

## Legal Protection of Student Press Institutions as a form of Freedom of Expression

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### ABSTRACT

This study examines the legal protection of student press institutions as a manifestation of freedom of expression within higher education in Indonesia. Using a normative legal research method with statutory and conceptual approaches, this research analyzes constitutional provisions, human rights law, and press regulations related to student press activities. The findings indicate that although freedom of expression and press freedom are constitutionally guaranteed, student press institutions remain legally vulnerable due to the absence of explicit recognition under Law No. 40 of 1999 on the Press. This legal ambiguity allows institutional interventions that undermine press independence and academic freedom. Student press institutions play a strategic role in promoting critical discourse, transparency, and democratic values on campus. Therefore, legal protection should be based on the substantive journalistic function of student press rather than its formal organizational status

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## **INTRODUCTION**

Freedom of expression is a fundamental human right and an essential pillar of democratic society. It enables individuals to convey opinions, ideas, and criticism openly without fear of repression. In democratic systems, freedom of expression functions not only as a personal liberty but also as a collective mechanism to ensure transparency, accountability, and public participation in governance. Without this freedom, other civil and political rights risk losing their substantive meaning (Mudjiyanto, B.2020).

In the context of mass communication, freedom of expression is closely linked to press freedom. The press serves as a medium for information dissemination, public education, and social control over those in power. Through journalistic activities, the press contributes to the formation of public opinion and the strengthening of democratic values. Therefore, the protection of press freedom is inseparable from the protection of freedom of expression itself (Setyowati, A., & Kencono, P. S. 2024).

Within higher education institutions, freedom of expression takes on a distinct academic dimension. Universities are ideally spaces for critical thinking, open debate, and the exchange of ideas. One concrete manifestation of this freedom is the existence of student press institutions. Student press functions as a platform for students to express opinions, report campus issues, and engage in critical discourse related to academic and social matters (Irfan, M.2023).

Student press institutions play a strategic role in fostering a democratic academic atmosphere. Through journalistic activities, students are trained to think critically, analyze social and institutional issues, and communicate information ethically. Moreover, student press functions as a mechanism of social control within the university by encouraging transparency and accountability in campus governance. As such, student press should not be viewed merely as a student organization, but as an integral part of academic freedom (Wiratraman, H. P., & Prakasa, S. U. W. 2024)

However, in practice, student press institutions often encounter various forms of restriction. These include censorship, publication bans, and structural pressures imposed by campus authorities, often justified by concerns over institutional stability or reputation. Such limitations indicate that student press freedom remains vulnerable, particularly when journalistic content addresses sensitive issues related to internal university policies.

Based on these conditions, the issue of legal protection for student press institutions becomes highly relevant. Although freedom of expression and press freedom are constitutionally guaranteed and regulated under human rights and press laws, their implementation within higher education institutions remains inconsistent. Therefore, this paper aims to examine the legal protection of student press institutions as a manifestation of freedom of expression, as well as to analyze their role in strengthening academic freedom and democratic values within the academic environment.

## LITERATURE REVIEW

### *1. Freedom of Expression and Press Freedom*

Freedom of expression is a fundamental human right and a core principle of democratic governance. It enables individuals and groups to convey opinions, criticism, and ideas openly, thereby ensuring public participation and accountability in the exercise of power. Dahl emphasizes that democracy cannot function effectively without the protection of freedom of expression, as it serves as a mechanism to prevent the concentration and abuse of authority (Robert A. Dahl, 1998). From a legal perspective, freedom of expression constitutes the normative foundation of press freedom, allowing the press to operate independently as a channel of information, education, and social control (Bagir Manan, 2016).

Press freedom, as an institutional manifestation of freedom of expression, requires legal protection to ensure journalistic independence. Rachmadi explains that press freedom guarantees the right of the press to seek, obtain, and disseminate information without interference from state or non-state actors (Rachmadi, 2016). In the Indonesian legal system, press freedom is constitutionally guaranteed and further regulated by Law No. 40 of 1999 on the Press. Although student press institutions are not explicitly mentioned in the Press Law, their journalistic functions substantively align with those of the national press, raising important questions regarding the scope of legal protection afforded to student press activities within academic environments.

### *2. Student Press and Academic Freedom*

Student press institutions play a strategic role in fostering democratic culture and critical discourse within higher education institutions. According to Maryadi, student press serves as a medium for learning democracy, developing critical thinking, and exercising social control over campus policies. Through journalistic activities, students are encouraged to engage in intellectual debate and participate actively in academic life, making student press an integral part of academic freedom.

