20, 1982, the government and House of Representatives passed Law No. 21/1982 on Amendments to Law No. 11/1966.

The provisions pertaining to the duties and responsibilities of the national press as amended under the 1982 press law reads as follows:

"The national press shall perform the following tasks and duties:

- a. To preserve and popularize Pancasila as prescribed

in the Preamble of the 1945 Constitution and in the Guidelines for Understanding and Implementing Pancasila.

b. To strive for the realization of the message of the people's sufferings on the basis of Pancasila.

c. To strive for truth and justice based on responsible press freedom.

d. To arouse the spirit of dedication to national aspiration, strengthen national unity and integration, reinforce national responsibility and discipline, assist in elevating the enlightenment of life as well as in promoting the people's participation in development.

e. To strive for the realization of a new international order in the fields of information and communication on the basis of the national interests and belief in self-reliance in fostering regional, inter-regional and international cooperation especially in the press field" (Article 1, Number 5).

The provision prescribes furthermore, that "In the framework of enhancing its role in development, the press shall function as a disseminator of objective information, channeling the people's aspirations, expanding communication and participation of the community and exercising

constructive social control. In this connection, it is necessary to augment positive interaction between the government, press and the community" (Article 1, Number 6). The right of a citizen to publish a newspaper is guaranteed under the press law, but he or she must first apply for a Press Publication Company Licence from the government, i.e. the Department of Information. Under a regulation issued by the department, application for a licence must be made by a publishing company established by notarial act.

Several other requirements must be met before a licence is issued. These include a letter of reference from a bank certifying that the company concerned has sufficient financial resources to run a publication for a whole year, letters of recommendation from recognized press organizations, a written employment agreement between the publisher and employees and, last but not least, adherence to specific guidelines pertaining to constitutional, legal, political and security matters. Under these provisions the government is entitled to revoke the publication licence of a newspaper or magazine which has committed a grave violation.

The Indonesian media must also heed certain provisions in the criminal (penal) code and other laws concerning acts in the realm of publication. These include provisions in the penal law relating to unauthorized disclosure of official

secrets, defamation, sedition, libel, and on pornography or indecency. Reference should be made to certain articles in Law No. 6/1982 on Copyright, particularly with regard to the publication of a photograph without the prior consent of the person or persons concerned. The offended party may pursue legal action in court against the owner of the publication.

By the end of 1987 there is yet no known court cases in which the copyright law has been invoked against a press publication. On the other hand, two daily newspapers published in Jakarta, namely Sinar Harapan (Ray of Hope) and Prioritas (Priority), were closed down due to the cancellation of their licence by the Department of Information.

## STATUS AND TYPES OF HUMAN RIGHTS VIOLATIONS

The Universal Declaration of Human Rights adopted in December 1948 and the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, as well as the Optional Protocol to the International Covenant on Civil and Political Rights, adopted by the United Nations General Assembly in 1966, together make up the International Bill of Human Rights. It is evident that the various prescribed rights which make up the greater part of the Bill are given more prominence than the few restrictive provisions which are also stated therein. Yet, it is these qualifications that can make human rights development among nation-states fundamentally, and therefore also qualitatively, different.

### Restriction on Human Rights

The rights and freedoms prescribed in the International Covenants on Human Rights are not absolute but are subject to certain limitations. For example, Article 19 of the International Covenant on Civil and Political Rights points out that the exercise of the right to freedom of expression "carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these



shall only be such as are provided by law and are necessary:

(a) for respect of the rights and reputations of others;

(b) for the protection of national security or of public order (ordre public), or of public health and morals."

Article 20 of the covenant also states that "Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law."

Other restrictions are embodied in Articles 21 and 22 concerning the exercise of the right of peaceful assembly and freedom of association. These rights are subject to restriction which may be imposed "in conformity with the law which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedom of others."

In Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, such a restriction is expressed in terms of the obligation of states "to adopt immediate and positive measures designed to eradicate all incitement to, or acts of" racial hatred and discrimination in any form. Similarly, the International Covenant on Economic, Social and Cultural Rights qualifies the right to freedom of association with duty to uphold national security and public order. The covenant indicates

that the right of trade unions to function freely may be subject to limitation prescribed by law and necessary in a democratic society in the interests of national security or public order or for the protections of the rights and freedoms of others. Furthermore, while the right to strike must be ensured by the state, that right should be exercised in conformity with the law.

The limitations cited above are simply to show that the rights of citizens, either individually or in organized groups, must be seen in the light of the larger interests of the nation-state, whether in the political, social, economic or security field. This is, in fact, the spirit and letter of the 1945 Constitution as well as the essence of the integralistic approach on which Indonesia seeks to fulfill the further development of national life.

