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# The Role of Investigative Journalism in Indonesia's Criminal Justice Reforms

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**ABSTRACT:** Investigative journalism plays a crucial role in upholding democratic values by exposing legal violations, corruption, and systemic injustices within Indonesia's criminal justice system. However, various challenges, including political interference, restrictive legislation, and threats to press freedom, hinder its effectiveness. This study aims to analyse the impact of investigative journalism on legal reforms in Indonesia, focusing on its role in uncovering miscarriages of justice, judicial corruption, and human rights violations. Employing a qualitative research approach, this study utilises a case study method to examine high-profile cases. Data collection involves reviewing secondary sources, including investigative reports, legal documents, and media coverage. This study indicate that investigative journalism has significantly contributed to legal reforms by exposing judicial corruption, wrongful convictions, and abuses of power. Key cases such as Sengkon and Karta, Baiq Nuril, Artalyta Suryani, Munir, and Ferdy Sambo illustrate how media exposure generates public pressure, prompting institutional accountability and policy changes. Despite ongoing challenges including legal intimidation, defamation laws, and press freedom constraints investigative journalism remains a critical instrument for democratic oversight and legal transformation. Compared to other jurisdictions, Indonesia's legal framework remains inadequate in safeguarding journalistic freedom and press independence.

**KEYWORDS:** investigative journalism, legal reform, press freedom, criminal justice

## I. INTRODUCTION

Investigative journalism is a fundamental component of the freedom of the press, serving as a social control mechanism in a democratic state.<sup>1</sup> Its role has become increasingly crucial within Indonesia's criminal justice system, given the persistent occurrence of miscarriages of justice, resulting from various factors.<sup>2</sup> These include the unprofessional conduct of law enforcement officers, abuse of power and corruption, all of which hinder due legal processes and undermine the principle of due process of law.<sup>3</sup>

In Indonesia, numerous cases illustrate how justice, which should be upheld through lawful procedures, is instead sacrificed for political and economic interests. The weak system of checks and balances between law enforcement institutions exacerbates the situation, leading to various injustices, including wrongful convictions and *error in persona* (misidentification of suspects). In this context, media investigations play a vital role in exposing legal violations and abuses of power.<sup>4</sup> Several high-profile cases uncovered by investigative journalism have had a significant impact on legal reform in Indonesia.

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<sup>1</sup> Pusepa, Jekaterina. "The principle of freedom of press in the context of national security: case studies of investigative journalism." (2024). See also, Almabrouk, Khalil, and Hamed Adnan. "Human responsibilities of investigative journalists in the digital age." *Multidisciplinary Science Journal* 6, no. 6 (2024): 2024092-2024092.

<sup>2</sup> Gumilang, Tetania Retno, and Victoria Tabita Majesty Lamada. "Prevention of Miscarriage of Justice in the Implementation of Judges Tasks." *Jurnal Hukum Prasada* 7, no. 2 (2020): 91-95.

<sup>3</sup> Andiani, Tara Nadya, and Agus Riwanto. "Protection Of Journalists' Right To Justice From Violence In The Performance Of Their Duties: A Human Rights Perspective." *International Journal of Educational Research & Social Sciences* 5, no. 1 (2024). See also, Wiratraman, Herlambang P. "Legal Reforms for Improving the Freedom of the Press in Indonesia." *JSEHR* 1 (2017): 80.

<sup>4</sup> Dutta, Nabamita, and Sanjukta Roy. "The interactive impact of press freedom and media reach on corruption." *Economic Modelling* 58 (2016): 227-236. See also, Lindstaedt, Natasha. "Assaults on the Media and Civil Society." *Democratic Decay and Authoritarian Resurgence*, pp. 193-216. Bristol University Press, 2021.

The Sengkon and Karta case<sup>5</sup> (1974) was one of the earliest precedents in which investigative journalism proved the injustice of the judicial system, ultimately leading to the acquittal of two farmers wrongly convicted of murder and robbery. The Wartawan Udin case<sup>6</sup> (1996) demonstrated how investigative journalism shed light on the murder of journalist Fuad Muhammad Syafruddin (Udin) from Harian Bernas, allegedly linked to his reporting on corruption involving local officials, though the case remains unresolved. Meanwhile, the Century scandal<sup>7</sup> (2008) was exposed through investigative reports that revealed the bailout of Bank Century, which resulted in state losses amounting to trillions of rupiah. Judicial mafia practices were also exposed in the Artalyta Suryani case<sup>8</sup> (2010), where media reports provided evidence of bribery within the Attorney General's Office. Investigative journalism also uncovered potential state involvement in the murder of human rights activist Munir (2004), although the full truth remains elusive. The Novel Baswedan case<sup>9</sup> (2017) revealed the slow progress in the investigation of an acid attack against the Corruption Eradication Commission (KPK) investigator, prompting demands for judicial reform. Similarly, the Baiq Nuril