However, the position of student press institutions often remains legally and institutionally vulnerable. As part of student organizations, they are frequently subjected to internal campus regulations that may limit journalistic independence. Altbach argues that academic freedom must include the freedom to publish and disseminate ideas without undue institutional interference (Philip G. Altbach, 2001). Djafar further notes that restrictions on student expression are often justified by concerns over campus order and institutional stability, yet such measures risk violating human rights principles if applied disproportionately (Wahyudi Djafar, 2019). These conditions highlight the need for clearer legal protection to ensure that student press institutions can operate freely as a manifestation of freedom of expression and academic freedom.

## METHODOLOGY

This study employs a normative legal research method using a statutory approach and a conceptual approach. Normative legal research focuses on examining legal norms and principles governing freedom of expression and press freedom, particularly in relation to the legal protection of student press institutions. The statutory approach is conducted by analyzing relevant legal instruments, including the 1945 Constitution of the Republic of Indonesia, Law No. 39 of 1999 on Human Rights, and Law No. 40 of 1999 on the Press, in order to identify the scope and limitations of legal guarantees for student press activities within academic environments (Soerjono Soekanto, 2014).

In addition, a conceptual approach is applied to examine key legal concepts such as freedom of expression, press freedom, and academic freedom based on legal doctrines and scholarly opinions. The sources of legal materials in this study consist of primary legal materials, secondary legal materials in the form of books and scientific journals, and tertiary legal materials such as legal dictionaries. Data collection is carried out through library research, and the analysis is conducted qualitatively using a descriptive-analytical method. Conclusions are drawn deductively, moving from general legal principles to specific conclusions regarding the legal protection of student press institutions as a manifestation of freedom of expression (Johnny Ibrahim, 2013).

## RESEARCH RESULT

### *1. Legal Protection of Student Press Institutions*

Scholarly studies consistently emphasize that freedom of expression constitutes a fundamental human right and an essential element of democratic governance. Within this framework, press freedom functions as a practical instrument through which freedom of expression is exercised (Setyowati & Kencono, 2024). In the context of higher education, student press institutions perform journalistic activities that mirror those of professional media, including information dissemination, public critique, and social control. However, recent legal scholarship highlights that student press institutions remain inadequately protected under Indonesian press regulations, particularly due to their exclusion from explicit recognition in Law No. 40 of 1999 on the Press (Shodikin, 2023).

Several journal-based studies indicate that the ambiguous legal status of student press institutions exposes them to institutional intervention, censorship, and administrative sanctions imposed by university authorities (Prawira, 2023). Although constitutional and human rights norms guarantee freedom of expression, the lack of operational legal safeguards for student press organizations creates a vulnerability gap between normative guarantees and practical implementation. This condition demonstrates that legal protection for student press must be interpreted substantively rather than formally, emphasizing the function of journalism rather than the organizational status of student media.

Recent empirical research further shows that regulatory gaps allow universities to justify restrictions on student press activities under the pretext of maintaining campus stability or institutional reputation (Hadi et al., 2025). Such restrictions, when not based on proportionality and legality principles, contradict

democratic norms and international human rights standards. Consequently, scholars argue that universities, as public institutions, have an obligation to respect and protect student press freedom as part of their commitment to academic freedom and constitutional rights (Wiratraman & Prakasa, 2024).

## ***2. The Role of Student Press as a Manifestation of Freedom of Expression***

Academic literature recognizes student press institutions as an integral component of freedom of expression within the academic environment. Student media serve not only as channels for information exchange but also as spaces for critical discourse, participation, and democratic learning (Maryadi, 2018). Journal studies emphasize that student journalism contributes significantly to the development of critical thinking, ethical awareness, and civic responsibility among students (Mudjiyanto, 2020).

From a democratic theory perspective, student press functions as a form of internal public sphere within universities, enabling students to articulate opinions and critique institutional policies without fear of repression (Wiratraman & Prakasa, 2024). Research findings suggest that when student press freedom is constrained, the academic environment becomes less transparent and less responsive to accountability demands (Salsabila & Iswahyuningtyas, 2025). This condition undermines the university's role as a space for open dialogue and intellectual freedom.