#### Some Critical Surveys

Studies and reports made by domestic or foreign groups and institutions involved in human rights activities provide critical information about human rights conditions and development. In Indonesia, such activities are generally performed by legal aid organisations. Abroad, there is Amnesty International, a London-based agency which concentrates on detention of political prisoners and the

imposition or infliction of cruel, inhuman or degrading treatment or punishment of detainees. Life expectancy, infant mortality and literacy rate may serve as criteria for measuring basic economic and social rights as embodied in the International Bill of Rights. Freedom of information may be measured in terms of press freedom, types of censorship, academic freedom, etc. With respect to geographic mobility and political life,, the criteria for civil and political liberties include freedom of movement within Indonesia, emigration, participation in governmental decision-making, party system, etc.

In Indonesia, the Lembaga Bantuan Hukum (LBH), one of several widely-known legal aid agencies, has been consistently critical of human rights conditions in the country. It gives out reports on human rights conditions on a more or less regular basis. These reports discuss data relating to basic social-economic questions, government, justice, education, health and freedom of information. Its analysis of political conditions in Indonesia appears to be strongly influenced by the libertarian principles (the LBH addresses its assessment to such questions as who participate in government decision-making, one party, military or other type of clique; are elections held, what procedures are followed; is any sort of dissent tolerated, etc.). From this standpoint, in the views of LBH political



participation is restricted to a narrow circle of those in authority.

LBH's defense lawyers were involved, among other things, in the trials of opponents of the government accused and convicted of activities which violated the penal code. Retired general H.R. Dharsono and former industry minister H.M. Sanusi are now undergoing prison sentences for such crimes. Incidentally, defense attorney Adnan Buyung Nasution's licence was suspended for one year after he had been charged with contempt of court for misconduct during the closing session of the Dharsono trial.

LBH found little support for human rights in Indonesian laws. However, it noted some progress and "applauds" Law No.8/1981 on Criminal Investigation Procedure. Despite some discrepancies, according to the agency, the 1981 law contains "tolerable" provisions relating to human rights, such as in articles on investigation, legal assistance, indemnity and rehabilitation.

In a separate study, assessing Indonesian laws in relation to political conditions in the country, an LBH lawyer reached the following conclusions:

- Although the further spread of justice is a major objective of development, passage of Law No.5/1979 on Village

Administration, in essence, has further restricted political participation of people in villages.

- The role of the judiciary has been further limited, particularly in meeting such issues as appropriation of lands, environmental pollution, protection of consumers, etc.

- Anti-subversion and other laws in the political and security fields are being sustained in the framework of strengthening and increasing the government's role in the management of the public sector.

- The role of the whole economic mechanism which will facilitate the dominant economic power groups are further consolidated.

LBH's assessment of public health was presented in somewhat moderate terms. Admittedly the country is making headway in this sector. Life expectancy at birth in 1985 was 56 years from 52 in 1978. Infant mortality rate in 1985 was 96 per 1000 from 138 in 1965, while child death rate was 12 per 1000 in 1985 from 20 in 1965. Progress in the education sector has also been quite impressive. In 1980, the illiteracy rate nationwide was 28.8%, down from 37.1% in 1976. A survey carried out in 1975 indicated that the illiteracy rate among villagers was 45%.

The remarkable development of educational facilities is

certainly evident in quantitative terms. Between the First and Fourth Five Year Development Plans, construction of primary schools increased by 2200%, while that of junior high schools increased by 800%. It is on the structural aspect that most critics are now focusing their evaluation. These critics assailed conditions showing more secondary schools in urban than rural areas and higher education benefitting more people from the middle and upper classes than the poor.

LBH and some critics of the Indonesian political system abroad are highly critical of political conditions in Indonesia. For example, they questioned political practices in relation to, if not the government's interpretation of, Pancasila and the 1945 Constitution. One foreign observer argued that, "Pancasila is mentioned in the constitution as one of the guiding principles in organising state affairs, but nowhere is it mentioned that the state will force all political groups and community organizations to subscribe to it." Denouncing the law requiring all political and social organizations to endorse Pancasila as the sole principle, the foreign critic sums up: "Any regime, however popular it may be, cannot force the political parties to abandon their ideology. If a regime tries to institutionalize coercion, the society changes into an authoritarian and closed structure. This is what has actually happened in Indonesia."