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<sup>5</sup> Sengkon dan Karta, Dua Petani yang Dituduh Merampok dan Membunuh, KompasTV, 2023, available on : <https://www.kompas.com/stori/read/2023/08/02/140000279/sengkon-dan-karta-dua-petani-yang-dituduh-merampok-dan-membunuh>

<sup>6</sup> Voaindonesia, Seperempat Abad Kasus Pembunuhan Jurnalis Udin, 2021, available on : <https://www.voaindonesia.com/a/seperempat-abad-kasus-pembunuhan-jurnalis-udin/6004135.html>

<sup>7</sup> Tempo, Lembaran Baru Kasus Century, 2018, available on : <https://www.tempo.co/hukum/lembaran-baru-kasus-century-896495>

<sup>8</sup> Tempo, Kejaksaan Agung Periksa Anak Artalyta Suryani dalam Kasus Asabri, 2021, available on : <https://www.tempo.co/hukum/kejaksaan-agung-periksa-anak-artalyta-suryani-dalam-kasus-asabri-524570>

<sup>9</sup> Cnnindonesia, Polri Sebut Pengungkapan Kasus Novel Tergantung Rida Tuhan, 2019, available on : <https://www.cnnindonesia.com/nasional/20191101142516-12-444842/polri-sebut-pengungkapan-kasus-novel-tergantung-rida-tuhan>

case<sup>10</sup> (2018) highlighted the injustice faced by a victim of sexual harassment who was criminalised instead of protected, eventually receiving a presidential amnesty following widespread public pressure. The Sambo case<sup>11</sup> (2022), which involved the murder of Brigadier J, showcased how investigative journalism successfully exposed a case involving high-ranking police officials, ultimately driving internal reforms within the police force. The BTS corruption scandal<sup>12</sup> (2023) was another instance where investigative journalism played a crucial role in uncovering allegations of financial mismanagement in the BTS infrastructure project, which led to substantial state losses and implicated senior government officials. Additionally, investigative journalism uncovered the issuance of Building Use Rights<sup>13</sup> (HGB) certificates over maritime areas, an illegal practice indicating corrupt land certification processes over what should legally be state-owned waters.

All these cases illustrate the power of investigative journalism in exposing injustices and driving legal reforms in Indonesia. Beyond highlighting individual cases, investigative journalism has also exposed structural weaknesses within Indonesia's criminal justice

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<sup>10</sup> BBCIndonesia, Kasus Baiq Nuril: Perempuan yang dipidanakan karena merekam percakapan mesum akan 'tagih amnesti' ke Jokowi, 2019, available on : <https://www.bbc.com/indonesia/indonesia-48878086>. See also, Akhmad, Muhammad Zaidan Syafiqy, and Ridwan Arifin. 2022. "Baiq Nuril Case and Discourse on Freedom of Expression". *Indonesia Media Law Review* 1 (2), 123-44.

<sup>11</sup> Kompas.com, 5 Kebohongan Irjen Ferdy Sambo di Kasus Kematian Brigadir J yang Akhirnya Terbongkar, 2022, available on : <https://nasional.kompas.com/read/2022/08/13/06300041/5-kebohongan-irjen-ferdy-sambo-di-kasus-kematian-brigadir-j-yang-akhirnya?page=all>

<sup>12</sup> Tempo, Kasus Korupsi BTS 4G, Eks Pejabat Pembuat Komitmen Kominfo Dituntut 7 Tahun Penjara dan Denda Rp 1 Miliar, 2024, available on : <https://www.tempo.co/hukum/kasus-korupsi-bts-4g-eks-pejabat-pembuat-komitmen-kominfo-dituntut-7-tahun-penjara-dan-denda-rp-1-miliar-38732>

