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IN THE NAME OF THE NATION

RESTRICTIONS ON ACADEMIC FREEDOM IN CONTEMPORARY INDONESIAN HIGHER EDUCATION

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Regulations prohibiting and suppressing the circulation of ideas and information deemed to be a threat to national stability are absent in today's Indonesia. This is a sign of progress, especially compared to Indonesia before 1998, when the country was ruled by the authoritarian New Order regime that heavily controlled all aspects of life.¹ Since 1998, the administrations after the New Order have repealed the armory of laws that Suharto's regime employed, like the Presidential Decree 11/1963 on subversion, Article 154 of the Criminal Code on spreading hatred toward the government, the laws that prohibited political activism among students, as well as laws pertaining to book banning.

Compared to many Southeast Asian countries, academic freedom in Indonesia is relatively protected. According to the 2020 Academic Freedom Index, Indonesia falls into the "B-Status" category with an index of 0.637 on a scale of zero to one. The score is lower than the Philippines and Timor Leste but higher than other Southeast Asian countries.² Similarly, data from Scholars at Risk suggest that between 2015 and 2020, there were eighteen reported attacks on the academic community (students and lecturers) in Indonesia, a number that is lower than in many of Indonesia's neighbors. These attacks, however, are not trivial, and they underscore that academic freedom in Indonesia is still under

threat. Among these attacks are instances of killing, violence, or disappearance (four cases), imprisonment (two cases), prosecution (five cases), loss of position (five cases), and other forms (two cases).³

This chapter suggests that the situation on the ground may be worse than our best measures indicate, and that cases of academic suppression and intimidation outnumber the incidents that have been formally documented. Indeed, a closer examination of the past two decades shows that Indonesian academics still run the risk of institutional pressure, disciplinary sanction, and, increasingly, physical threat when they discuss certain "taboo subjects" with the broader public. In this chapter, academic freedom is understood as the freedom for faculty members and students to critically discuss and debate a range of issues with fellow academics and with the wider public, and to challenge or question ideas, norms, and belief systems; this includes regulations and policies that are decided by powerholders as well as those ideas that are dominant and widely shared within and beyond academia.

To be sure, these threats are different from those that dominated Indonesia's authoritarian past. Unlike the New Order administration, which held complete control over higher education and was often the singular source behind attacks on academic freedom, in contemporary Indonesia, there are many actors behind the restrictive measures, and they espouse many different ideological, as well as political, justifications. As such, this chapter helps identify and examine the topics and groups that have been subjected to repressive measures—the institutions, organizations, and groups that engage in repressive activities—and the forms of repression and restriction. In short, it explores the kinds of topics that draw ire, the players who are involved, and the forms of repressive acts that prevail in today's Indonesia. In so doing, the chapter also maps out continuities between past and present barriers to academic freedom as well as novel threats such as vigilante groups and the widespread use and control of cyberspace. Overall, this chapter sheds light on the complexity of protecting academic freedom in a postauthoritarian society.

The Past and Present of Indonesian Higher Education

Education in Indonesia has always been an instrument of nation building. The idea of sovereignty germinated among the first generation of educated natives, including the so-called father of education, Ki Hajar Dewantara, who saw education as one of the critical ways to decolonize. Once Indonesia became sovereign in 1945, it was a mammoth task to establish a sense of "imagined community"⁴ among the approximately 100 million⁵ inhabitants living in an archipelago consisting of 17,000 islands, speaking 300 different languages, and with different colonial and precolonial experiences. There have been multiple moments where competing

positions over national identity, ideology, or territory unfolded. What would the state's ideology be? Would religion have a role in state affairs, and if so, what would it be? Is the new nation coterminous with the colonial territory, or would it have different geographical boundaries? Unfortunately, the academy has been routinely called upon or pressured into serving as an instrument of legitimacy and authority for the dominant group's position and perspective.