It cannot be denied that opposition forces exist and each seek to weaken if not dislodge the Suharto administration. The outlawed Indonesian Communist Party is regarded by government and military officials as a latent threat to the nation. Muslim fanatics have occasionally incited outbreaks of violence in parts of the country, a recent one occurring in September 1984 in the heavily-populated harbour district of Jakarta causing a number of casualties and destruction of properties.

On the positive side, the holding of general elections in April 1987 constitutes an important indicator of political development processes in the country. It is noteworthy that election campaign incidents were almost nonexistent while voter turnout remained relatively high (see table).

PARTICIPATION IN GENERAL ELECTIONS IN INDONESIA,  
1955-1987

Year	Population	Registered no. of voters	Registered no. of votes	Percentage
1955	88.000.000	43.000.000	39.000.000	91.40
1971	114.000.000	58.000.000	54.000.000	94.00
1977	128.000.000	70.000.000	63.000.000	90.50
1982	151.000.000	82.000.000	74.980.000	91.30
1987	162.921.989	93.965.953	85.809.800	91.40

Campaigning was done nationwide by the three legally-founded contesting parties. The contestants --- the ruling Golongan Karya (Functional Group, Golkar), Partai Persatuan Pembangunan (the Muslim United Development Party), Partai Demokrasi Indonesia (Indonesian Democratic Party which encompasses the former nationalists and Christian parties) --- announced their list of candidates national and local House of Representatives seats. The final election results, as they were since 1971, gave Golkar, where President Suharto heads its supreme advisory council, an overwhelming victory.

The national elections were held all over Indonesia, including in the provinces of Irian Jaya and East Timor. The number of eligible voters in East Timor was 360.144 out of 628.998 registered persons (57.26%). Fighting in the province in 1975 after Portuguese colonial troops fled the territory and its subsequent union with Indonesia became a major international issue with some foreign governments and organizations strongly censuring this country. The United Nations General Assembly in a resolution in 1982 maintained that Portugal is still the administering power and expressed "its concern about the humanitarian situation in the territory."

The East Timor question, imprisonment and trials of Indonesian Communist Party leaders on the one hand and



opposition Muslim activists on the other, and military operations against rebel Free Papua Movement insurrectionists in Irian Jaya, have been consistently highlighted by Amnesty International. On June 25, 1985, Amnesty published a report, East Timor Violations of Human Rights, and launched a campaign to publicize its concern. The report referred to cases of "extrajudicial executions, disappearances, torture, arbitrary arrests and detention, and unfair trials which had taken place in the territory since the Indonesian invasion of December 1975." The report called on the Indonesian government to investigate fully reports of "such abuses," to clarify the fate of those reported to have "disappeared," to issue instructions to all security forces prohibiting the use of torture in all circumstances, to prosecute people found to have perpetrated such abuses and to make information on "political trials" publicly available. The Indonesian government had issued a statement rejecting such allegations as based on "rumours and questionable sources."

#### Closure of Newspapers

By Western standards, freedom of expression and the press in Indonesia are severely curtailed. According to LBH, in its function as a moral force, the press no longer has any leeway to express ideas and opinions. The freedom of the

press is no longer based upon its own convictions and idealism, but is heavily dependent on the restrictions imposed by the government, based on what it considers to be in the interest of security and order."

There was a number of significant closures of newspapers over the last five years. In 1982, the weekly magazine Tempo and daily Pelita (Beacon) were banned for publishing reports regarded as endangering national stability and the maintenance of security. Two years later the weekly magazine, Topik, was banned for publishing a review article which had communist overtones. The two magazines reappeared not long afterwards, but Pelita resumed publication only four months later under a new editorial set up.

The Indonesian government's first censure on the press under the 1982 Press Law occurred in October 1986. The afternoon daily, Sinar Harapan, ceased publication permanently when its licence was revoked by the Department of Information.

The decision to close down the newspaper, according to the department, was taken on account of the speculative reports in the daily following the government's devaluation of the Indonesian national currency in September 1986 which could cause restlessness and anxiety among the public, and hence also jeopardize national stability. The Department of Information felt that such reportings were contradictory to

the essence of responsible press freedom which was to disseminate information on the progress and achievements of national development in order "to nurture the conviction and belief of the people, to instill reasonable hopes among the people that development is moving in the right direction, so that by continuous hard work and by increasing our efforts we will have a brighter future." In addition, the government pointed out several warnings and appeals had been given before to the editors of Sinar Harapan.

After several months, the company which founded Sinar Harapan reorganized its editorial staff in order to obtain a new publishing licence from the government. Licence was then granted to start the afternoon daily Suara Pembaruan (Voice of Renewal) under a new chief editor.

