

The Right to Freedom of Opinion and Expression in Public Spaces in View of Human Rights

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ABSTRACT

Freedom of opinion is basically a right that every individual has which is guaranteed by the constitution, this is contained in Article 28E paragraph (3). Advances in technology and information are a forum for expressing opinions by the people in Indonesia. This research aims to determine policies that attempt to protect individual rights to freedom of opinion and expression and protect individual rights to their reputation. In order to achieve a quo objective, this research uses normative legal research methods and the results of this research show that the Indonesian State protects individual rights to express opinions and expressions as contained in Article 28E paragraph (3) of the 1945 Constitution,

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INTRODUCTION

Freedom of opinion and expression is actually one of the supports for the creation of a country and society that is advanced and continues to experience development. Freedom of opinion and expression is important due to 4 things, namely: (1) freedom of expression is an effort to achieve maximum potential and guarantee fulfillment within a person; (2) In order to find the truth and advance knowledge through hearing all sides of the question then considering alternatives and then testing the assessment by comparing the assessment

with opposing thoughts, then take advantage of the existence of various opposing views optimally; (3) this freedom is also important so that every individual has participation in making decisions, such as especially in politics; (4) freedom of opinion and expression also provides lessons for the country and its society so that they have the ability to adapt so as to achieve stability.¹

So that in realizing a democracy, the presence of the right to opinion and expression becomes very important. This is related to democracy which is analogous to people's government, namely government that is in accordance with the will of the people and then carried out by the people for the needs of the people.² Citizens in a democratic country cannot exercise their rights effectively in the general election process through voting or participate in making public policies if the public does not have freedom of expression in showing their views and opinions freely and does not have the right to obtain information.³

Human rights can be categorized into four categories, namely the first group, civil rights, second political rights, third socio economic rights, and fourth cultural rights. The right to freedom of opinion and expression is categorized into the civil rights group, namely freedom of thought (freedom to express thoughts and opinions) and can

also be categorized into the political rights group, namely opinion and expression (the right to express opinions).

By including the right to express opinions and expression as part of human rights, as human rights are rights that are based on nature inherent in every human being. Therefore, these rights need to be respected and protected and fulfilled as an obligation and responsibility of the government.⁴ However, there are problems related to the implementation of rights protection in terms of freedom of opinion and expression because this right often collides with state policies in order to protect individual rights to their honor or reputation (right to honor or reputation). Where the state, of course, apart from guaranteeing freedom of opinion and expression, must also guarantee the protection of the rights to the reputation of its citizens.⁵

MATERIALS & METHODS

The research method used is library research (library study), in legal research the normative juridical approach method or library law research which means an approach based on legal rules as a provision and also the basic law, tracing from related books and relevant to the discussion in this paper, apart from books on human rights, data is also sourced from related research journals, as well as from websites related to the title of this research.

RESULTS

Research result

Freedom of opinion is a fundamental right in life that is guaranteed and protected by the state. The implementation of freedom of expression can be in the form of writing, books, discussions, or in press activities, every citizen can legally express what is on his mind, so that it is often included in his

social media stories. express various opinions including state, legal and political issues, whether in the form of public policies made by the government and other state institutions, opinions or criticism of each public policy is a form of control over the running of the government.⁶

Freedom of opinion and expression is considered important.⁷ Recently, tempo.co media provided an overview of the development of democracy, the worsening of Indonesia's democracy index has slapped Joko Widodo's government, even though a country's democracy will not suddenly disappear, no matter how small, this setback has received serious attention. This signal of decline can be seen from the annual report of The Economist Intelligence Unit (EIU) which was released recently, where the report places Indonesia's democracy index at 64th in the world, with a score of 6.3, Indonesia's position is even left behind by Malaysia, Timor Leste, and the Philippines. This achievement is the lowest in the last 14 years. Indonesia is categorized as a disabled democracy, one rank below countries with full democratic status. This decline in democracy was triggered by pressure on civil liberties.⁸

Intimidation also targets students and academics who hold scientific discussions. Critical voices that are at odds with the government are often attacked in the digital realm, not only promoting power that kills deliberative processes and public participation, this approach is also supported by state repression tools.⁹ This Tempo newspaper's opinion provides the view that recently the development of democracy in Indonesia has declined according to the report of The Economist Intelligence Unit (EIU), one of which is triggered by the narrowing of space for civil liberties, activists and indigenous communities do not

seem to be free to express their aspirations openly for freedom of opinion to become The material for consideration for activists is marked by the increase in violence and arrests of those giving aspirations or acting as mouthpieces for the people.

