The Examination of Sanctions on Violation of the Broadcasting Code of Conduct to Build a Healthy and Sustainable Broadcasting Industry in Indonesia

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ABSTRACT

Indonesian TV broadcasters often violate the broadcasting code of ethics. The Indonesian Broadcasting Commission (KPI) provides various tiered sanctions, from the lightest to the most severe, namely the revocation of broadcasting operations licenses. However, all sanctions are administrative in nature. Therefore, they often repeat violations even though they are in the same category. This article discusses new ideas regarding sanctions for violating the TV broadcasting code of ethics. The method used is the evaluative method. The results of the study conclude that violence in the TV broadcasting code of ethics must be expanded at the individual level, not only at the organizational unit. Sanctions against individuals who violate can be in the form of a record of violations that can prohibit a person from having a career in the TV broadcasting industry. People generally fear that they will not be able to earn money to support themselves. Sanctions should lead to better responsibility for TV workers so that they are more concerned about producing healthy TV shows and more compliant with regulations. The researcher believes that implementing expanded sanctions will have implications for better compliance in complying with the television broadcasting code of ethics among television workers.

Keywords: TV broadcasting violation, sanction of TV broadcasting violation, TV broadcasting, Individual level, TV broadcasting guideline

INTRODUCTION

TV broadcasting is a traditional media that occupies a significant position in society. Even though new media are currently emerging that grab people's attention, it seems as everyone has switched to new media; television media occupies a special position. Moreover, in the context of Indonesia, TV is still the primary source of information dissemination for the people. In addition, the existence of TV media is essential for Indonesia, hence the government spends excellent attention on this industry.

For Indonesia, as a multi-ethnic country, the TV broadcasting industry is essential because it can help to promote national unity and integration (Kitley, 2000) and maintain pluralism and diversity in society (Souisa, 2017). TV broadcasting also provides public space to foster democracy (Nugroho, Putri, & Laksmi, 2012) and fulfils the functions of expression and social control (Hollander, D’Haenens, & Bardoel, 2009). In addition, TV broadcasting plays a vital role as an entertainment media, information, and educational (Holtz-Bacha & Norris, 2001). Entertainment media means that this media gives happiness to the community (Khalil, 2016), which is cheap and lively. People can see a variety of entertainment; however they only pay at the beginning to get a TV broadcast receiver. Then, they can freely watch as many entertainment programs as possible.
The second function is information. The public can get a variety of information broadcast through TV stations. Many experts define information as a message in a general (Tanikawa, 2017) or Lillrank (2003) as something that reveals how the world works. In TV broadcasting, information has different levels of quality. In journalism, information is distinguished by the news. If information is defined as a general message, the news is described as information with meaning and importance for a particular community (Tanikawa, 2017). News is divided into two categories, namely hard news, and soft news. Hard news is information that requires immediate reporting, while soft news is information that has little meaning so that it can be delivered at any time (Lehman-Wilzig & Seletzky, 2010).

The third function of TV broadcasting is education. Many experts provide an understanding of education with a broad spectrum. Among these experts, Richey (2013) wrote that the term education relates to the broad function of maintaining and improving the life of a society, especially bringing new citizens (new generations) to the fulfilment of their obligations and responsibilities in society.

Generally, the entertainment program is more prominent than the educational function, although the two can be combined. TV broadcasts play an essential role in influencing a person's behavior, beliefs, emotions, and personality, including social relationships (Moshki, Noghabi, Darabi, Palangi, & Bahri, 2016). TV broadcasts can also foster violence (El-Houfey & Elserogy, 2013) and hurt academic scores and language skills (Ahinda, Murundu, Okwara, Odongo, & Okutoyi, 2014), and hostility (Fabio et al., 2015) and various other effects.

In TV broadcasting business in Indonesia, there are often violations. The Indonesian Broadcasting Commission (KPI) has also issued a warning letter and imposed sanctions as the supervisory authority. However, violations still occur frequently, even in the same category of violations. Data shows that in 2019 KPI has imposed 81 sanctions on Indonesian TV broadcasting institutions (Ira, 2019). The number includes 72 written warnings, 6-second written warnings and three temporary suspensions of broadcast programs. This number is not too different from 2017, which amounted to 84 units (KPI, 2017). This data emerges two big questions namely, why do broadcasting violations keep happening? What should be done fundamentally so that TV broadcasting violations do not repeatedly?

METHOD

Researchers use a qualitative approach to conduct research through evaluative research methods (Peter H. Rossi, 1999). Evaluation research is a systematic assessment of information to provide feedback on some objects. The research object is regulations related to sanctions for broadcasting violations, namely the Broadcasting Law number 32 of 2002 concerning broadcasting and the KPI regulations regarding the guidelines for TV broadcasting of conduct as the primary study materials.