<sup>13</sup> Cnnindonesia, Kasus-kasus HGB Laut Sudah Naik Penyidikan: Tangerang dan Sidoarjo, 2025, available on : <https://www.cnnindonesia.com/nasional/20250221095129-12-1200852/kasus-kasus-hgb-laut-sudah-naik-penyidikan-tangerang-dan-sidoarjo>

system.<sup>14</sup> The disparities in the application of the principle of equality before the law remain a persistent problem, with legal enforcement being harsh towards the weak but lenient towards the powerful. The principle of legality often remains merely a theoretical concept without fair implementation, particularly for those who lack access to adequate legal representation. Furthermore, investigative journalism has been instrumental in exposing inaccurate forensic evidence, case manipulation, and forced confessions, in which suspects are coerced into admitting to crimes they did not commit.<sup>15</sup> Numerous cases demonstrate how fabricated witness testimonies or manipulated evidence have led to the wrongful imprisonment of innocent individuals. This raises serious concerns regarding the accountability and transparency of Indonesia's criminal justice system. Through investigative journalism, the public gains access to information previously concealed behind legal bureaucracy and judicial opacity.<sup>16</sup> The principle of factual truth, which should be the foundation of the justice system, is frequently disregarded, leading to cases where the truth remains undisclosed.

The literature surrounding investigative journalism and its role in Indonesia's criminal justice system paints a compelling picture of how journalistic practice intersects with the mechanisms of justice, transparency, and reform. Across a spectrum of studies, it becomes

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<sup>14</sup> Rahmawati, Erni, and Mohammad Kemal Dermawan. "Vacuum effect of wrongful criminal justice process: The case of Indonesia." *Indonesian Journal of Social Science Research* 4, no. 2 (2023): 182-227.

<sup>15</sup> Kassin, Saul M., Hayley Cleary, Gisli H. Gudjonsson, Richard A. Leo, Christian A. Meissner, Allison D. Redlich, and Kyle C. Scherr. "Police-induced confessions, 2.0: Risk factors and recommendations." *Law and human behavior* (2025). See also, Mensah, Ebenezer Kojo Gyesei. "Examining the Impact of False Confessions and Wrongful Convictions on Criminal Justice Reform." *Available at SSRN 4813186* (2024).

<sup>16</sup> Rodny-Gumede, Ylva, and Colin Chasi. "The truth and nothing but the truth: A re-affirmation and re-evaluation of undercover journalism practices." *African Journalism Studies* 37, no. 3 (2016): 107-128.

evident that investigative journalism has consistently acted as both a mirror and a catalyst—reflecting institutional dysfunction while prompting legal and social redress. For instance, Sultan emphasizes how Indonesian print media such as Tempo and Kompas employed investigative reporting to uncover systemic corruption in public offices and the judiciary, illustrating the watchdog role of the press in corruption disclosure.<sup>17</sup> Complementing this, Wiratraman critiques the use of legal tools to criminalize journalists who report on public malfeasance, emphasizing the tension between media freedom and legal intimidation.<sup>18</sup> In the realm of law enforcement, Davies dissect how The Jakarta Post reported on Indonesian police corruption, showing that media exposure was pivotal in prompting public debate and institutional scrutiny.<sup>19</sup> Salim further explores the Brigadier J murder case, noting that online media framing of such cases shifts public perception and increases demand for justice.<sup>20</sup> Similarly, the Baiq Nuril case examined by Butt (2021) was propelled into the legal reform spotlight due to persistent media pressure that questioned the judicial process and resulted in presidential intervention.<sup>21</sup> Hajairin and Mustofa advocate for a shift from a punitive to a reintegrative model of criminal justice, underlining how investigative journalism

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<sup>17</sup> Sultan, Moehammad Iqbal. 2015. "Investigative Reporting in Corruption Disclosure by the Journalist on Indonesia Newspapers". *International Journal of Sciences: Basic and Applied Research (IJSBAR)* 19 (1): 97-103.

<sup>18</sup> Wiratraman, Herlambang Perdana. 2025. "Indonesia's Press Freedom And Law at Twenty-Five: Achievements, Legal Changes And Continuing Challenges". *Jurnal IUS Kajian Hukum Dan Keadilan* 13 (2):290-308.

<sup>19</sup> Davies, Sharyn, Louise Stone, and John Buttle. 2016. "Covering Cops: Critical Reporting of Indonesian Police Corruption". *Pacific Journalism Review : Te Koakoa* 22 (2), 185-201.

<sup>20</sup> Salim, Irfan Hanify. "The Framing Of Brigadier J's Murder In Online News Media." In *Annual International Conferences on Language, Literature, and Media*, vol. 5, pp. 371-383. 2023.

<sup>21</sup> Butt, Simon. "Indonesia's criminal justice system on trial: The Jessica Wongso case." *New Criminal Law Review* 24, no. 1 (2021): 3-58.

can illuminate structural weaknesses in due process enforcement.<sup>22</sup> Sianturi discusses how the legal system's prosecution of journalists in Indonesia reflects broader democratic deficiencies and a lack of robust legal protection for press freedom.<sup>23</sup> Meanwhile, Wiratraman revisits two decades of Indonesian press laws and argues that despite legislative improvements, the judicial apparatus still facilitates suppression of journalistic autonomy through vague or weaponized criminal provisions.