The next newspaper to be banned permanently was Prioritas, a new newspaper established in Jakarta in May 1986. The government invalidated its publishing licence in June 1987. The newspaper's editors were accused of printing untrue and unfounded reports. In fact, the government claimed, the reports were cynical, insinulative and tendentious in character.



## MEDIA COVERAGE OF HUMAN RIGHTS ISSUES

In 1978, the United Nations Educational, Scientific and Cultural Organization (UNESCO) issued a declaration affirming the leading contribution that the mass media can make in promoting human rights. Entitled Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racism, Apartheid and Incitement to War, it describes in Article II the general principles relating to freedom of opinion, expression and information in the following terms:

- The exercise of freedom of opinion, expression and information recognized as an integral part of human rights and fundamental freedoms, is a vital factor in the strengthening of peace and international understanding.
- Access by the public to information should be guaranteed by the diversity of source and means of information available to it, thus enabling each individual to check the accuracy of facts and to appraise events objectively. To this end, journalists must have freedom to report and the fullest possible facilities of access to information. Similarly, it is important that the mass media be responsive to concerns

of peoples and individuals, thus promoting participation of the public in the elaboration of information.

- With a view to the strengthening of peace and international understanding, to promoting human rights and to countering racialism, apartheid and incitement to war, the mass media throughout the world, by reason of their role, contribute to promoting human rights, in particular by giving expression to oppressed peoples who struggle against colonialism, foreign occupation and all forms of racial discrimination and oppression and who are unable to make their voices heard within their own territories.

- If the mass media are to be in a position to promote the principles of the Declaration in their activities, it is essential that journalists and other agents of the mass media, in their own country or abroad, be assured of protection guaranteeing them the best conditions for the exercise of their profession.

These principles, again, are subject to certain limitations in conformity with the laws prevailing in each sovereign member state. In the context of national development, an evaluation of the role of the mass media can mean assessing media coverage of actual development processes. Such an assessment generally focuses on macro matters. It may be concerned with only one aspect of media role, that is information dissemination by way of presenting facts or

data and opinion or analysis.

Viewed from the perspective of Indonesian national development strategies and policies, viz. the Broad Outlines of State Policy and the Five Year Development Plan, the purpose of this section, namely to assess media coverage of human rights issues, suggests another form of limitation. As indicated in the preceding sections, the role and functions of the Indonesian national media encompass the whole subject of development. It has a major contribution to make in nation-building, including in enlightening the life of the people.

Dissemination of information, which is the primary task of the mass media, constitutes an educating or teaching role through the spread of knowledge and promotion of consciousness, leading towards greater understanding, responsibility, solidarity and other attitudes conducive to human rights development.

#### Types of Media

In Indonesia, cultural traditions are held highly by the people. Among other things, this places traditional opinion leaders in influential position in so far as interpersonal communication is concerned. Needless to say, the Indonesian

government makes maximum use of interpersonal communication in promoting popular participation in national development. Interpersonal communication is institutionalized in a number of forms by the government as a whole and by governmental departments as well as officially-sponsored non-governmental organizations. The Department of Home Affairs, for example, supports community action councils at the village levels and housewives' family activity units which also exist in rural areas. Another important governmental agency is the Family Planning Coordinating Board which maintains a nationwide network of branch offices and community level groups. Other government departments that implement interpersonal communication activities include the Justice and Defense and Security Departments, which intermittently launch the so-called Justices Enter Villages and Armed Forces Enter Villages programmes respectively. The purpose and tasks of this extra-governmental network of institutions and activities are to serve as a means of interpersonal communication in support of development policies and programmes.

The Department of Information, apart from administering national radio and television broadcasting, organizes teams of field agricultural instructor, Kelompokcapir groups comprising radio listeners, newspaper readers and television watchers, community information centers, etc. It also

engages traditional cultural performing groups for disseminating development information and other messages. The state-run Radio Republik Indonesia (RRI) and Televisi Republik Indonesia (TVRI) under the Department of Information, performing much the same tasks as their counterparts abroad, broadcast official development reports reflecting the government's efforts in implementing national policies and programmes envisaged in the current Five Year Development Plan. The only non-indigenous and non-official news reports on TVRI, obtained on a commercial basis from foreign television companies, are broadcast nightly on the evening world news broadcast.

The government's communication media do not normally report on human rights issues, much less violations or denials of fundamental freedoms, in the manner similar to the private-run mass media. Obviously, they cover some of the issues by way of informing the public about the achievements of national development, particularly how they positively affect the lives of the people. In this sense, emphasis is given to the benefits of progress. In addition, it may be assumed that information disseminated by the state-run media consists for the most part of advisory messages on the duties rather than the rights of the people.