RESULTS AND DISCUSSION

Today, TV broadcasting has become an industrial business. As a business entity, generally, the main objective is to seeking the profit (Jensen, 2002; Mion & Loza Adaui, 2020). They will do various ways to earn profits, maintain their survival and expand the business fields
of both large and small companies (Yazdanfar, 2013). The nature of business entities always looking for profit is a global trend in all countries (Nanda & Panda, 2018), including Indonesia. These advantages have broad meaning, material, and non-material benefits, such as political influence.

In the Indonesian TV broadcasting industry, the disbursement of these profits can be seen in both off-air, and on-air activities carried out by TV broadcasting companies. The off-air organization to make a profit, for example, can be find in the application of paid tickets in organizing music events and other entertainment shows and sponsoring various other activities to build a good image and broad influence. Meanwhile, in their search for profits on on-air activities, it can be seen in the ad served in their television broadcasts. They also extend broadcast programs both in duration and frequency that have high ratings so that they can receive more advertisements. High-rated broadcast programs are programs that have many viewers (Kafu, 2017). Because they have many viewers, high-rated programs generally attract a lot of advertisers (Widyatama, 2017). However, a rating is not synonymous with the quality of broadcast content (Meijer, 2005). A high rating does not always have good quality, although it is not uncommon for a high rating to be accompanied by good program quality.

Unfortunately, to seek profit through the organization of their broadcast programs, businesspeople often do not heed the ethics and regulations. Many TV broadcasting stations broadcast material in violation of ethics and rules. In the context of Indonesia TV broadcasting industry, they ignore the broadcasting behavior guidelines of the Indonesian Broadcasting Commission (KPI). In-Law No. 32 of 2002 Article Chapter V Article 48, it has been emphasized that broadcasting institutions must comply with the broadcasting code of conduct. KPI has published guidelines for broadcasting behavior in KPI regulations Number 01/P/KPI/03/2012, which must be obeyed by TV broadcasting institutions (KPI, 2012). The broadcasting code of conduct covers 27 of scope, ranging from broadcasts related to ethnic, religious, racial, and inter-group values to the aspect of giving sanctions. The scope is quite complete, although it does not feel satisfactory.

TV broadcasters in Indonesia often violate the broadcasting code of conduct in the same category. That is, they commit repeated violations. Based on Widyatama’s analysis that the fact occurs because TV broadcasters were more concerned with business than social responsibility (Widyatama, 2017).

In chapter XXX of the rule of broadcasting code of conduct, there are seven kinds of sanctions (KPI, 2012): first, a written warning, second, temporary suspension of the problematic TV programs, and third the limitation of broadcast program duration. The fourth sanctions are an administrative fine, the fifth is freezing of broadcast activities for a particular time, and the sixth; is the broadcasting operation license does not be given an extension. The last and most cruel sanction is the revocation of the broadcasting operation license. The series of sanctions are tiered, starting from the lightest, namely the written warning, to the heaviest sanction in the form of revocation of the broadcasting operation license. Therefore, all sanctions are administrative only, besides the form of fines.
Indeed, in chapter XXX of the rule on broadcasting behavior guidelines, there is a sanction for revocation of the broadcast operation license. However, this punishment does not have an effective meaning because the authority to grant and revoke broadcasting operations licenses is in the government’s hands. KPI is only limited to providing recommendations to the government. There is no guarantee that the recommendation will be the prior consideration in determining the government’s decision. The government is in a stronger position, and it is in the political sphere. This situation is not favorable for the enforcement of sanctions for violations of the broadcasting code of conduct. The TV businessmen are not afraid that their broadcasting license will be revoked. They can do political lobbying; moreover, many owners of TV broadcasting companies in Indonesia are also involved in the political vortex as politicians, even as founders of political parties (Aprilinda et al., 2015; Khamim & Sabri, 2019; Sapitri & Nurafifah, 2020). Therefore, the series of sanctions as written in chapter XXX of the code of TV broadcasting conduct will not have the expected impact.

Despite all the existing sanctions of the broadcasting code of conduct, no single article stipulates sanctions at the individual level for whom is responsible and guilty of the violations. All sanctions are organizational. In other words, the object of the sanction is at the organizational unit. This situation increasingly does not support the emergence of individual responsibility in compliance with existing regulations. The remake of the sanctioned program that occurred in several TV companies confirms that TV workers are not afraid to violate. When they do violations, and the program is terminated, they lightly continue producing the TV program even though they only changed its name. The public still remembers some of the names of TV programs sanctioned, but later, they kept producing the show by doing modest remakes. Usually, they change the TV program’s name, while basic concepts still have similarities with the previous program. Some the famous examples of TV programs that received KPI sanctions but were kept re-produced could be seen in the following table:
Table 1. The name of TV Program reproduced after the sanction from KPI