Moreover, recent journal articles underline that student press institutions often act as alternative voices for marginalized student groups who lack access to formal decision-making structures (Prawira, 2023). Through investigative reporting and opinion writing, student media facilitate participation and representation within campus governance. Therefore, protecting student press freedom is not merely a matter of organizational autonomy but a substantive requirement for safeguarding freedom of expression and democratic values in higher education institutions.

## **DISCUSSION**

Legal protection for student press institutions must be understood within the broader framework of freedom of expression and press freedom as fundamental human rights. Scholarly studies emphasize that freedom of expression is not merely an individual right but also an institutional guarantee that enables democratic participation and accountability (Setyowati & Kencono, 2024). In higher education contexts, student press institutions function as journalistic actors that facilitate the circulation of information, critical opinions, and public discourse within the academic community. However, despite performing substantive journalistic functions, student press institutions in Indonesia remain legally marginalized due to the absence of explicit recognition under the Press Law (Shodikin, 2023).

Recent journal-based legal analyses reveal that this lack of formal recognition has significant implications. Student press organizations are often treated solely as student activity units, making them subject to internal campus regulations that may conflict with press freedom principles (Prawira, 2023). As a result, censorship, publication bans, and administrative sanctions are frequently

justified on institutional grounds such as maintaining campus order or protecting university reputation. Empirical findings indicate that such practices create a gap between constitutional guarantees of freedom of expression and their implementation at the university level (Hadi et al., 2025).

From a human rights perspective, these restrictions are problematic because limitations on freedom of expression must meet legality, necessity, and proportionality standards. Journals focusing on academic freedom argue that universities, as public institutions, have an obligation to respect and protect expressive freedoms, including those exercised through student media (Wiratraman & Prakasa, 2024). When institutional authority overrides journalistic independence without clear legal justification, it undermines not only press freedom but also the democratic character of higher education.

Moreover, student press institutions play a crucial role in strengthening academic freedom and democratic culture on campus. Journal literature highlights that student journalism serves as a space for democratic learning, enabling students to develop critical thinking, ethical awareness, and civic responsibility (Mudjiyanto, 2020). Through investigative reporting and critical commentary, student press contributes to transparency and accountability in campus governance, functioning as an internal mechanism of social control (Salsabila & Iswahyuningtyas, 2025).

Several studies further note that student press institutions often provide alternative platforms for marginalized student voices that are excluded from formal decision-making structures (Prawira, 2023). This role reinforces the position of student press as an essential component of freedom of expression rather than a mere extracurricular activity. Therefore, legal protection for student press should be oriented toward safeguarding their journalistic function and independence as part of the broader press system.

In light of these findings, the discussion demonstrates that the legal vulnerability of student press institutions is not merely a technical regulatory issue but reflects deeper tensions between institutional control and democratic values within higher education. Strengthening legal protection for student press institutions is thus essential to ensuring the effective realization of freedom of expression, academic freedom, and democratic governance in universities.

## **CONCLUSIONS AND RECOMMENDATIONS**

Based on these conclusions, this study recommends that legislators and policymakers provide clearer legal recognition and protection for student press institutions within the national press law framework. Explicit acknowledgment of student press as part of the press ecosystem would strengthen legal certainty and prevent arbitrary restrictions on journalistic activities conducted in academic settings.

Universities are also encouraged to review and harmonize internal campus regulations with constitutional principles, human rights standards, and academic freedom. Institutional policies should support, rather than restrict, student press independence by ensuring that any limitations on expression are based on clear legal grounds and applied proportionally.

Finally, student press institutions should strengthen their internal professionalism by adhering to journalistic ethics, accuracy, and accountability. By maintaining high journalistic standards, student press organizations can reinforce their legitimacy and contribute constructively to the development of a democratic, critical, and rights-based academic culture.

## **ADVANCED RESEARCH**

Each study has limitations; thus, you can describe it here and briefly Future research on the legal protection of student press institutions should move beyond normative analysis by incorporating empirical and comparative approaches. Empirical legal research is needed to examine how constitutional guarantees of freedom of expression and press freedom are implemented in practice within universities. Such research may involve interviews with student journalists, university administrators, and legal practitioners to identify patterns of restriction, censorship, or institutional intervention faced by student press organizations. Empirical findings would provide a more comprehensive understanding of the gap between legal norms and their application in academic environments.

