

Implementation of the Right of Reply in Broadcast Media: A Socio-Legal Study at Radio Republik Indonesia (RRI) Purwokerto

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Abstract: As a constitutional state that recognizes press freedom as one of the manifestations of people's sovereignty, Indonesia has Law Number 40 of 1999 concerning the Press (hereinafter referred to as the Press Law). This regulates the principles, functions, rights, obligations and role of the national press. The existence of the press within society has the potential to create legal issues when published news contains information that is considered inaccurate and detrimental to the reputation of individuals or groups. To address and prevent such issues, the Press Law also provides the mechanism for the right of reply. This study analyzes the implementation of the right of reply at Radio Republik Indonesia (RRI) as one form of mass media that plays a role in delivering news, information and entertainment to the public. The method used is a sociological-juridical approach with descriptive research. The data used in this study consist of both primary and secondary data. The findings of this study indicate that the implementation of the right of reply at RRI Purwokerto has been carried out in accordance with Article 5 paragraph (2) of the Press Law through the processing of the right of reply submissions received by the institution. However, there are still several obstacles in its implementation both internal and external which affects the effectiveness of the right of reply process at RRI Purwokerto.

Keywords: implementation; radio; right of reply

1. Introduction

Indonesia as a state based on the rule of law recognizes press freedom as a form of people's sovereignty and an important element for the achievement of a democratic society, nation and state.¹ In this respect, the press has a special place in Indonesian society, namely as a bridge of communication between the government and the community or between the communities themselves. That is why the press has inherent functions to provide information education, social control, and entertain.²

In connection with the above paragraph, to strengthen the position of the press, Law Number 40 of 1999 concerning the Press (hereinafter referred to as the Press Law)

¹ Ari Laksmi Widyatama, "Penggunaan Hak Jawab Dan Hak Koreksi Dalam Penyelesaian Delik Pers Berdasarkan UU Nomor 40 Tahun 1999" (Universitas Atma Jaya Yogyakarta (UAJY), 2013), pp. 1.

² F. Rachmadi, *Perbandingan Sistem Pers* (Jakarta: Gramedia, 1990), pp. 183.

regulates the principles, functions, rights, obligations and role of the national press.³ The press is a means of expressing opinions, a source of information, education and as a channel of aspiration, criticism and social control. The press, both print and electronic, is an instrument in the social order that is vital for improving the quality of life of its citizens.⁴

However, what is reported by the press to the public also has the potential to cause legal problems especially when the news presented contains information that is considered untrue and detrimental to the reputation of a person or group. Sometimes the public considers that the independence or freedom of the press in its journalistic work often exceeds the limits.⁵ As a result, the opinion often arises that press freedom actually facilitates crime and the press is considered not to reflect the true nature of freedom, namely responsible press freedom. At some point, it reminds us of what Ali Moertopo said, that freedom does not mean doing whatever you want, but to recognize and respect the rights and obligations of every human being.⁶

In carrying out its functions, the press, both print and electronic media, has an obligation to uphold the values of justice and human rights. When there is friction between the press and the community, whatever the cause, it is clear that if it causes harm, the press must take responsibility. In an effort to develop press freedom and improve the life of the national press, one of the functions of Dewan Pers (the Press Council) is as a monitoring institution that considers and seeks to resolve public complaints on cases related to press coverage.⁷ The settlement is expected to be fair to both parties.⁸

The Press Law stipulates that claims of losses suffered by the public due to press coverage are resolved through a mechanism which is widely known as the right of reply. In the general provisions of Article 1 of the Press Law, the right of reply is defined as the right of a person, group of people, organization or legal entity to respond to and refute news or journalistic works that violate the Journalistic Code of Ethics, especially harm and inaccuracies of facts, which harm his reputation to the publishing press.⁹ In this respect, the Press Council has issued a regulation namely Press Council Regulation No. 9/Peraturan-DP/X/2008 on The Guidelines of the Right of Reply.