While it is customary for governments to use education to mold their citizens to meet their national ambitions, what makes Indonesia stand apart is the extent to which this is done. For the first fifty years of Indonesia's existence, the country was ruled sequentially by two autocratic administrations that both sought to formulate a cohesive national identity. The first president, Sukarno, declared independence in 1945 and quickly formulated Pancasila, or the five philosophical principles (i.e., Belief in God, Just and Civilized Humanity, Indonesian Unity, Democracy based on the Wisdom Emanating from Deliberations, and Social Justice). His successor, Suharto, ruled for thirty-three years under the umbrella of a "New Order" until 1998. Herb Feith famously labeled the New Order as a "repressive developmentalist" regime,⁶ one that heavily prioritized fast development while simultaneously repressing potentially dissident voices. Both Sukarno as well as Suharto used the country's educational institutions to advance their ideologies.

The two men exerted heavy influence over schools and universities. Sukarno, who had friendly relations with the Indonesian Communist Party (PKI), appointed Prijono, a pro-PKI professor of literature and the recipient of the Stalin Peace Prize, as minister of education in 1957. Prijono was subsequently able to place like-minded individuals in other influential positions and determine the content of the curriculum.⁷ The ministry of education published a civic education textbook in 1961 that reflected Sukarno's political viewpoints, as most of the references used were Sukarno's speeches.⁸ Furthermore, explicitly articulating the state's ideological vision, the 1961 Higher Education Law stipulated that the role of education is to "breed the builders of a socialist society." However, the PKI's dominance over Indonesia's political scene changed overnight.

When Suharto came to power, his regime accused thousands of people of being affiliated with the PKI, and they were subsequently interned or killed. A key figure in the vilification of the PKI in official historiography was an academic and the head of the army's Department of Military History, Nugroho Notosusanto. Merely three months after the coup, the historian published an official version of what happened in September 1965, putting the blame squarely on the communist party.⁹ This notion of PKI and communism as the nation's archenemy was to have an extensive and long-lasting impact, and education was instrumental in reproducing this discourse to younger generations. From 1984 until the end of the New Order in 1998, every September, schoolchildren across the country had to

watch "The Betrayal of G30S/PKI," a movie that recounts the killings of the seven military officers by the communists, further cementing the idea that communism is a destructive force. Throughout its reign, the New Order regime portrayed PKI, and, by association, communism and Marxism, as inherently evil, anti-Indonesia, and antireligion. According to the government, the communists represented a latent threat, one lurking in hidden places, waiting to destroy society from within. Despite the dramatic break from Sukarno's rule, the New Order continues to position Pancasila as the state's ideology. It is portrayed as the essential antidote for protecting the nation from communism and the PKI.

Suharto's military-style control of the educational institution was more thorough than his predecessor's. The recruitment procedures for lecturers included a political background check of the candidates and their families to ensure they were not involved with the PKI. In 1974, with help from the minister of education and leaders of individual campuses, the government prohibited students from engaging in political activities.¹⁰ A 1978 decree called the Normalization of Campus Life-Coordinating Body for Student Affairs, or the NKK/BKK, put all student activities and organizations under the auspices of the university rectors, who were accountable to military and civilian authorities.¹¹ Since 1980, it became compulsory for all incoming students in junior and senior high school, as well as first-year university students, to take a course called "Guidelines for the Understanding and Implementation of Pancasila" (or "P4" in the Indonesian acronym) in addition to a regular course, "Pancasila Moral Education." These were didactic courses, and assessments measured and rewarded students' ability to provide normative and formulaic answers. Notosusanto's influential career trajectory continued; he became the rector of Universitas Indonesia in 1982 and the minister of education in 1983. In one of his speeches as the minister of education, Notosusanto argued that education serves to form "cadets to continue the nation's struggle or cadets for national development and the implementation of Pancasila,"12 clearly prioritizing the nationalistic function of education.