Critical voices at odds with the government have resulted in democracy beginning to weaken while authoritarianism has strengthened. The Lokatarau Foundation assesses that freedom of opinion in the era of President Jokowi has experienced a narrowing of the space for public expression, this can be seen from the government policies taken such as on the Papua issue, violence and intimidation of demonstrators, narrowing of academic freedom.¹⁰ The discourse on revising the ITE Law shows that there is space for society to be more active in providing input and criticism¹¹. Freedom of opinion is one of the basic rights that every citizen has and this is a constitutional right guaranteed by the state. Indonesia as a legal and democratic state has the authority to regulate and protect the implementation of human rights. This is confirmed in the fourth amendment to the 1945 Constitution of the Republic of Indonesia in Article 28E paragraph (3) which states that "everyone has the right to freedom of association, assembly and expression of opinion".

DISCUSSION

a. Freedom of Speech in the Constitution

At the beginning of the reform, enthusiasm for changing the 1945 Constitution was rife and the MPR made amendments in the form of the first, second, third and fourth changes, respectively in 1999, 2000, 2001 and 2002.¹² One of the guaranteed rights regulated in the Law is the right to hold an opinion, express one's thoughts and form a certificate which is contained in article 28 E as follows:¹³

- a) Every person has the right to embrace a religion and worship according to his religion, choose education, choose work, choose citizenship, choose a place to live in the territory of the country and leave it, and has the right to return.
- b) Everyone has the right to freedom to believe, express thoughts and attitudes, according to their conscience.
- c) Everyone has the right to freedom of association, assembly and expression of opinion.

Likewise in Article 28 F, which contains the following: Everyone has the right to communicate and obtain information to develop their personal and social environment as well as to seek, obtain, own, store, process and convey information using all types of available channels.¹⁴

Then the interpretation of this article was accommodated through Law Number 9 of 1998 concerning freedom to express opinions in public, article 1 paragraph (1) "freedom to express opinions orally, in writing and so on freely and responsibly in accordance with the provisions of the applicable laws". Freedom of opinion in the 1945 Constitution and Law No. 9 of 1998 emphasizes that freedom of opinion is a fundamental right in life which is guaranteed and protected by the state.

The concept of human rights in freedom of opinion is related to the concept of the rule of law. Indonesia as a country of law has ratified various international rules in upholding the right to freedom of expression and opinion, the constitution has guaranteed this, therefore criticism of the government is not a violation of the law, freedom of opinion is guaranteed in the Indonesian constitution. The restrictions on freedom of expression and opinion are aimed at creating security and prosperity among fellow citizens.¹⁵

The inclusion of human rights (HAM) in the second amendment to the 1945 Constitution, which previously did not have a chapter on human rights (HAM), from 1999 to 2002 the MPR made changes to the 1945 Constitution which became the demand for reform in 1998, where at the beginning of reform there was pressure to emerge. In society, there are demands for reform from various components of the nation, including students and youth, one of these demands is upholding the supremacy of law, respecting human rights, and eradicating corruption, collusion and nepotism (KKN). This is a major progress in the process of change in Indonesia and is also one of the efforts of the Indonesian people to make the 1945 Constitution into an increasingly modern and democratic Constitution.¹⁶

The Indonesian people are of the view that human rights must take into account Indonesian characteristics and human rights must be balanced with obligations, so that it is hoped that mutual respect and respect for the human rights of each party will be created.¹⁷ If the formulation of human rights in the 1945 Constitution is implemented consistently, both by the state and the people, it is hoped that the rate of improvement in the quality of civilization, democracy and progress in Indonesia will be much faster than without the formulation of guarantees for recognition, respect, protection and promotion of human rights. in the Constitution of the Republic of Indonesia.¹⁸

The state has three generic obligations related to human rights, namely respecting (obligation of respect), protecting (obligation to protect), and fulfilling (obligation to fulfill). Individuals on the other hand are bound by the obligation not to interfere with other human rights.¹⁹ Further forms of regulation regarding human rights as stipulated in the Constitution are as follows,