One of the radio networks in Indonesia is RRI (Radio Republik Indonesia) which is the sole public radio broadcaster owned by the Unitary State of the Republic of Indonesia (NKRI).¹⁰ RRI was established on September 11, 1945 and already exists in several regions in Indonesia, one of which is RRI Purwokerto.¹¹ As one of the mass media, it can be argued that RRI Purwokerto is subject to the Press Law and therefore must comply

³ See Dewan Pers website, "Tiga Alasan UU Pers Harus Dijalankan," Dewan Pers, 2010, <https://dewanpers.or.id/berita/detail/293/tiga-alasan-uu-pers-harus-dijalankan>.

⁴ Widyatama, op. cit., pp. 1.

⁵ Walter A. Steigleman, *The Newspaperman and the Law* (New York: Greenwood Press, 1971), pp. 320.

⁶ Ali Moertopo, *Strategi Pembangunan Nasional* (Jakarta: Centre for Strategic and International Studies (CSIS), 1982), pp 236.

⁷ *Ibid.*

⁸ *Ibid.*

⁹ Peraturan Dewan Pers No. 09 Tahun 2008 tentang Pedoman Hak Jawab diakses melalui <https://dewanpers.or.id/kebijakan/peraturan>.

¹⁰ Winda Kustiawan et al., "Sejarah Perkembangan Radio," *Jurnal Edukasi Nonformal* 3, no. 2 (2022): 238-43.

¹¹ *Ibid.*

with the Journalistic Code of Ethics in reporting information including implementing the Right of Reply if what is reported is deemed inaccurate or harmful. The journalistic code of ethics must be supervised internally by the owner or editorial management of each mass media. On the other hand, the right of reply raises crucial issues about the extent to which it is acceptable to limit the right of reply in a news report that harms its reputation at RRI Purwokerto.¹²

This research seeks to examine how the implementation of the right of reply is implemented by RRI as one type of mass media whose role is to convey messages (news, information and entertainment) to the public with its own uniqueness. An investigation into how the provisions related to the right of reply being implemented in radio journalism is important considering the nature of radio which possess immediate impact and transcends distance and obstacles.¹³

The implementation of the Right of Reply, RRI Purwokerto, faces various practical obstacles. This research aims to analyze the fulfillment of the right of reply in the reporting of news delivered in broadcasting at RRI Purwokerto. The first question that will be discussed in this research is, how is the right of reply currently implemented in the broadcasting practices RRI Purwokerto? Second, what specific obstacles does RRI Purwokerto encounter in the process of fulfilling the right of reply?

2. Method

This research uses a qualitative research method with a juridical sociological approach. The juridical sociological approach is to identify and conceptualize law as a real and functional social institution in a real-life system.¹⁴ The use of this approach is based on the reason that, in this study, law is defined as institutionalized patterns of social behavior, existing as empirical variables.¹⁵ The juridical sociological analysis approach is used because the research is conducted by going directly to the field to examine the applicable legal provisions and how reality occurs in society.¹⁶ The method described above is used in this research to see the facts in the field. The focus of this research is on the implementation of the right of reply at RRI.

In this research, the descriptive research specification aims to get an overview of the implementation of the law on the implementation of the right of reply at RRI Purwokerto. This research was conducted at RRI Purwokerto, Banyumas Regency, Central Java Province. The data in this research was taken by interview method, literature study and documentary study.¹⁷ Informants are the subject of this research, so research informants are people in the research setting who are used to provide information about the situation and conditions of the research setting. The method of determining informants used in this research is purposive sampling and snowball

¹² See: <https://rri.co.id/purwokerto>.

¹³ Asep Syamsul M. Romli, *Broadcast Journalism Panduan Menjadi Penyiar Reporter dan Script Writer* (Jakarta: Nuansa Cendekia, 2010).

¹⁴ Soerjono Soekanto, *Pengantar Penelitian Hukum* (Jakarta: UI Press, 1986).

¹⁵ Saryono Hanadi, *Metodologi Penelitian Hukum Empiris* (Purwokerto: Magister Ilmu Hukum Unsoed, 2008), pp. 2.

¹⁶ *Ibid.* pp. 32.

¹⁷ Nuning Indah Pratiwi, "Penggunaan Media Video Call Dalam Teknologi Komunikasi," *Jurnal Ilmiah Dinamika Sosial* 1, no. 2 (2017): pp. 212.

sampling method.¹⁸ The informants in this research are Budi Nugroho P. as the Head of RRI Purwokerto Station, Indah Marhaeningsih as the Coordinator of RRI Purwokerto News Section, and Fajar Nugroho as the Coordinator of Service and Development Section.