In 1998, Suharto resigned after months of student demonstrations that were fueled by rising prices and the downfall of the national currency, the rupiah. The country entered the so-called "reformation" era that was more democratic. Academic life undoubtedly enjoys a new degree of freedom. The new government canceled compulsory P4 sessions and transformed Pancasila Moral Education into citizenship education. Legislative restrictions, such as the ministerial decree that prohibited students from engaging in political activities, and the presidential decrees on subversion and spreading hatred toward the government, were repealed. Books banned during the Suharto era for supposedly supporting communism are now freely distributed. In general, higher education has undergone rapid changes at a massive scale. The Directorate General of Higher Education (DGHE), a section under the Ministry of Education, oversees general education, while the Ministry of Religious Affairs (MORA) controls and monitors Islamic education. The DGHE has been highly active in improving the quality of education. It sets the national standards for education, research, and community service, the triumvirate of Indonesian higher education (HE). The gross enrollment ratio (GER) has steadily increased from 26.3 percent in 2011 to 36.3 percent in 2018.¹³ The number of higher education institutions increased from 1,391 in 1998 to 3,815 in 2012¹⁴ and 4,607 in 2020.¹⁵ Government spending on education has also increased from a meager 1 percent in 1995 to 2.74 percent in 2003 and 3.35 percent in 2013.¹⁶ Since 2005, lecturers for undergraduate programs must hold a master's degree. The current education minister, Nadiem Makarim, is also the founder of Gojek, a start-up now valued at \$10 billion USD.¹⁷ Unsurprisingly, recent initiatives in HE have fostered collaboration with industry.

Notably, academic freedom is now legally guaranteed. In 2010, the constitutional court reversed book-banning laws that had been in effect since the 1960s. In 2012, a set of laws that became known colloquially as the "HE Law" guaranteed "academic freedom, the freedom to hold academic assemblies, and uphold scientific autonomy." According to this law, "academic freedom" refers to the deepening and development of science and technology through teaching, research, and community outreach. The "freedom to hold assemblies" means that lecturers are allowed to express their thoughts openly and responsibly in areas within their expertise. By guaranteeing freedom to have "scientific authority," the law ensures that academics have the right to discover, develop, reveal, and defend the truth in adherence to scientific principles.¹⁸ The HE Law also states that the higher education institution in which the individual academic resides is responsible for protecting and facilitating these tenets of academic freedom.

Without a doubt, the state of academic freedom has improved significantly after 1998. However, several deeply embedded notions and practices continue to cast a shadow. The idea persists that education should serve first and foremost to form citizens with good characters (i.e., nationalistic, religious, and in full accordance with the values of Pancasila). Thus, for instance, the expected learning outcome of all bachelor programs in Indonesia includes piousness, adherence to Pancasila, and nationalism,¹⁹ thus somewhat discouraging the critical questioning of religions, national philosophy, or identity. Echoing his predecessors, the current president, Joko Widodo, has made it clear that one of the goals of education is to shape the "national character," which is marked by piety, nationalism, independence, cooperativeness, and integrity.²⁰ Despite these good intentions, there are at least two consequences of this line of thinking. The first is that the

cultivation of citizens with good morals (defined as conforming to the national norms) takes precedence over the sharpening of critical-thinking skills that would unavoidably include critically questioning the values championed by the state. The second consequence is that nonstate actors have used the nationalist-religious discourse to legitimize pressure and intimidation campaigns against academics whose work touches on those boundaries. The remainder of this chapter will elaborate on this second consequence.

From the Military to Militias

After the end of the New Order, the state is no longer the (only) source of repressive actions. There are non-state actors, such as societal organizations (organisasi kemasyarakatan or ormas), the media, fellow academics, or university leadership that put pressure on academics, often in collaboration with the police or the military. Here, the increasing social role of ormas after the end of the New Order cannot be understated. Legally, the term "ormas" itself is broad, covering NGOs and activist groups such as Greenpeace.²¹ However, in the context of academic censorship, we are primarily interested in the type of ormas that Bakker defines as militant organizations that represent and protect the interests of certain ethnic or religious groups, or that are associated with political parties as security forces.²² There are between 400 and 2,000 ormas operating in Indonesia today.²³ They present themselves as defenders of ethnic, religious, or national interests. In many cases, these interests overlap. For instance, some groups see their ethnic identity as coterminous with their religious identity. In almost all their repressive actions against academics, ormas collaborate with the police, the military, or university leaders.