The private media range from audio-visual networks to publications. Commercial radio stations have sprung up in



most big cities throughout the country while private television stations are still non-existent. Private radio stations carry mostly entertainment programmes although they are required to relay RRI's news broadcasts. Film productions, both feature and documentary stories, are made by government-owned and private film companies. Private motion picture producers have argued that many of their films carry stories reflecting versions of social criticism. Indeed, film themes may range from law-enforcement, anti-corruption drive, etc. to social solidarity, human dignity, individual achievements, etc.

Books constitute a communication medium which has become a significantly growing industry in recent years. Publication and distribution of books printed domestically do not require any official permit, but the Attorney General's office is empowered to withdraw from public sale any volume considered contrary to the national philosophy, Pancasila, or detrimental to the national interests. Otherwise, popular or scholarly, original or translated volumes are published and sold freely. A few authors, including LBH lawyers, have written books critical of political, economic and social conditions in the country.

#### Print Media Coverage

The print media, or the press defined in a narrow sense,

apart from radio and television, are generally regarded as an important and highly potent instrument in promoting human rights. Under the provisions prescribed in the 1966 and 1982 press laws, the press in Indonesia is a social institution. Every citizen has a right to establish a newspaper or magazine within the legal framework. The essential element in the stipulations of the press laws is that the press is an independent institution within the national society.

Coverage of human rights issues, within the existing constitutional and legal framework, may be determined by the editorial policy and journalistic form of the press publication concerned. The popular press often tends to sensationalize events or issues relating to human rights, and giving them a prominent display. The serious, or quality press, would normally present an in-depth report if they are of national importance or an ordinary coverage if otherwise.

Publication of reports or analysis about human rights issues in the Indonesian press may be assessed according to the types of coverage. They are as follows:

- Editorial: an essay in a newspaper or magazine reflecting its editorial standpoint on a major event or public affairs issues.
- Commentaries: analysis of news events or matters of

general interest, signed or unsigned and usually appearing in the editorial page of a newspaper.

- News stories: factual reports of events and edited or verbatim version of an interview, a press release or statement, published in a newspaper or magazine.
- Letters to the editor: a report, statement or opinion by a member or members of the community printed in the Letters to the Editor column of a newspaper or magazine.

The national press regularly covers many, if not most, of the elements of human rights and fundamental freedoms by presenting them in their news pages. More frequently, coverage is in the form of news reports and readers' letters. Occasionally, the editors published editorials, byline or signed commentaries and edited reports of interviews. Any one of the human rights elements is bound to appear in the Indonesian press each day. Since at times cases of violation or denial of a person's rights is reported in more than one nationally-circulated media, this means they could become openly and widely publicized.

Within a one year period, elements of human rights that get into the print media in a variety of forms are: right of assembly, right to justice, right to education, right to work, right to economic development, right to health,



freedom of speech, freedom of the press, and a number of other civil and political rights. These rights may pertain to public meetings, law enforcement, legislation, trials, educational opportunities, industrial relations, working conditions, transmigration, land ownership, slum clearance, medical facilities and care, housing development, media performance, drinking water facility, food supply, etc.

To give an idea of coverage in the Indonesian press, a random sampling of two Jakarta newspapers is shown below (see table). The newspapers are two of the capital's influential, nationally-circulated quality dailies, Kompas and Merdeka (Freedom).

COVERAGE OF HUMAN RIGHTS BY 2 INDONESIAN NEWSPAPERS

Date	Total no. of all items		Total no. of items on HR		Percentage	
	Kompas	Merdeka	Kompas	Merdeka	Kompas	Merdeka
24 Sep	56	84	16	25	28	30
25 Sep	59	77	15	13	25	17
26 Sep	56	65	16	14	32	21
28 Sep	51	65	16	22	31	39
29 Sep	51	71	15	33	33	21
30 Sep	62	74	23	10	37	13
	(335)	(436)	(105)	(99)	(31)	(23)

Notes: (1) Sunday edition (27 Sep) is excluded. (2) Foreign affairs items are excluded. (3) Advertisements in Kompas

take a daily average of 35% of its total space, hence the low number of editorial items in comparison with Merdeka.

As the table above is for illustration purposes only, no classification has been set for editorial quality or tone of the selected items. Sensationalized reports are commonly found in weekly newspapers, especially those based in Jakarta. For national readership and impact, Jakarta dailies may be regarded as leading over those published in the other Indonesian cities.