3. Result and Discussion

Implementation of the Right of Reply in Radio Journalism Conducted by RRI Purwokerto

The right of reply in journalism is regulated in Law No. 40/1999 on the Press which is contained in Article 5 paragraph (2) of the Press Law, which reads 'The press is obliged to serve the right of reply'.¹⁹ The same thing is also regulated in the Journalistic Code of Ethics (KEJ) Article 11 which reads 'Indonesian journalists serve the Right of Reply and the Right of Correction proportionally'.²⁰ The Indonesian government issued Law No. 40 of 1999 on the Press which regulates the right of reply in more detail and provides sanctions for media that do not fulfill their obligation to provide the right of reply to the community or individuals who feel aggrieved.

According to Budi, the right of reply at RRI Purwokerto is done in writing and has evidence such as date, time, and theme of the broadcast. Then Budi said that the settlement of the right of reply at RRI Purwokerto was carried out by giving space to the broadcaster associated with responding to the right of reply by looking for sentences that were considered erroneous. After the wrong sentence is found, the relevant broadcaster will settle the right of reply by apologizing to the person concerned in the next broadcast.²¹

In addition to Budi, the author also asked about the right of reply to Indah Marhaeningsih as Coordinator of the News Section of RRI Purwokerto, Indah said that the implementation of the right of reply at RRI Purwokerto has been well implemented, even though RRI Purwokerto already has online news. Indah said that so far there has been no submission of the right of reply that is so crucial that it must go to the realm of law.²²

Regarding the submission of the right of reply at RRI Purwokerto, Indah said that it can be done through PPID RRI Purwokerto email or other social media such as Facebook, Whatsapp, or Instagram by including evidence. Indah also said that the settlement of the right of reply at RRI Purwokerto was carried out by re-examining the sound of the radio broadcast that was considered wrong through a tape recorder as a recording device that became recording data.

Not stopping at Budi and Indah, the author also tried to get information from Fajar Nugroho as the Service and Development Section Coordinator. Fajar said that the application of the right of reply was carried out through PPID services by filling out the

¹⁸ Raudhah Mukhsin, Palmarudi Mappigau, dan Andi Nixia Tenriawaru, "Pengaruh Orientasi Kewirausahaan Terhadap Daya Tahan Hidup Usaha Mikro Kecil Dan Menengah Kelompok Pengolahan Hasil Perikanan Di Kota Makassar," *Jurnal Analisis* 6, no. 2 (2017): pp. 190.

¹⁹ Pasal 5 ayat 2 Undang-Undang No. 40 Tentang Pers.

²⁰ Kode Etik Jurnalistik Pasal 11.

²¹ Based on the sources' statement Budi.

²² Based on the sources' statement Marhaeningsih.

right of reply submission form to RRI Purwokerto and through the RRI Purwokerto email account.

Fajar also said that the settlement of the right of reply was carried out immediately by apologizing to the relevant parties and had no grace period for submitting the right of reply as long as the person / institution related to the right of reply had strong evidence such as identity cards, dates, days, and names of broadcasts broadcasted and the names of related broadcasters. According to Budi, the right of reply in RRI Purwokerto is done in writing and has evidence such as the date, time, and theme of the broadcast. Then Budi said that the settlement of the right of reply at RRI Purwokerto was carried out by giving space to the broadcaster associated with responding to the right of reply by looking for sentences that were considered erroneous. After the wrong sentence is found, the relevant broadcaster will settle the right of reply by apologizing to the person concerned in the next broadcast.²³

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Budi said that the implementation of the right of reply is carried out in accordance with Law No. 40 of 1999 concerning the Press. The implementation is by submitting a request for the right of reply to RRI Purwokerto's public service, namely PPID (Information and Documentation Management Officer).²⁴

The results of the interview with the Head of RRI Purwokerto station, Budi, said that the implementation of the right of reply was carried out in accordance with Law No. 40 of 1999 concerning the Press. The implementation is by submitting a request for the right of reply to the RRI Purwokerto community service, namely PPID (Information Management and Documentation Officer). The implementation of the right of reply at RRI Purwokerto involves several organized and structured stages. The first stage is receiving responses and input from the public. This radio station provides PPID to submit the right of reply directly or can be done with various communication channels, such as telephone, email, and social media, namely Instagram and website, so that listeners can easily submit responses, input, or clarification regarding programs that have been broadcast.