(1) in accordance with the provisions of article 28 concerning freedom of association and assembly, expressing thoughts orally and in writing and so on, Law Number 9 of 1998 concerning freedom to express opinions in public and Law number 39 of 1999 concerning human rights, in articles 14, 23, 24 and 25, which states the protection of freedom of expression and expressing opinions and conveying information.²⁰ (2) in accordance with the regulation of equality of position in law and government, Law number 40 of 2008 concerning the elimination of racial and ethnic discrimination has been stipulated, (3) in accordance with the regulation of article 28I paragraph (5) concerning the enforcement and protection of human rights, it has been stipulated by Law Number 25 of 2009 concerning public services.²¹

Behind the freedom of opinion which is guaranteed by law, it is limited by the articles contained in the Criminal Code, namely related to articles on defamation, slander, insults and false accusations, including in articles: (1) articles 207, 208, 209 of the Criminal Code; insulting authorities and public business entities is punishable by 6 years in prison, (2) articles 310, 311, 315, 316 of the Criminal Code; assault or defamation of a person's honor or good name, written accusations, are punishable by up to 9 months in prison and 16 months in prison. (3) article 317 of the Criminal Code; slander, false notification, false complaint, punishable by 4 years in prison. (4) articles 320, 321 of the Criminal Code; insulting or defaming a dead person is punishable by 4 months in prison.²² Controversy in society is actually the article most often imposed on perpetrators of defamation.²³ In fact, the law on the press regulates how to convey and present an opinion when published, one of which is that you must maintain ethics and

aesthetics in speaking and expressing your opinion, not damaging other people's self-esteem and not causing unrest in society. Expressing an opinion does not mean that you have to be arbitrary in conveying it, there must be ethics that must be fulfilled in conveying it.²⁴

The Cyber Directorate of Bareskrim POLRI in its data stated that criminal defamation via social media is the one most frequently handled by the police. Defamation cases dominate compared to other cybercrime cases. In 2017 there were 1,451 reports, and in the first three months of 2018 there were 338 reports related to defamation. Sometimes the problems are trivial, such as teasing each other, criticism that is considered insulting, even debt collectors being reported to the police because they are considered defamatory. There have also been reports in the same vein regarding the spread of false information (hoaxes) in society.²⁵

b. Concept of the Right to Freedom of Expression and Opinion

The guarantee of the right to freedom of expression and opinion always provides supervision and control by the general public over the running of government (public control and direction). The fundamental characteristic of a country with a democratic system is the involvement of citizens in every political decision making, either directly or through representatives. This description provides the view that everyone has the right to discuss every state policy in the name of the people²⁶. Citizen involvement in every state political decision making. People's involvement in political decision making is a form of democracy, so that every citizen has a sense of responsibility for government policies. Another characteristic of a democratic country is the freedom and independence given to citizens or maintained and owned by citizens.²⁷ Human rights in state life, such as the right to vote, freedom

of expression, freedom of the press, freedom of religion, freedom from arbitrary treatment by the political and legal system, freedom of movement and freedom of assembly and association.

Guaranteeing human rights is the implementation of democratic culture in society. So, freedom of opinion is an important function in the realm of democracy. Freedom of expression and opinion depends on the policies set by the competent government. Especially on the issue of giving freedom to individuals to express themselves and the state providing guarantees for free expression without interference.²⁸

The relationship between freedom of expression and opinion in a democratic country is a prerequisite for realizing the principles of transparency and accountability which are very important for progress in protecting human rights. Toby Mendel explained that there are several reasons why freedom of expression is important: 1). Because this is the basis of democracy; 2). Freedom of expression plays a role in eradicating corruption; 3). Freedom of expression promotes accountability; 4). Freedom of expression in society is believed to be the best way to find the truth.²⁹

As for freedom of expression, it is not absolute, the UDHR states that freedom of expression does not mean being completely free. Freedom of expression has limits. Freedom of expression also has limits. Article 19 of the Declaration of Human Rights states³⁰: "(1) Everyone has duties to the community in which alone the free and full development of his personality is possible. (2) In the exercise of his rights and freedom, everyone shall be subject to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order, and the welfare in democratic society." Electronic media and social media have become platforms for the flow of various information and of course this has become a forum for citizens to

express opinions and expressions. In the context of a democratic country, the media is able to become a forum for conveying public aspirations. Social media has an impact on new characters, audience generated media enables the public. The practice of produce-sage means producing as well as consuming content. The negative thing that was recorded was the tendency for opinions on social media to be colored with negative content.