Sensational reporting in the press is not new in Indonesia as is also the likely penalty to be paid by newspaper management and editors when the limits set by the law, decency and customs are violated. Thus, when two Jakarta newspapers, Sinar Harapan and Prioritas, paid that penalty, none of the other Indonesian media disputed the official list of errors which the government had put forward. In fact, most editorial comments suggested that the two events provided an opportunity for soul-searching and self-correction. However, the national press are also almost unanimous in voicing its disapproval of banning newspapers.

## THE MEDIA AS AGENT OF HUMAN RIGHTS DEVELOPMENT

Three major factors are apparently crucial to the further development of the Indonesian media as a whole. The three factors are ideological, economic and professional. The media could not possibly fulfill their role and functions fully in support of national development until they are securely established ideologically, economically and professionally. The problem presented here would seem valid for many national societies, but owing to the specificity of each social system its solution may vary from country to country. In the case of Indonesia, conditions require a common effort by the press, government and people in the context of the integralistic approach, operationalized through the mechanism of positive interaction among the three components. Using this perspective as a framework, the three factors to be discussed below, with the aim of assessing the media's performance as development agent, must be seen as an interconnected matter.

### Ideology as Factor

Commenting in an editorial on the government's termination of Sinar Harapan's publishing licence in October 1986, the Jakarta daily Suara Karya (Voice of Endeavour) suggested that in the framework of positive interaction between the press, government and people, all three components should share

responsibility for any wrong course of action pursued by either one. Sinar Harapan was blamed for its coverage of the national economic situation which could endanger national stability. Since national stability is interconnected with the national interests, firm action against such a reporting, according to the Golkar-oriented Suara Karya, is justified. In consequence of the charge that Sinar Harapan had erred, the government decided to penalize its publishers. But to Suara Karya the matter raised another question:

"Is the cause (of the ban) in the press only or also in the other two operators of interaction? If as a result of a truly frank evaluation the cause lies largely in the press, then just as honestly the press should correct itself. But if the result of evaluation shows that the other two components which are similarly responsible in the interaction, directly or not, are also the cause of the incident then appropriately this should also become a source for introspection."

The editorial in Suara Karya shows what is already a national consensus, that is national development is everyone's responsibility. It is obvious, moreover, that the constitutional, legal and ideological guidelines are already there and as the executive of the nation-state the government is in essence empowered, among other things, to penalize any member of the press for serious violation of these guidelines. The

problem is putting guidelines into practice.

Any justification of the closing down of Sinar Harapan and, later also Prioritas, by definition implies that the men behind the two newspapers had failed to abide by the ideological prerequisite in managing the media. This should not be interpreted that the press may instead abdicate its role and functions in fulfilling all the manifestations of national development. But rather how they should and could be maintained and enhanced under the guidance of the national ideology, Pancasila. In December 1984, the Press Council of Indonesia, established for the first time since the enactment of the 1966 press law, explained the national press concept in the following terms:

"The national press is a Pancasila press, in the sense that the orientation, attitude and conduct of the press is based on values prescribed in Pancasila and the 1945 Constitution. The Pancasila press is a development press in the sense that the press applies Pancasila and the 1945 Constitution in promoting various aspects of societal, national and state life, including in developing the press itself.

The essence of a Pancasila press is a healthy press, that is a free and responsible press in fulfilling its function as the disseminator of truthful and objective information as well as a means of channeling the people's aspirations and constructive social control.



By virtue of its nature and functions the Pancasila press promotes a condition of mutual trust toward achieving an open society which is democratic and responsible. In implementing Pancasila, the mechanism used is positive interaction among the people, press and government."

The Press Council's formulation is plain enough, but what it essentially demonstrates is that, for Indonesia as a national political entity, true development is not merely physical or material construction but is interconnected and parallel with ideological development founded on the philosophy of the nation and people. Development as a change process, including generation change, necessitates a continuous and coherent recognition and understanding of the accepted common principles and framework.

#### Credibility and Integrity

The discussion on development of the national media inadvertently leads to the problems of credibility and integrity. Again, here it may be rightly stated that all three components in the interaction mechanism share equal responsibility and duties. Seen from the integralistic perspective, for one thing this means that credibility and integrity are two criteria which should be applicable to

all three and all elements within each component. In this sense, any discrepancy in each component is likely to affect the other. Insofar as the press is concerned, again, it alone should carry out efforts to safeguard its credibility and integrity. The fact that the two newspapers closed down by the government could hardly be grouped with what is known as the "yellow press" seems to indicate either the ideological failing of the men behind them or their professional incompetence or perhaps even both.