Main Interest	Examples of Ormas Involved in Various Actions against Academic Activities
Religion	Islamic Defense Forum (Forum Pembela Islam), Islamic Ummat Forum (Forum Umat Islam), Ka'bah Movement (Gerakan Ka'bah), Brigade Islam (Islamic Brigade), Muslim Alliance (Aliansi Umat Islam)
Nationalism	Pancasila Youth (Pemuda Pancasila), Indonesian Anti- Communist Forum (FAKI), Red and White Army (Lasker Merah Putih), Young People Who Love Indonesia (Pemuda Cinta NKRI)
Ethnic Group	Minangkabau Muslim Movement (Gerakan Muslimin Minangkabau, their concern overlaps with religion)

Another change is the role of the Internet. With the widespread use of social media to announce academic events, it has become easier for various parties, including ormas or the police, to be informed of activities they consider detrimental to society. Moreover, the intimidation of academics often occurs in cyberspace, whether through the identity theft of accounts for ridesharing and food delivery services or anonymous threats through Voice-over-IP services. Notably, the state inadvertently facilitates the criminalization of Internet-based academic activities. The implementation of the Electronic Information and Transaction Law (UU ITE) in 2008 has made it easier for groups to accuse academics of violating the law. The government formulated the law to protect electronic information transactions, but some clauses, like the defamation law, are open to interpretation and misuse.²⁴ As we shall see below, the law has been weaponized to report on academics for criticizing authorities or allegedly spreading misinformation.

Taboo Subjects in Post-Authoritarian Indonesia

A close examination of the repressive incidents that have targeted academics, whether they are lecturers or students, indicates that five subjects have received negative sanctions in the past decade. These are: 1) PKI and its adjacent topics such as Marxism or communism, 2) Papua's rights to sovereignty, 3) LGBTQrelated topics, 4) protests against the government, and 5) protests and criticism against university leadership. The first three topics are perceived as transgressions of national values, while the latter two indicate how power is exercised in a supposedly post-authoritarian society. The types of violence that were perpetrated have included online and "real-life" intimidation, the dispersion of events, and the cessation of employment or study, but they have also included physical violence that, in one case, led to deaths. There are three sources of pressure: the nonstate societal ormas, the government through law enforcement, and university leadership. They often work together; usually ormas and law enforcement not only impose pressure on targeted subjects but also on university leadership, who then give in by adding pressure to the targeted faculty members or students. With very few exceptions, there have been no social or legal repercussions for the perpetrators.

PKI, Communism, and Marxism

Two decades after the end of the New Order, PKI, communism, and Marxism continue to be perceived with suspicion. Although more recent surveys have shown that "ordinary" people do not think that a PKI revival is on the horizon, there are sufficient forces that benefit from using PKI as the "bogeyman." This perpetual paranoia against "the revival of communism" might be the New Order's most substantial legacy and one of the main factors that inhibits academic freedom in Indonesia. PKI, communism, or Marxism is the topic that has received the most

negative sanctions. The animosity is strong enough that separate factions like the police, the military, and both Islam- and nationalism-based ormas join forces to repress activities perceived in one way or another to engage with communism and the PKI.

When Joshua Oppenheimer's film, *The Look of Silence*, came out in 2014, students at various universities wanted to organize screenings and seminars. The film is a documentary that centers on a man whose brother was killed for his association with the PKI. The film follows this man's meetings and conversations with the killers and provides an alternative—and more humane—narrative to the long-held portrayal of the PKI as absolute evil. In at least nine different universities,²⁵ these student events encountered different forms of repressive measures.²⁶ The organizers received threats prior to the events, and, very often, the university leadership opted for caution, added pressure, and demanded cancellation. When the organizers disregarded the threats, several ormas, the police, or the military interrupted and dispersed the attendees.