Despite this strong body of work, a critical research gap exists. Most literature focuses either on single high-profile cases or systemic critiques without integrative analysis across legal, sociopolitical, and journalistic dimensions. The media plays a critical role in ensuring that judicial processes are conducted transparently, independently, and in accordance with the principles of justice.<sup>24</sup> This study aims to analyse the role of investigative journalism in uncovering legal violations and injustices within Indonesia's criminal justice system, thereby influencing legal policies and driving reform within the judicial system.

## II. METHODS

This study employs a qualitative research approach with a case study method to analyse the role of investigative journalism in uncovering

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<sup>22</sup> Hajairin, Hajairin, Muhammad Mustofa, and Tofik Yanuar Chandra. "Criminal justice reform: From due process model to reintegrative model as an alternative to criminal case resolution." *Asian Journal of Social and Humanities* 1, no. 10 (2023): 601-609.

<sup>23</sup> Sianturi, Hendry Roris P. "Criminalizing framing: the democratic status quo and the prosecution of journalists in Indonesia." *Media Asia* (2025): 1-8.

<sup>24</sup> Búzás, Zoltán I. "Is the good news about law compliance good news about norm compliance? The case of racial equality." *International Organization* 72, no. 2 (2018): 351-385. See also, Picard, Robert, and Victor Pickard. "Essential principles for contemporary media and communications policymaking." (2017).

legal violations and injustices within Indonesia's criminal justice system. The research focuses on how investigative journalism influences judicial policies and drives legal reform by exposing misconduct, abuse of power, and systemic corruption. Data collection involves an extensive review of secondary sources, including investigative reports, legal documents, academic articles, and media coverage of key cases related to miscarriages of justice. Specific cases, such as Sengkon and Karta (1974), the Munir murder case (2004), the BTS corruption scandal (2023), and the issuance of fraudulent HGB certificates over maritime areas, are examined to evaluate the impact of investigative journalism on legal proceedings and public policy. To provide broader context and comparative insights, this study also includes a cross-jurisdictional analysis of investigative journalism practices in the United Kingdom, the United States, Japan, China, and South Korea. This comparative dimension helps identify international best practices, particularly in countries with robust legal protections for journalists and institutionalised Freedom of Information laws. Lessons drawn from these jurisdictions offer a framework for assessing Indonesia's current regulatory gaps and formulating policy recommendations to enhance the effectiveness and safety of investigative journalism as a driver of legal reform.

### **III. RESULT AND DISCUSSION**

#### **A. Investigative Journalism as a Catalyst for Legal Reform**

Investigative journalism as a form of journalism that entails in-depth, original research aimed at exposing concealed facts of public significance, investigative journalism is distinct from routine news reporting in its method and impact. Rather than relying on press releases or institutional sources, investigative journalists actively seek



out information that is intentionally hidden—often through interviews, document analysis, undercover work, and freedom of information requests. This genre of journalism is driven not merely by a desire to inform but by a deeper purpose: to expose wrongdoing, foster accountability, and stimulate reform. As such, it is a cornerstone of the media's watchdog function. In academic discourse, investigative journalism is widely regarded as the most critical and socially responsible branch of journalism. De Burgh describes it as a craft that involves exposing the concealed truth, holding power to account, and pursuing the public interest through rigorous research.<sup>25</sup> Similarly, Ettema and Glasser define investigative journalism as the work of journalists who act as “custodians of conscience,” operating with a sense of moral purpose to uncover social injustices and institutional failing.<sup>26</sup> These definitions reflect a shared understanding within scholarly literature that investigative journalism is an essential check on power—particularly when formal mechanisms of oversight such as courts or parliaments are compromised or ineffective.

a. Investigative Journalism and the Revelation of Miscarriages of Justice

One of the most significant impacts of investigative journalism in Indonesia has been the exposure of miscarriages of justice, particularly wrongful convictions and *errors in persona* (misidentification of suspects).<sup>27</sup> The Sengkon and Karta case (1974) serves as a landmark example. Investigative reporting

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<sup>25</sup> De Burgh, Hugo. *Investigative journalism*. Routledge, 2008.

<sup>26</sup> Ettema, James S., and Theodore L. Glasser. *Custodians of conscience: Investigative journalism and public virtue*. Columbia University Press, 1998.