Whatever the considered judgement on the matter, which, incidentally, the government on its part had already taken, it remains true that the national press must continue to strengthen its credibility and integrity, both ideologically as well as professionally. As regards the professional part, many Indonesian journalists are relatively newcomers lacking the necessary philosophical background, technical skills and experience. To meet the level of quality demanded of the media as a social institution and instrument of national development, most journalists in the country need to undergo refresher courses and regular retraining. Some may already fail to meet the minimum requirements and for certain should even be totally disqualified from the profession.

In the light of the problems of professional credibility and integrity, the Indonesian Journalists Association, as the

only recognized national organization, has acknowledged the imperative of tightening professionalism, both in terms of skills and ethical standards. Malpractices by newsmen or persons posing as journalists and using forged or invalidated press cards and other credentials, have occurred in various places and must be stamped out. Obviously, the Indonesian Journalists Association cannot achieve this on its own. In a recent decision, the Press Council conceded that it is now time for definite legal action to be taken against media proprietors and individuals found to have violated the laws and regulations governing journalistic practices. There is no denying that law-breakers could not be expected to hold high political as well as professional values. In the meantime, as is generally agreed, the positive interaction mechanism has not reached the desired operational level in both scale and quality. There is, therefore, an urgent need to further improve the mechanism. It is hoped, among other things, that such a step would widen access to news sources, including access to government policy-making and decision-making, which at the same time would result in higher credibility of the national press.

#### The Present Media Structure

The communication media in Indonesia, both print and electronic media, as well as interpersonal communication

network, without doubt have contributed to the relative achievements of development programmes. The media's hardware and software have likewise been upgraded because they are themselves part of development. In turn, media have benefitted from development in terms of sales, growing and expanding at a pace never before imagined.

Since the introduction of the multimillion dollar Palapa satellite system, TVRI is now capable of reaching more than 96 million people. At the end of the Third Five Year Development Plan, registered television sets totalled more than 5.3 million. The Indonesian state radio, RRI, now boasts no less than 300 transmission stations spread throughout the 49 broadcasting centers in the archipelago. A major target of government communication development is the rural areas in 295 regencies and municipalities. In 1978 there were 89 information centers in these areas, in 1983 the number rose to 251. Village newspapers, started in 1979 in five provinces, were established in 26 regions by 1983, with 4.5 million copies circulated in 1979 and 8.6 million in 1983.

The privately-owned daily newspapers have also increased their circulation, from 1.88 million copies in 1979 to 3.38 million copies in 1983. Weekly newspapers and magazines likewise showed a significant rise in circulation by the end of the Third Five Year Development Plan. The Indonesian

dailies, however, are still far below the UNESCO standard for developing countries of one newspaper per 10 people in terms of circulation. By the end of 1984, the ratio in Indonesia was still only 1:46.7, although this was an improvement from previous figures (see table)

CIRCULATION OF INDONESIAN DAILIES AND READERSHIP RATIO

	1964-1969	1971	1980	1984
Circ.	1.211.371	1.321.050	2.175.524	3.387.041
Pop.	103.450.000	119.459.845	147.490.298	158.182.700
Ratio	1:85.3	1:90.2	1:67.7	1.:46.7

The problem goes further than low national circulation of the print media. Jakarta dailies have continued to dominate copy sales in most provinces outside the island of Java. For instance, out of a total circulation of 241.479 copies per day in the North Sumatra province in 1984, more than half were copies of newspapers published in Jakarta (over half of the circulation of Jakarta dailies of 1.063.995 at the end of 1984 were distributed outside the capital city).

The media situation in Indonesia, a country as wide as the United States of America, is also depicted by the fact that there are areas, albeit strategic and important in terms of national politics, economy or culture, where no daily newspaper exists or is capable of appearing daily to serve



the local public. These areas include Aceh, Riau, Jambi and most of East Indonesia. In parts of Kalimantan, southern Sumatera and Central Sulawesi, the local media are extremely weak, business as well as editorial-wise.

The Indonesian government is anxious to prevent any domination of the reading public by just a few press publications. The small and medium-sized publishers, especially those outside Jakarta, similarly oppose unhindered expansion of the big newspapers into their market areas. Thus, for some years now the Press Council has limited daily newspapers to 12 pages (a ruling has been issued allowing the number of pages to be increased to 16 twice a week) and a ratio of 65% editorial space to 35% advertising space. As a result, proprietors of the few highly lucrative daily newspapers have in recent years invested their profits into specialized magazines. Some have even diversify into non-media enterprises, such as banking, hotel, travel service, department store, etc. Meanwhile, the huge profit to be amassed in the media business has also attracted powerful industrialists and financiers to back new press publications or supposedly to assist existing weak ones. The key pull factor of the newspaper and magazine business to the new breed of publishers is obviously the handsome income that can be expected from advertisement.

