

## Abstract

Research on Newspaper Freedom: Study into the Enforcement of Libel Law” was qualitative and descriptive. It aimed at 1. studying into the criteria for making judgment on libel case of newspaper by the Supreme Court; 2. studying and analyzing factors of decision making in filing a legal suit and compromising; and 3. studying into the appropriate enforcement of libel law for newspaper. The research was divided into 3 parts as follows: 1. the study and analysis of Supreme Court’s sentence on libel case by newspaper during 2002 – 2007; 2. the interview of the plaintiff and the defendant in libel case that could be compromised and the interview of people to ask about opinions on case study of compromised cases; and 3. in-depth interview of academicians whose fields were on journalism, law, psychology, and interview of the specialist on judicial division and consumers; the researcher used structured interview.

It was found the research that the criteria for making judgment of the Supreme Court on libel case by newspaper during 2002 – 2007 were 1. the statement referring to the name of the libeled clearly, the libeler shall be punished; 2. The consideration on libel statement under the normal understanding; 3. the honest expression of opinion and fair criticism was not illegal; 4. the non-participation on damaging others would not be an offense; and 5. the appropriate punishment under the circumstance of wrongdoing. For the study and analysis of factors of decision making in filing a legal suit and compromising, the follows were found: 1. Severe moods and anger; 2. need for keeping right and fame intact; 3. occupation of the damaged; 4. no fear of influence of newspaper; and 5. the ignorance of the use of right to claim via the National Newspaper Assembly. And for the factors on compromising of the plaintiff and the defendant were as follows: 1. the admitting of guilt of newspaper; 2. the occupation of plaintiff; 3. the policy of the court; and 4. the policy of newspaper organization.

About the in-depth interview for finding ways of using libel law appropriate for newspaper, it was found that 1. ways of increasing government’s authority to participate in the consideration of order of proceeding legal case on libeling; 2. ways of collecting court’s fee in the suit of criminal libel case; 3. ways of determining the limit of

claiming for damage in civil libel case; and 4. ways of using libel law with criminal punishment.

This is to prevent and solve the problem of the enforcement of libel law as tool for obstruction and deprivation of freedom to express opinion of newspaper that would affect the right to receiving information of people in democratic society.

Moreover, it was found that one factor leading to the suit of libel case was that the journalist did not understand the impact of duty on moral problem and legal problem on libel case and infringement. Therefore, there should be training on those working on newspaper to learn about ethics and related laws in working as mass media that should take public interest to consideration as the first priority and to take part in examining their career counterparts, as well as the cooperation with newspaper organizations on training for the exchange of experience in order to jointly find ways of preventing and solving problem of libel suit.