<sup>27</sup> Butt, Simon, and Andreas Nathaniel. "Evidence from criminal law experts in Indonesian criminal trials: Usurping the judicial function?." *The International Journal of Evidence & Proof* 28, no. 2 (2024): 129-153.

revealed that two farmers were wrongfully convicted of murder and robbery due to coerced confessions and fabricated evidence. The media's persistent coverage of the injustice led to their eventual acquittal and ignited discussions about judicial reforms, particularly the need for safeguards against coerced confessions and wrongful convictions.<sup>28</sup> Similarly, the Baiq Nuril case (2018) illustrated how investigative journalism can bring public attention to legal injustices faced by marginalised individuals. Baiq Nuril, a victim of sexual harassment, was instead prosecuted for defamation after exposing her harasser. Widespread media coverage and public pressure ultimately resulted in a presidential amnesty, highlighting the role of investigative journalism in influencing legal reforms related to gender justice and victim protection.

b. Exposing Judicial Corruption and the Judicial Mafia

Judicial corruption remains a significant challenge in Indonesia, with investigative journalism playing a crucial role in exposing such unethical practices.<sup>29</sup> The Artalyta Suryani case (2010) is a notable example, where investigative reports revealed that a businesswoman convicted of bribing a prosecutor was enjoying luxurious accommodations in prison. The exposé led to national outrage and forced the government to address corruption within the judiciary, resulting in stricter oversight measures and disciplinary actions against implicated officials. Another critical case was the Century scandal (2008), where investigative journalists uncovered irregularities in the bailout

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<sup>28</sup> Humphrey, John A., and Kaitlyn M. Clarke. *Wrongful Conviction: From Prevention to the Reversal of Injustice*. Charles C Thomas Publisher, 2018.

<sup>29</sup> Dörr, Konstantin Nicholas, and Katharina Hollnbuchner. "Ethical challenges of algorithmic journalism." *Digital journalism* 5, no. 4 (2017): 404-419.

of Bank Century, leading to state losses amounting to trillions of rupiah. The scandal exposed how political and economic interests influenced legal and financial decisions, prompting parliamentary inquiries and legal proceedings against key figures involved. Although complete justice was not achieved, the case underscored the power of investigative journalism in bringing financial mismanagement and regulatory failures to public attention.<sup>30</sup>

c. Investigative Journalism and Human Rights Violations

Investigative journalism has also been instrumental in exposing human rights violations and state-sponsored abuses. The Wartawan Udin case (1996) demonstrated the risks faced by journalists reporting on corruption. Fuad Muhammad Syafruddin (Udin), a journalist for Harian Bernas, was murdered under suspicious circumstances after investigating corruption involving local government officials. Despite the case remaining unsolved, it underscored the dangers journalists face and the need for stronger legal protections for press freedom in Indonesia. Another prominent case is the murder of human rights activist Munir Said Thalib (2004). Investigative journalists uncovered evidence suggesting state involvement in his poisoning, leading to the conviction of Garuda Indonesia pilot Pollycarpus Budihari Priyanto. However, the full truth behind the murder remains elusive, reflecting the challenges of achieving justice despite media exposure. The case played a

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<sup>30</sup> Shapira, Roy. "Law as Source: How the Legal System Facilitates Investigative Journalism." *Yale L. & Pol'y Rev.* 37 (2018): 153. See also, Pickard, Victor. *Democracy without journalism?: Confronting the misinformation society*. Oxford University Press, 2019.

significant role in pushing for reforms related to human rights protection and transparency in government accountability.<sup>31</sup>

d. Investigative Journalism and Police Reform

The Sambo case (2022) exemplifies how investigative journalism can influence police reform. The case involved the murder of Brigadier Nofriansyah Yosua Hutabarat (Brigadier J) by high-ranking police official Ferdy Sambo. Initial reports suggested a cover-up within the police force, but investigative journalists uncovered crucial evidence that contradicted the official narrative. Public outrage, fueled by extensive media coverage, led to Sambo's conviction and internal police reforms aimed at preventing similar abuses of power within law enforcement. Similarly, the Novel Baswedan case (2017) brought attention to the slow progress in the investigation of an acid attack against the Corruption Eradication Commission (KPK) investigator. Media scrutiny pressured authorities to take more decisive actions, eventually leading to the conviction of two police officers. While criticisms remained regarding the leniency of their sentences, the case highlighted the role of investigative journalism in ensuring justice for victims of attacks linked to anti-corruption efforts.<sup>32</sup>

e. Investigative Journalism and Environmental Crimes

Beyond legal and human rights violations, investigative journalism has played a crucial role in uncovering environmental crimes. Illegal deforestation and land mismanagement have been persistent issues in Indonesia, often

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<sup>31</sup> Mabillard, Vincent, and Raphael Zumofen. "The complex relationship between transparency and accountability: A synthesis and contribution to existing frameworks." *Public Policy and Administration* 32, no. 2 (2017): 110-129.