The new phenomenon in the Indonesian media is definitely a

far cry from the days of resistance struggle during the colonial period and immediately after independence when the job of journalists of the national press was purely to prepare and produce a newspaper or magazine. Nowadays, journalists, who are engaged in activities other than covering the news beat or editing and writing news copies, are spending less and less time for their publications or for colleagues in their respective newspaper offices.

The need and process of strengthening the media as an agent of national development, which in the Indonesian context is briefly the enhancement of the individual as a human being and in relation to society as a whole, would seem somewhat problematic. The chief editor, who is at the same time a business entrepreneur or industrialist, must enlist a deputy possessing his caliber or one with a sufficient level of qualification to run the newspaper fulltime. In turn, the deputy searches for a corps of reporters to assist him. Assuming that the nation's schools of journalism and other institutions of higher learning can supply the editor with the needed qualified newsmen, the task of gathering enough quality news stories and reports will thus be assured. However, the statistics still show that less than 30% of journalism or mass communications graduates are entering the profession, few holders of a degree join the press as a first choice, and an even smaller number among the selected

applicants can perform their journalistic duties without an appropriate and elaborate on the job training period.

## CONCLUSION

1. The press or media as a concept evolved from the universal recognition of mankind's need for information and knowledge and for a means of mass communication to serve society. As a matter of principle, accepted universally, press freedom, which is intertwined with freedom of opinion and expression, orally or written, is a condition in which the press functions.

Another fundamental principle is national independence and sovereignty. Using the state as a unit of analysis in international relations, the press and freedom of the press in Indonesia must by definition be national in character, basis and vision. The same is true of other independent and sovereign nation-states.

2. Indonesia's mass media function within the framework of:

- The national philosophy and ideology, Pancasila (Five Principles comprising Belief in One Supreme God, Just and Civilized Humanity, Unity of Indonesia, Democracy led by the Wisdom of Deliberation and Representation, and Social Justice for the entire People of Indonesia).
- The 1945 Constitution, the first constitution of the republic promulgated on August 18, 1945.
- The 1966 and 1982 press laws.

- Other relevant laws and supplementary regulations governing media and journalistic practices.

3. Pancasila and the 1945 Constitution, formulated after the long and arduous struggle of national emancipation of the Indonesian people, embodies the integralistic concept of the state in Indonesian society. Within this framework, the state promotes and strengthens the development of unity and harmony between the government and people, and of harmony in life of man as an individual and in his relationship with society, with nature and with God, as well as in seeking material and spiritual gains in accordance with Pancasila, the 1945 Constitution and in conformity with the existing constitutional and legal provisions.

The essence of national development is, therefore, the complete development of the Indonesian man and the whole of society toward a just and prosperous life.

4. The elements of human rights and fundamental freedoms are prescribed in the 1945 Constitution.

As set forth in the press laws and supplementary regulations, the role of the press and other media is to support national development, including the promotion of human rights. But the citizen is obliged to balance his rights and duties as envisaged in the 1945 Constitution and in conformity with the existing legal provisions.



In promoting its role and functions, the press develops a cooperative relationship with the government.

5. National development by means of Five Year Development Plans, which includes the development of basic needs of the Indonesian people, has brought positive changes to the nation and state. Undeniably, there are certain weaknesses and discrepancies. Domestic and foreign critics have sought to highlight aspects of these weaknesses within the government, the Indonesian people and even the national press.

6. The national media, especially the press, have nonetheless played its part in the framework of its role and functions in national development. The press regularly reports human rights cases and issues, and generally opposes acts and, at times policies, detrimental to the development of fundamental rights and freedoms. Media coverage of violations and denials of these rights has had a positive impact in efforts to enhance national life.

7. The challenges and problems of national development in the future will doubtless be many and more complex. Media development, for instance, must confront the problem of circulation increase and distribution. Expansion must be evenly developed. Maintaining and consolidating media credibility and integrity should be a priority programme. To

achieve this, more effective solutions should be designed and implemented in the efforts of preserving the national press ideals, tightening professional ethics and standards, and raising a steady corps of educated and trained media people. With respect to press-government and press-people relations, the positive interaction mechanism should be further improved with the objectives of widening the access to and establishing a more qualitative relationships with information sources and attaining greater public support for the media within the framework of increasing the quality of popular participation in development.