Similarly, the screenings of Rahung Nasution's film *Pulau Buru: Tanah Air Beta (Buru Island: My Fatherland)* became the target of similar attacks.²⁷ The film recounts the story of two men who return to Buru Island, where they were exiled for years after being accused of having affiliations with the PKI. Other seminars that are perceived to be related to communism receive the same treatment. This includes seminars²⁸ on Marxism²⁹ and, in one particular case, a seminar on Indonesian history where the speaker is an expert on the 1965 episode.³⁰

Aside from seminars, written materials also raise suspicion. In 2015, a magazine published by the student press from Satya Wacana Christian University, Salatiga, issued a special edition on PKI killings in and around Salatiga. The student press distributed the magazines in cafés outside the university. The university administrators demanded the retraction of the publication, but before the students completed this, the police confiscated the magazines and interrogated the members of the student press.³¹

In 2019, nine years after the government revoked the laws regarding book banning, the military, police, and religion-based ormas joined forces and confiscated books that they considered to be propagating communism. This happened in several bookstores in cities such as Makassar,³² Padang,³³ Tarakan, and Kediri.³⁴ In its aftermath, authorities expressed conflicting opinions. The attorney general supported the movement, arguing that it is indeed necessary to confiscate books that contain teachings on communism and PKI,³⁵ while the head of the Indonesian National Armed Forces Information Center admitted that it might not have been the absolutely right action to take.³⁶

As this section has shown, many different social actors repress academic

discussions on communism, the PKI, or Marxism. Islamic ormas, including the Forum Umat Islam and Brigade Islam, and nationalist ormas groups like Pemuda Pancasila (Pancasila Youth) or Front Anti Komunisme (Anti-Communism Front), join forces with the police and the military to crack down on academic discourse concerning these sensitive topics. Regrettably, university leadership often gives in or sides with them, giving no academic protection to their faculty or students.

Papua

Another thorny issue for the government is separatism. Indonesian history is punctured with struggles from various groups to free themselves from a nation that they did not want to be part of. The most substantial demand in recent years comes from Papua. Due to a dubious integration into Indonesia in the sixties, followed by decades of social, political, and economic injustices, the resentment against Indonesia is long-standing and deep-seated.³⁷

In the past few years, film screenings and seminars on Papua's relations with Indonesia have become the targets of intimidation and threats. In 2015, the students of Brawijaya University, Malang, wanted to screen *Alkinemokiye*, a documentary that highlights the plight of the Papuan workers in Freeport, the world's largest gold mining company. University leadership subsequently asked the students to cancel the event. In 2018, a film screening organized in the Papuan student dormitory in Malang, East Java, was violently disrupted by several ormas.³⁸

In 2019, the relationship between Papua and Indonesia worsened. An incident in the Papuan student dormitory in Surabaya, concerning an Indonesian flag that was found in the sewer, set off a series of clashes in Papua and other cities of Indonesia.³⁹ Within two months after this incident, the total death toll reached fifty-nine; almost half of the victims were migrants from other parts of Indonesia in Papua.⁴⁰ Citing the Electronic Information and Transaction Law of 2008,⁴¹ the central government implemented an Internet blackout in Papua, which was widely seen as another violation of human rights.⁴² This blackout was then considered unlawful by the Jakarta State Court.⁴³

As expected, the academic activities that discussed Papua were met with suspicion. A seminar organized in a polytechnic in Surabaya was canceled due to pressure from the university administration and the police.⁴⁴ Another one, organized by the students from Udayana University in 2019, was disrupted and dispersed by the university leadership.⁴⁵ In 2020, the organizers of a seminar at the University of Lampung, titled "Racial Discrimination against Papua," received threats through WhatsApp and became victims of credential theft.⁴⁶ Similarly, the University of Indonesia students who organized an online seminar titled "#PapuanLivesMatter: Legal Racism in Papua" received the seminar for "not

reflecting the views and attitudes of UI as an institution." In July 2021, two ormas, Indonesian Islamic Brigade and Pemuda Pancasila, ransacked and dispersed a discussion on Papua Merdeka that was being held in the dormitory for Papuan students in Makassar.⁴⁷