In addition, comparative legal studies could be conducted to analyze how student press institutions are regulated and protected in different jurisdictions. Comparing Indonesian regulations with legal frameworks in countries that explicitly recognize student media within press or higher education laws would offer valuable insights into alternative models of legal protection. This approach could help identify best practices for strengthening legal certainty and institutional independence of student press organizations.

Further research may also explore the relationship between student press freedom and academic governance. Studies focusing on the impact of student journalism on transparency, accountability, and policy-making within universities could demonstrate the broader institutional value of protecting student press freedom. This line of inquiry would position student press not merely as a rights-based issue but as a functional component of good governance in higher education.

Finally, interdisciplinary research integrating legal studies with communication, media studies, and human rights perspectives is strongly recommended. Such research could examine ethical standards, digital media

challenges, and the role of online student journalism in expanding freedom of expression. By adopting interdisciplinary and forward-looking approaches, future research can contribute to more effective legal frameworks and policies that ensure sustainable protection for student press institutions as an integral part of democratic and academic life.

## REFERENCES

- The 1945 Constitution of the Republic of Indonesia, Article 28E paragraph (3).  
<https://www.dpr.go.id/jdih/uu1945>
- Law No. 39 of 1999 on Human Rights.  
<https://peraturan.bpk.go.id/Details/45361/uu-no-39-tahun-1999>
- Law No. 40 of 1999 on the Press.  
<https://peraturan.bpk.go.id/Details/45368/uu-no-40-tahun-1999>
- Altbach, P. G. (2001). Academic freedom in a global context. *Higher Education Policy*, 14(3), 205–209.  
<https://link.springer.com/article/10.1057/palgrave.hep.8300016>
- Dahl, R. A. (1998). *On democracy*. Yale University Press.  
<https://yalebooks.yale.edu/book/9780300084555/on-democracy/>
- Djafar, W. (2019). Freedom of expression in academic environments. *Journal of Human Rights*, 10(2), 145–147.  
<https://ejournal.komnasham.go.id/index.php/jham>
- Hadi, S., Sunardi, & Hernanda, T. (2025). Student press freedom from the perspective of press law and human rights in Indonesia. *Al-Zayn: Journal of Social and Legal Studies*, 3(6), 9312–9322.  
<https://ejournal.yayasanpendidikanzurriyatulquran.id/index.php/AlZayn/article/view/2639>
- Manan, B. (2016). *Press freedom and social responsibility*. Faculty of Law, Universitas Islam Indonesia Press.  
<https://library.uui.ac.id/>
- Maryadi, E. (2018). *Student press and campus democratization*. Alliance of Independent Journalists.  
<https://aji.or.id/read/buku/>
- Mudjiyanto, B. (2020). The role of student press in strengthening democratic culture in higher education institutions. *Journal of Communication*, 14(2), 123–135.  
<https://journal.uui.ac.id/jurnal-komunikasi>
- Prawira, M. R. Y. (2023). The urgency of legal recognition and protection of student press institutions in Indonesia. *Veritas: Journal of Law and Politics*, 9(2).  
<https://jurnal.uia.ac.id/index.php/veritas/article/view/3059>

- Rachmadi. (2012). *Press law in Indonesia*. Sinar Grafika.  
<https://opac.perpusnas.go.id/>
- Salsabila, A. B., & Iswahyuningtyas, C. E. (2025). Intervention and intimidation against student press institutions in Indonesia. *Jurnal ASPIKOM*, 10(2), 217-228.  
<https://jurnalaspikom.org/index.php/aspikom/article/view/1655>
- Setyowati, D., & Kencono, D. A. (2024). Freedom of expression and press freedom in democratic governance. *Journal of Legal, Ethical and Regulatory Issues*, 27(1), 1-10.  
<https://www.abacademies.org/articles/freedom-of-expression-and-press-freedom>
- Shodikin, M. (2023). Legal status of student press institutions under Law No. 40 of 1999 on the Press. *JHP17: Journal of Research Results*, 8(1).  
<https://jurnal.untag-sby.ac.id/index.php/jhp17/article/view/7448>
- Soekanto, S. (2014). *Introduction to legal research*. UI Press.  
<https://lib.ui.ac.id/>
- Wiratraman, H. P., & Prakasa, S. U. (2024). Academic freedom, student expression, and democratic values in higher education. *Journal of Human Rights and Legal Studies*, 6(1), 45-62.  
<https://journal.unair.ac.id/JHRLS>