<sup>32</sup> Moene, Kalle, and Tina Søreide. "Combating corruption: Investigative journalists on the frontlines." *Making Transparency Possible: an interdisciplinary dialogue* (2019).

facilitated by corrupt government officials. Investigative outlets such as Mongabay Indonesia have exposed unlawful land concessions and the complicity of corporations in environmental destruction. One significant case involved the issuance of Building Use Rights (HGB) certificates over maritime areas. Investigative reports revealed that corrupt officials had been illegally granting HGB certificates for waters that should have remained state-owned. Public backlash led to government reviews of land certification processes, resulting in the revocation of some illegal permits and policy changes to prevent similar abuses in the future. This case demonstrated how investigative journalism can drive environmental law enforcement and policy reforms.<sup>33</sup>

f. Challenges Faced by Investigative Journalists

Despite its successes, investigative journalism in Indonesia faces numerous challenges. Journalists frequently encounter legal threats, intimidation, and digital harassment. Defamation laws are often weaponised against them, discouraging critical reporting. The murder of Udin remains an unresolved case, reflecting the risks faced by investigative journalists. Furthermore, press freedom in Indonesia is under threat due to increasing governmental and corporate influence over the media.<sup>34</sup> The rise of digital disinformation campaigns also poses challenges, as false narratives can be used to discredit legitimate investigative reports. Strengthening legal protections for journalists and ensuring an independent press is crucial to

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<sup>33</sup> Carson, Andrea, and Kate Farhall. "Understanding collaborative investigative journalism in a "post-truth" age." *Journalism Studies* 19, no. 13 (2018): 1899-1911.

<sup>34</sup> Tapsell, Ross. "Platform convergence in Indonesia: Challenges and opportunities for media freedom." *Convergence* 21, no. 2 (2015): 182-197.

sustaining the role of investigative journalism in driving legal reform.<sup>35</sup>

Investigative journalism has proven to be a formidable catalyst for legal reform in Indonesia. By exposing corruption, human rights abuses, judicial misconduct, and systemic inequalities, journalists have held power to account and spurred public debate on the need for change. While challenges remain—such as legal threats and the lack of whistleblower protections—the enduring impact of investigative journalism on Indonesia’s legal landscape is undeniable.

## **B. Regulation and Role of Investigative Journalism in Different Jurisdictions and Comparison with Indonesia**

Some countries provide strong legal protections for journalists, while others impose strict censorship and limitations on press freedom. This study examines investigative journalism in the United Kingdom, the United States, Japan, China, and South Korea, comparing them with Indonesia in terms of regulations, press freedom, and contributions to legal and policy reforms.

### **a. Investigative Journalism in the United Kingdom**

The United Kingdom has a well-developed investigative journalism culture supported by legal frameworks. The Freedom of Information Act 2000 allows journalists to request access to government documents, which has been instrumental in uncovering political and corporate corruption.<sup>36</sup> A notable

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<sup>35</sup> Isra, Saldi. "Indonesian Law In Transition: Perspectives, Challenges and Prospects of Ongoing Law Reform." (2021).

<sup>36</sup> Worthy, Ben, Peter John, and Matia Vannoni. "Transparency at the parish pump: A field experiment to measure the effectiveness of freedom of information requests in England." *Journal of Public Administration Research and Theory* 27, no. 3 (2017): 485-500.

case was the Phone Hacking Scandal<sup>37</sup> (2011), exposed by The Guardian, which led to the Leveson Inquiry and the introduction of stricter press regulations, including the establishment of the Independent Press Standards Organisation (IPSO).<sup>38</sup> Despite these legal protections, investigative journalists in the UK face challenges such as Strategic Lawsuits Against Public Participation (SLAPPs)<sup>39</sup>, which are used to silence critical reporting. While there are calls for anti-SLAPP legislation, journalists must navigate legal threats and defamation laws that often favour plaintiffs.

b. Investigative Journalism in the United States

The United States has one of the strongest legal protections for investigative journalism, largely due to the First Amendment, which guarantees press freedom. The Freedom of Information Act (FOIA) further enables journalists to access classified government records.<sup>40</sup> Historic investigative reports, such as The Washington Post's exposure of the Watergate Scandal (1972-1974), led to the resignation of President Richard Nixon and significant political reforms.<sup>41</sup> However, investigative journalism in the U.S. faces growing challenges. The Espionage Act has been increasingly used to prosecute whistleblowers,

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<sup>37</sup> Fenton, Natalie. "Regulation is Freedom: phone hacking, press regulation and the Leveson Inquiry—the story so far." *Communications Law* 23, no. 3 (2018).