After receiving responses and feedback from the public, the next stage is processing. RRI Purwokerto processes and evaluates each response or feedback received to determine whether or not they pertain to the right of reply. If the feedback is related to the right of

²³ Based on the sources' statement Fajar.

²⁴ Based on the sources' statement Budi.

reply, the station will proceed to the next stage. The next stage is the provision of responses and clarification becomes the focus of RRI Purwokerto in answering responses related to the right of reply. The station takes concrete steps to handle the response. The experienced team at RRI Purwokerto checked the truth of the information submitted and reviewed the related broadcast recordings. With a precise and objective approach, the station provides relevant and clear answers to complaints or responses that have been received. In case of any misinformation provided by RRI Purwokerto, the station sincerely clarifies and apologizes to the people who may have felt aggrieved.

Finally, the responses and clarifications provided by RRI Purwokerto are published to provide accurate and balanced information to the public. The station prioritizes transparency and openness in exercising the right of reply. By publishing responses and clarifications, RRI Purwokerto seeks to provide access to the public so that they can obtain complete information and understand the context better related to events or information that has been broadcast.

Constraints Faced by RRI Purwokerto in Fulfilling the Right of Reply

To identify the obstacles faced by RRI Purwokerto in fulfilling the right of reply and overcoming these obstacles, the author conducted an interview with the Head of RRI Purwokerto Station, Budi. Budi said the obstacles faced by RRI Purwokerto in fulfilling the right of reply are external obstacles such as the submission of the right of reply is too long done by the date of the broadcast, making it difficult to find information on the wrong broadcast sound. Budi further said that to overcome this issue it is expected that the submission of the right of reply at RRI Purwokerto are made within an effective time frame, meaning they should not be delayed after the original broadcast, so that the verification process can be carried out more efficiently.

The author also interviewed Indah, the Coordinator of the News Section of RRI Purwokerto regarding the implementation of the right of reply. She explained that the obstacles are internal in nature, particularly the limited human resources at RRI Purwokerto. This limitation can cause difficulties in processing requests when there are multiple submissions of the right of reply at the same time. To address this issue, Indah stated that broadcasters and other related staff utilize personal work folders to help manage and expedite the completion of the right of reply requests, especially during periods of high submission volume.

In addition, the author interviewed Fajar, the Coordinator of the Services and Development Section. He stated that another obstacle is external, namely that some members of the public do not fully understand the procedure for submitting the right of reply. To overcome this, RRI Purwokerto provides informational brochures at the administration desk to guide the public through the correct submission process.

4. Conclusion

In conclusion, the implementation of the right of reply at RRI Purwokerto reflects a strong commitment to the principles of responsible and transparent journalism in delivering information to the public. The station's effort to accommodate and process right of reply requests demonstrates its adherence to ethical broadcasting standards and accountability in media practice. Furthermore, this implementation also shows that RRI Purwokerto plays an important role in fulfilling the media's function as a pillar of democracy particularly in ensuring the public participation, fairness, and balance in the dissemination of information.

The current obstacles faced by RRI Purwokerto in the process of fulfilling the right of reply include limited human resources, inadequate technology and infrastructure, and time constraints. In addition, this study found that some personnels of RRI Purwokerto do not fully understand the procedures for implementing the right of reply as regulated in Law No. 40 of 1999 concerning the Press.

RRI Purwokerto demonstrates a commitment to strengthening journalistic standards by upholding the principles of accountability and transparency. To further enhance the fulfillment of the right of reply, the station is encouraged to develop formal and standardized guidelines that clearly define the concept of the right of reply, submission procedures, response timelines, and mechanisms for dispute resolutions. These guidelines should be made easily accessible to both RRI personnels and the public in order to ensure clarity, consistency, and a shared understanding in the implementation process.

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