Regulations as a translation of the constitution are needed in terms of restrictions in a country that adheres to positivist law. Freedom of expression has responsibilities and is limited by law which is necessary for respecting the rights and rights of others, protecting state security, public health and morals. The provisions of Article 19 (3) ICCPR “The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but there shall only be such as are provided by law and are necessary; (a) For respect of the rights or reputations of others. (b) For the protection of national security or of public order (order public), or of public health or morals.³¹

The provisions in Article 20 (2) ICCPR limit freedom of expression and opinion. “any advocacy of national, racial, or religious hatred that constitutes encouragement of discrimination or violence shall be prohibited by law.” This is in line with preventing freedom of expression in the form of writing, images or audio containing propaganda, hate speech on the basis of race, religion or other acts of discrimination. In national legal instruments, restrictions on rights are regulated in article 28J paragraph (2). This article has the same context as restrictions on the right to freedom of expression and opinion contained in international legal instruments.³²

c. Solutions for Harmonizing the Right to Freedom of Opinion and Expression in the Digital Era

Legal regulations in Indonesia regarding the right to freedom of opinion are also contained in Law No. 9 of 1998 concerning Freedom to express opinions openly in public. Freedom is meant as freedom of opinion, which is included in the basic rights, because the right to freedom of opinion is also part of human rights.³³

As free as an independent country is, human rights which have been given and protected by the state to its citizens must still be limited by law because if this is not done, it can lead to arbitrariness among citizens and to mutual harm between individuals.³⁴ As with freedom of opinion and expression, it does not mean that freedom is given as freely as possible, but there are limitations as regulated in Article 19 of the Declaration of Human Rights (UDHR). This limitation is also stated in the UDHR Article 29 which states that restrictions on freedom of opinion and expression are prescribed by law, meaning that statutory regulations need to be established with the aim of upholding the rights of other individuals, fulfilling justice in terms of decency, order and public welfare, so that they do not conflict with with the principles and objectives of the United Nations.

In addition, Article 19 point 3 of the ICCPR states that freedom to express opinions and expressions has responsibilities and is limited by law with the aim of respecting the rights and reputation of other individuals, protecting state security, in other words, not posing a threat to national security, as well as public health and morals. Furthermore, the provisions in Article 20 paragraph (2) of the ICCPR are also laws that limit freedom of opinion and expression. This is in line with the aim of preventing freedom of opinion and expression in writing, images or videos containing propaganda, hate speech against SARA, or other acts of discrimination. Then in legal instruments in Indonesia, according to Article 28J paragraph (2) of the 1945 Constitution,³⁵

There are 3 things that limit freedom of opinion and expression from going too far,

namely restrictions through statutory regulations, public morals (morality), and social and political order (public order) of a democratic society³⁶. Based on Law 9/1998 there are 5 principles in expressing opinions in public as a form of responsibility in thinking and acting, these principles are:

- 1) The principle of balance between rights and obligations.
- 2) The principle of deliberation.
- 3) Principles of legal certainty and justice.
- 4) Principle of proportionality.
- 5) Principle of consensus.

So in the context of efforts to harmonize the right to freedom of opinion and expression and the individual's right to reputation, this can be achieved through a fair resolution in cases involving the article on insult or defamation, which has become known as the article on defamation. As a matter of fact, the criminal act of insulting (beleediging) determined by the legislators aims to provide protection for a person's sense of self-worth regarding his honor and good name. This protection is important, because if character assassination occurs, that is, a person's honor and good name is tarnished by another person, that person will feel that his or her self-esteem is destroyed. In the identified cases, there are four conditions that can occur as a result of being caught in the defamation article regarding expressions and opinions carried out on social media. First, the sentencing decision as regulated in the ITE Law.³⁷

According to the draft standard norms and regulations (SNP) for the right to freedom of opinion and expression by KOMNAS HAM, defamation is not carried out to justify the following things:³⁸

- 1) Prevent criticism of officials or public figures as a form of exposing someone's mistakes or corrupt actions;
- 2) Protection of the reputation of an object such as a flag or national emblem;

- 3) Protection of an area's reputation
- 4) Allows someone to sue on behalf of a deceased person;
- 5) Allowing someone to sue on behalf of a group that does not have the status to sue;
- 6) Protects subjective feelings of sense of humor.