One of the speakers at the seminar at the University of Indonesia was Veronica Koman, a human rights lawyer for the National Committee for West Papua. She has been actively sharing updates of the string of clashes, often highlighting the abuses targeting Papuans. In September 2019, the police named her a suspect for spreading hoaxes and violating Indonesia's Electronic Information and Transaction Law.⁴⁸ Koman was in Australia when the police announced this, and she has not returned since. In mid-2020, in a display of retroactive repressive action against academic freedom, the government demanded that she return her governmentsponsored scholarship of approximately \$56,700 USD that she had received to study in Australia in 2016 to pursue her master's degree. Presumably, this is because Koman has not returned to Indonesia after her studies, a statement Koman disagreed with.⁴⁹ In any case, the government's demand for Koman to return the scholarship that she obtained before she became a suspect is a cautionary tale for all the recipients of the same scholarship because it implicitly asserts that they should always stand behind the government's standpoint, even after completing their studies.

LGBTQ

While the disapproval of counterhegemonic narratives on PKI/communism and separatism has been a mainstay in Indonesia, some issues are more recent. One of them has to do with LGBTQ issues. Whereas academic freedom encroachments related to PKI and Papua are instigated by the military and police, government officials, university leadership, and religion-based ormas often take the lead when it comes to repressive actions against academic activities concerning LGBTQ issues.

In 2015, Diponegoro University and Brawijaya University students were forced to cancel discussions about LGBTQ issues. The Executive Student Body of Brawijaya decided not to go through with the Brawijaya International Youth Forum after receiving threatening calls and messages from unidentified parties. In Diponegoro University, the university leadership, ormas, and the police told the organizers to cancel a similar event. In an interview, the rector defended his decision, saying that being LGBTQ is against religious doctrine, that the university supports academic freedom "as long as it is enacted responsibly," and that "discussion should lead to problem-solving, instead of creating more problems."⁵⁰

In 2017, a student group in UI, the Support Group and Resources Center on Sexuality Universitas Indonesia (SGRC-UI), received backlash for the counseling

service they provide to the LGBTQ community. After their e-poster for the counseling service circulated on social media, the media started to report them as an organization that spreads "LGBT ways of life" to campuses.⁵¹ M. Nasir, the minister of research and higher education (who was responsible for Indonesian higher education between 2014 and 2019), responded by saying that "LGBT runs against Indonesians' values and sense of morality" and should therefore be banned.⁵² The University of Indonesia disavowed the group, and they are no longer allowed to use "University of Indonesia" in their name.

The hostility against the LGBTQ community was so intense in 2017 that the state university in Padang, Andalas, requested that each prospective student sign a letter stating that they are not part of the LGBTQ community. The governor of West Sumatera supported this move; he tweeted that it is the right of everyone to pursue education and the right of the community of Andalas University to be "safe from sexual disorders."⁵³ In 2019, the student press, "Suara USU," was forcefully disbanded after publishing a fictional short story about the lives of two lesbians. The student press later pressed charges against the university but lost the case as the judge deemed the story to be controversial and against the identity of USU.⁵⁴

Religion

One of the most significant shifts in the post-authoritarian era is the rise of Islamism, which was kept relatively muted under the Suharto and Sukarno administrations.⁵⁵ The rise of Islamism is palpable in daily and political life. For instance, religious attire such as the headscarf have become a common feature among politicians, and the popularity of Islamic popular culture, the establishment of political parties, and ormas with strong Islamic colors are now part of the mainstream political discourse. While this mainstreaming of Islamism reflects Indonesia's status as the largest Muslim-majority country in the world, it does pose some risks for minority groups and scholars of religion. In particular, threats to academic freedom transpire when religious groups refuse to accept the existence of different interpretations of religious teachings, even if these interpretations are merely for the sake of scholarly exercises.