<table>
<thead>
<tr>
<th>No</th>
<th>TV Station</th>
<th>Previous TV Program</th>
<th>Reason for termination by KPI</th>
<th>The new remake TV Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>ANTV</td>
<td>Empat Mata</td>
<td>Violating excessive decency.</td>
<td>Bukan Empat Mata</td>
</tr>
<tr>
<td>2</td>
<td>Trans7</td>
<td>Hitam Putih</td>
<td>Defamation of the Supreme Court Justice</td>
<td>Hitam Putih</td>
</tr>
<tr>
<td>3</td>
<td>Trans7</td>
<td>Dunia Lain</td>
<td>Considered teaching superstition</td>
<td>Masih Dunia Lain</td>
</tr>
<tr>
<td>4</td>
<td>RCTI</td>
<td>Silet</td>
<td>Not sensitive to disaster victims</td>
<td>Intens</td>
</tr>
<tr>
<td>5</td>
<td>Trans TV</td>
<td>Extravaganza</td>
<td>Vulgar</td>
<td>New Extravaganza</td>
</tr>
<tr>
<td>6</td>
<td>Trans TV</td>
<td>Yuk Keep Smile (YKS)</td>
<td>Not educating TV Show</td>
<td>Sahurnya Trans TV</td>
</tr>
</tbody>
</table>

(Source: Author’s Editing, 2022)

Based on the facts mentioned above, the object of sanctions should be expanded to organisational units and individual levels. Sanctions on individuals who violate the broadcasting code of conduct could be in the form of a record of violations that might result in the prohibition of the individual from a career in the TV broadcasting industry in any position. People are generally afraid when they cannot earn some money to finance their lives. If they don’t have money, how to fund their daily lives? These reasons will evoke them to be careful in their TV business. They must avoid being sanctioned by KPI. Sanctioned persons are considered unable to fulfil the requirements to work in the broadcasting industry, do not have sufficient commitment to work correctly following relevant regulations and cannot be trusted to protect the public's right to healthy broadcasts. Because TV workers carry out violations of the broadcasting code of conduct, hence, it is appropriate that sanctions be applied to the individual violators.

Sanctions at the individual level make TV workers more careful in doing their jobs. This careful attitude could positively impact the TV broadcast program produced. Furthermore, this situation will protect the public from harmful TV broadcast content and violating the rules. Television workers occupy important positions because they impact the audience’s attitude, mentality, and behavior. If the TV program is incorrect, the show will negatively impact society because the audience will have bad attitudes, mentality, and behavior. Many studies have proven that TV has a powerful influence on viewers. We could find the research by Rizqianthi & Undiana (2021) and Astarini, Hamid, & Rustini (2018), who mention that TV impacts children's development of behaviour. Artha (2016) revealed that TV impacts the development of children's socialization; Atmoko, Munir, & Ramadhan (2019) found that the TV has affected children's aggressive behaviour. Also, Arifinda concludes that the TV impacts bullying behaviour (Arifinda & Hastuti, 2016) and so on. Also, much research on the influence of TV is carried out abroad. For instance, research by Ambikapathy & Hong (2021) on the impact of TV on adolescents. The negative impact of TV on children who are left behind (Sun, 2020), the impact of TV on communication development (Baruwa, Oladumiye, & Ibiwoye, 2020); the
impact of TV on internalizing disorders in children (McAnally, Young, & Hancox, 2019), and so on.

CONCLUSION

Based on the description above, the authors conclude that violations of the TV broadcasting code of conduct in Indonesia continue to occur because TV broadcasting workers are more concerned with business than social responsibility. In addition, sanctions for violating the KPI against TV broadcasting institutions tend to be administrative only. Heavy sanctions in the form of revocation of licenses for TV broadcasting operations do not frighten TV broadcasting workers because these sanctions are under the government's authority. KPI, which has the right to oversee the TV business, is only limited to providing recommendations. There is no guarantee that these recommendations will be the primary consideration in determining the government's decision to revoke the broadcasting operation license. The government is in a political position that might be overcome through political lobbying. Moreover, many owners of TV broadcasting companies are involved in the political vortex as politicians, even as founders of political parties (Aprilinda et al., 2015; Khamim & Sabri, 2019; Sapitri & Nurafifah, 2020).

The category of sanctions needs to be expanded to organizational units and the individual levels involved in making mistakes. The type of sanction is adjusted to the degree of wrongdoing, ranging from a light level in a written warning to a ban on the individual's career to people who work in the TV broadcasting industry. Repeated mistakes become the basis for more severe sanctions.

Workers run the television business; hence, the violation of the TV broadcasting code of conduct might be done by those people. Therefore, the KPI's sanctions for violations should be imposed on media workers, not only the organization. Sanctions at the individual level of TV media workers will make them more careful in organizing TV broadcasts. Thus, the TV industry could be well maintained and produce healthy and sustainable broadcasts. This situation makes audiences calmer in consuming TV shows. Viewers have the right to good broadcasts because they are the exact owners of the TV broadcast radio frequencies given to TV workers to use it. Therefore, TV workers have to be responsible for organizing TV broadcasts properly. Violations of the code of broadcasting conduct need to be treated as disobedience, incompetence, and unwillingness to uphold the rules that have been set. Therefore, the system of imposing sanctions on individual units deserves consideration.

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