<sup>38</sup> Ramsay, Gordon, and Martin Moore. "Press repeat: Media self-regulation in the United Kingdom after Leveson." In *Media Accountability In The Era Of Post-Truth Politics*, pp. 84-99. Routledge, 2019.

<sup>39</sup> Papadopoulou, Lambrini, and Theodora A. Maniou. "'SLAPPED' and censored? Legal threats and challenges to press freedom and investigative reporting." *Journalism* 26, no. 2 (2025): 288-306.

<sup>40</sup> Long, Susan B., and Harry Hammitt. "Increased Use of the Freedom of Information Act by the Media: Exploring What Took the Media So Long." *Vill. L. Rev.* 63 (2018): 895. See also, Silver, Derigan. "The news media and the FOIA." In *The US Freedom of Information Act at 50*, pp. 63-84. Routledge, 2019.

<sup>41</sup> Honders, Christine. *Watergate and the Resignation of President Nixon*. Greenhaven Publishing LLC, 2018.

and corporate consolidation in the media industry limits funding for independent investigative reporting. Despite these constraints, journalism remains a powerful force for transparency and legal reform, as seen in the MeToo Movement, which led to extensive policy changes in workplace harassment laws.

c. Investigative Journalism in Japan

Japan's investigative journalism is constrained by press regulations and corporate influence. The Kisha Club System controls access to official information, favouring mainstream media outlets while restricting independent journalists.<sup>42</sup> Despite these barriers, investigative reporters have exposed significant issues, such as the Fukushima Nuclear Disaster (2011), where independent journalists revealed government mismanagement in handling the crisis, leading to public scrutiny and regulatory changes.<sup>43</sup> However, Japan's State Secrets Law criminalises the disclosure of classified information, making investigative reporting on political or national security issues particularly risky.<sup>44</sup> Additionally, defamation laws in Japan are stringent, often discouraging aggressive journalism.

d. Investigative Journalism in China

China has one of the most restrictive environments for investigative journalism, with state-controlled media and strict

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<sup>42</sup> Prusa, Igor. "Japanese scandals and their production." *Media, Culture & Society* 44, no. 1 (2022): 3-21. See also, Prusa, Igor. "Mediating Scandal in Contemporary Japan." *French Journal for Media Research* 7 (2017).

<sup>43</sup> Vivoda, Vlado, and Geordan Graetz. "Nuclear policy and regulation in Japan after Fukushima: Navigating the crisis." *Journal of Contemporary Asia* 45, no. 3 (2015): 490-509.

<sup>44</sup> Nasu, Hitoshi. "State secrets law and national security." *International & Comparative Law Quarterly* 64, no. 2 (2015): 365-404.



ensorship laws.<sup>45</sup> The Cybersecurity Law and National Security Law allow authorities to regulate information deemed a threat to state security.<sup>46</sup> Journalists who investigate corruption, human rights abuses, or political misconduct face severe consequences, including imprisonment and censorship. Despite these restrictions, some investigative reports have led to policy changes, such as the Milk Powder Scandal (2008), where journalists exposed the contamination of infant formula with melamine, resulting in stronger food safety regulations.<sup>47</sup> However, China's tight media control ensures that investigative journalism has limited impact on broader legal and political reforms.

e. Investigative Journalism in South Korea

South Korea has a relatively free press, with investigative journalism playing a crucial role in exposing corruption and influencing legal reforms. The Choi Soon-sil Scandal (2016), uncovered by JTBC News, revealed the undue influence of Choi Soon-sil over then-President Park Geun-hye. This exposé led to nationwide protests, the impeachment of Park, and legal reforms aimed at preventing government corruption.<sup>48</sup> Although South Korea offers stronger legal protections for journalists compared to Japan and China, challenges remain. The Press Arbitration Act allows journalists to challenge

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<sup>45</sup> Zhu, Yanling. "Media power and its control in contemporary China: The digital regulatory regime, national identity, and global communication." PhD diss., University of Glasgow, 2021.

<sup>46</sup> Creemers, Rogier. "Cybersecurity Law and regulation in China: Securing the smart state." *China Law and Society Review* 6, no. 2 (2023): 111-145.