However, every individual who experiences loss directly or indirectly as a result of freedom of opinion and expression can file a case in court. Then, to avoid misuse of defamation cases, according to the SNP, filing this case has a filing period, which internationally is the applicable standard, namely within a maximum of one year after the statement is published. This is done as an effort to avoid misuse of insult cases. However, this time period may apply exceptions in certain cases.

Therefore, everyone must be able to share their opinions with other parties in any way or format, including with other people and countries, because for democratic countries the issue of freedom of opinion is very important and significant for the development of the country. The General Declaration of Human Rights is seen as a human rights guide in the world regarding freedom of opinion. It states, "everyone has the right to freedom to hold and express opinions and expression, in this case including freedom of opinion without interference, and to seek to receive and convey information and opinions freely. any way regardless of boundaries.

CONCLUSION

People's freedom of expression to express their opinions is the right and responsibility of a democratic country. Social media as a form of development of information communication technology is a means of communication whose existence cannot be ignored. Social media as a public space for realizing freedom of expression and opinion encourages a participatory democratic

country. Indonesia as a legal state has ratified various international rules in upholding the right to freedom of expression and opinion. The Constitution guarantees freedom of expression and opinion which is then interpreted in law. This right is also one part of human rights which is the obligation of the Indonesian State to ensure its fulfillment because the Indonesian State as a democratic country recognizes and respects human rights as contained in Article 28E paragraph (3) of the 1945 Constitution which regulates that every individual has the right to associate and assemble. , and also expressed his opinion.

In implementing the right to express opinions and expressions, restrictions are required as in legal instruments in Indonesia, restrictions on this right are contained in Article 28J paragraph (2) of the 1945 Constitution which states that a person in expressing his opinions and expressions is obliged to comply with the applicable restrictions in accordance with the law for the sake of respect the rights and freedoms of others. As freedom of expression and opinion is a sweet struggle that must always be maintained.

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REFERENCE

1. Akhmad Sukardja. 2012. Medina Charter and the 1945 NRI Constitution Comparative Study of the Basis for Living Together in a Pluralistic Society. Sinar Graphics. Jakarta.
2. aryatmoko. (2007). Communication Ethics; Media Manipulation, violence and pornography, Yogyakarta: Kanisius.
3. Goddess, Christyana Olivia. "Perspectives on Handling Criminal Defamation Cases Related to the Implementation of the Right to Freedom of Opinion in View of Criminal Law and Human Rights." *Lex Et Societatis* 6, no. 4 (2018):63-74, p. 70.14 Nurlatifah, Mufti, S. IP, and Department of Communication Sciences, Faculty of Social and Political Sciences, UGM, op.cit, p. 5.
4. Living Together in a Pluralistic Society,(Jakarta: Sinar Graphics, 2012), p. 228
5. <https://journal.unusia.ac.id/index.php/alwasath/index>
6. <https://koran.tempo.co/read/editorial/462207/mengapa-index-democracy-merosot-di-era-jokowi?#.YDb8jUAA3qo>. Accessed September 02, 2023 at 09:36
7. <https://koran.tempo.co/read/editorial/462207/mengapa-index-democracy-merosot-di-era-jokowi?#.YDb8jUAA3qo>, 02 September 2023
8. <https://www.pinterpolitik.com/in-depth/jokowi-justru-butuhkan-uu-ite>. Accessed 02 September 2023 ISSN 2721-6160 (Online)
9. Jaih Mubarak. 2005. Fiqh Siyasah. Bani Quraysh. Bandung
10. Kertha Negara Journal Vol. 9 No. 10 of 2021, pp. 779-790
11. Journal of Sharia and Law. The Complicity of Law Enforcement on the Right to Freedom of Opinion. Volume 20 Number 1 July 2022 pp: 156-168
12. Kaelan and Achmad Zubaidi. 2010. Citizenship Education for universities. Paradigm. Yogyakarta.
13. Criminal Code Perspective of Maqasi Sharia'h Theory,in the journal, "Tafaqquh", Vol. 5 Number 2, December 2017, p. 50
14. Latipah Nasution. The Right to Freedom of Opinion and Expression in Public Spaces in the Digital Era. Law and Justice Bulletin. Vol. 4. No. 3 2020.
15. M. Choirul Anama and Muhammad Hafiz. Circular Letter from the Chief of Police regarding Handling Hate Speech within the framework of Human Rights. Journal of National Security Research Vol. 1 No, 03. 2015
16. Maghfur Ahmad. Nahdlatul Ulama and the Enforcement of Human Rights in Indonesia. Journal of Religious Research Vol.13, No.2, October 2010.
17. Mardanis. Contemplation and Analysis of the Classification and Legal Politics of Human Rights Enforcement in Indonesia. *Rechtsvinding Journal*. Research Vol. 2 No. December 3, 2013
18. Marwandianto and Helmi Adrdani Nasution. The Right to Freedom of Opinion and Expression in the Corridor of Implementing Articles 310 and 311 of the Criminal Code.