<sup>47</sup> Zeng, Li, Lijie Zhou, Po-Lin Pan, and Gil Fowler. "Coping with the milk scandal: A staged approach to crisis communication strategies during China's largest food safety crisis." *Journal of Communication Management* 22, no. 4 (2018): 432-450.

<sup>48</sup> Park, Jeeyoung, and Kiyoun Chang. "How does news exposure shape citizens' perceptions of and behavioral responses toward corruption?: information acquisition, blame attribution, and behavioral response." *Japanese Journal of Political Science* 24, no. 1 (2023): 136-152.

government suppression, but defamation laws are frequently used to prosecute reporters.<sup>49</sup> Additionally, major business conglomerates (*chaebols*) exert influence over the media, limiting critical investigations into corporate misconduct.

Indonesia has a growing but highly challenged investigative journalism sector. Unlike the United Kingdom and the United States, where legal protections for journalists are well-established, Indonesia's Electronic Information and Transactions (ITE) Law is often used to criminalise journalists under defamation or cybercrime charges. While investigative journalism in Indonesia has led to major corruption revelations, such as the E-KTP Scandal (2017), the legal and political environment often obstructs the full impact of these exposés. Compared to South Korea, where investigative journalism led to the impeachment of a president, Indonesian journalism faces significant obstacles in ensuring immediate political consequences. The lack of strong Freedom of Information Act (FOIA) legislation in Indonesia limits journalists' ability to access government records, making investigations more difficult. In contrast, both the UK and the US have well-established FOIA mechanisms that empower journalists with access to public records. Press freedom in Indonesia ranks above China, where investigative journalism is virtually impossible due to government censorship, but below Japan and South Korea, where defamation laws and media ownership structures pose major challenges. Corporate and political interference in the media is prevalent in Indonesia, similar to South Korea, where *chaebols* influence editorial policies. However, in Indonesia, media

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<sup>49</sup> Kang, Hyung-Cheol, Pil-Mo Jung, Seung-Sun Lee, Jung-Kun Pae, and Seog-Tae Shim. *Understanding Journalism in Korea*. 커뮤니케이션북스, 2015. See also, Park, Ahn, and Kyu Ho Youm. "Fake news from a legal perspective: The United States and South Korea compared." *Sw. J. Int'l L.* 25 (2019): 100.

ownership is closely tied to political elites, further complicating independent journalism. While investigative journalism in Indonesia has played a role in exposing corruption and influencing some legal reforms, it has not yet reached the same level of political transformation seen in South Korea or the institutional safeguards present in the UK and the US. Strengthening legal protections, revising restrictive defamation laws, and implementing a strong Freedom of Information Act would enhance investigative journalism's role in Indonesia, ensuring greater accountability and democratic governance.

Investigative journalism plays a vital role in ensuring accountability and legal reforms across different jurisdictions. While countries like the UK and the U.S. provide strong legal frameworks and press freedom protections, Japan and South Korea face challenges related to defamation laws and media ownership. China remains one of the most restrictive environments for investigative journalism, with severe state censorship limiting press freedom. Indonesia stands at a crossroads, where investigative journalism has uncovered major scandals but continues to face legal and political barriers. Strengthening press freedom, revising restrictive defamation laws, and implementing a comprehensive Freedom of Information Act would enhance investigative journalism's role in Indonesia, ensuring greater accountability and democratic governance.

#### **IV. CONCLUSION**

Investigative journalism has played a pivotal role in uncovering corruption, human rights violations, and miscarriages of justice within Indonesia's legal system. Through rigorous reporting, journalists have exposed systemic failures, leading to legal reforms

and heightened public awareness. Cases such as the Sengkon and Karta wrongful conviction, the Baiq Nuril injustice, and the Sambo police scandal highlight the profound impact of investigative journalism in holding power to account. However, significant challenges remain, including legal threats, defamation laws, and political interference, which hinder journalistic freedom. Compared to countries such as the United Kingdom and the United States, Indonesia lacks strong legal protections for investigative journalists, making their work increasingly precarious. Strengthening press freedom, revising restrictive laws, and implementing robust transparency mechanisms are essential to ensuring investigative journalism continues to serve as a catalyst for justice and legal reform. Without such measures, Indonesia risks further erosion of accountability and democratic governance. To enhance the effectiveness of investigative journalism, Indonesia must strengthen legal protections for journalists, particularly by improving regulations in the Electronic Information and Transactions Law (UU ITE), the Public Information Disclosure Law, and the Broadcasting Law. These reforms should ensure regulated freedom for the media to report factual information in pursuit of fair law enforcement.

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