- Human Rights Journal. Vol. 11 No. April 1, 2020
19. Moh Faizur Rohman. The Right to Freedom of Opinion in Relation to Defamation According to the Criminal Code from a Maqasi Sharia'h Theory Perspective. Tafaquh Journal. Research Vol. 5 No. 2. December 2017
 20. Nurlatifah, Mufti, S. IP, and Department of Communication Sciences, Fisipol UGM,
 21. Application of Articles 310 and 311 of the Criminal Code, in the Journal "Ham Journal", Vol. 11, Number, 1 April 2020, p. 2
 22. Legislation Politically Smart (b). Jokowi actually needs the ITE Law (2021). <https://www.pinterpolitik.com/in-depth/jokowi-just-needs-uu-ite>, 25 February 2021, accessed 25 April 2021. At 12.15
 23. Qamar, Nurul, Human Rights in a Democratic Law State (Human Rights In Democratiche Rechtsstaat), (Jakarta, Sinar Grafa, 2018), p.19.
 24. Rosana, Ellya. (2016) "Democratic States and Human Rights," Tapis Journal: Journal of Binoculars for Islamic Political Aspirations 12, No. 1 .
 25. Secretariat General of the MPR RI, Op, Cit, 183
 26. Sari, Frayunita, Ratih. (2019) "Questioning the Excessiveness of Opinions: Malfunctions of Social Media as a Platform for Negative Content Production" Social and Political Communication Sciences, Gajah Mada University.
 27. Secretariat General of the MPR RI, Constitution of the Republic of Indonesia 1945, 2018, p. 67-68
 28. Selian, D.L., & Melina, C. (2018). "Freedom of Expression in the Era of Democracy: A Record of Human Rights Enforcement", Lex Scientia Law Review. Volume 2 No. 2, November.
 29. Susanto, Iqbal, Muhammad. (2019) "The Legal Position of People Power. The Legal Position of People's Power and Its Relevance to the Right to Freedom of Opinion in Indonesia", Volksgeist Vol. 2 No. December 2.
 30. Secretariat General of the MPR RI. 2018. Correctional Guidelines for the 1945 Constitution of the Republic of Indonesia and the provisions of the Indonesian People's Consultative Assembly. Jakarta.
 31. Suhartanto, Suhartanto. "Criminal Responsibility for Criminal Defamation via Internet Media in Law Number 19 of 2016." Pro-Law Journal: Journal of Legal Research, University of Gresik 6, no. 2 (2017):111-117, p. 115.
 32. Tanang Haryanto et al. Regulations on Human Rights Based on the 1945 Constitution before and after the Amendment. Journal of Legal Dynamics. Research Vol. 8. No. May 2, 2008.
 33. 1945 Constitution General Secretariat of the MPR RI. 2018.
 34. Law Number 39 of 1999 concerning Human Rights
 35. Law Number 9 of 1998 concerning freedom of expression in public
 36. UNESCO, Toolkit for Freedom of Opinion and Expression for Information Activists, (Paris, The United Nations Educational, Scientific and Cultural Organization (UNESCO), 2013), p.17.
 37. Wiratraman. R. Herlambang Perdana et al, (2016). "Freedom of Expression in Indonesia, Institute for Community Studies and Advocacy.
 38. Yandhrie Arvian (a). Jokowi's Way Back to Democracy.

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