In 2012, Irshad Manji, a Canadian author whose work offers a liberal understanding of Islam, was supposed to give a book talk in a discussion organized by Gajah Mada University's postgraduate program at the Center for Religious and Cultural Studies. Due to the pressure from many Islamic ormas, organizers canceled the talk.⁵⁶ At another venue in the same city, a mob assaulted her team and injured Manji and her assistant.⁵⁷

A few years later, in 2015, Rosnida Sari, a lecturer from Ar-Raniry Islamic National University in Aceh, was the target of vicious online bullying after people learned on Facebook that she took her gender studies class to a church. People

accused her of trying to convert her students to Christianity. According to Rosnida, she had wanted her students to learn how Christianity perceives gender from an authoritative source (i.e., a priest). She escaped Banda Aceh after angry mobs tried to come to her house,⁵⁸ and subsequently, her university put her on leave.⁵⁹

In 2016, a discussion that compared the different paradigms within Islam organized by the National Islamic University Sunan Gunung Djati—had to be toned down after a mob from the ormas Alliance of Muslims of West Java protested the planned presence of representatives of Syiah and liberal Islam. As a result, no one from Jaringan Islam Liberal (Network of Liberal Islam) attended the discussion.⁶⁰ In the same year, Noor Huda's movie *Jihad Selfie* was not allowed to be screened at the documentary festival held by students of the Faculty of Economics, University of Indonesia. The film explores the role of social media in spreading IS propaganda to Indonesian youth.⁶¹

In 2019, Abdul Aziz, a lecturer at the State Institute for Islamic Studies, Surakarta, apologized and changed parts of his dissertation due to widespread public pressure.⁶² His dissertation, written at National Islamic University Sunan Kalijaga, delves into the teachings of an Islamic figure who considers nonmarital sex to be permissible.⁶³ The public saw this as an endorsement for nonmarital sex, which is in stark contradiction to the teachings in mainstream Islam.

Most recently, in 2020, Ade Armando, a communications lecturer at the University of Indonesia, criticized the governor of West Sumatra for asking the ministry of information to ban a Bible application in the Minang language.⁶⁴ The governor argued that the Minang custom is based on Islamic teaching, implying that anyone who is not a Muslim cannot be Minangese, and thus a Bible in the Minang language would create a social disturbance.65 Indicating the close relationship between ormas and state officials, the head of the ormas Minangkabau Muslim Movement publicly said that the governor should not be bothered by Armando because the ormas would handle him instead.⁶⁶ In a similar show of support, the ministry granted the governor's request. Ade Armando, himself a Minangese, questioned this whole debacle on Facebook, questioning why a Minang person should not study the Bible or be Christian. He then wondered why West Sumatera had become backward when the region was home to many intellectuals in the past. In expressing his dislike of the request, Armando uses the term "kadrun," a portmanteau of "kadal gurun" (literally, "desert lizard") or "dabb lizard." This is a pejorative term that is part of the reciprocal name-calling that occurs between the supporters of Joko Widodo and those of Anies Baswedan, Jakarta's governor who is perceived as being backed by hardcore Islamists and who often wears Middle Eastern (that is, equated with the desert) garments.⁶⁷ For this posting, Armando was reported to the police for hate speech and a violation of the ITE Law by the Nagari Adat Coordination Agency and Minangkabau Customary Court. These

two institutions subsequently "stripped" him of his Minang identity, an act that is more symbolic than legal. 68

Anti-Government Activities

The stifling of the four previous topics (communism, Papua, LGBTQ issues, and certain interpretations of Islam) are driven by ideological differences. However, repressive actions have also been taken against lecturers and students who protest the government's policies or university leadership. These two sections highlight these incidences.

In 2020, the government legalized the wide-ranging "Omnibus Law on Job Creation," a set of regulations that aim to simplify bureaucratic procedures for businesses and raise Indonesia's appeal to foreign investors. However, two aspects of the new bill are problematic: it relaxes both labor⁶⁹ and environmental regulations. The bill sparked a string of protests by labor unions, environmental groups, students, and ormas in many cities in Indonesia. The ormas rejected the law because they perceived that it strengthened the presence of "foreign oligarchy" in Indonesia.⁷⁰

Before the bill was finalized, a demonstration against its drafting turned deadly in Kendari, Southeast Celebes. Two students of Halu Oleo University were killed on the September 26, 2019.⁷¹ Himawan Randi was shot under his arm, while Yusuf Kardawi succumbed to injuries from being hit by a dull object. The court convicted one police officer for Randi's killing and sentenced him to four years.⁷² Until December 2020, the investigation regarding Kardawi's fate is still ongoing.

In 2019, in response to the growing intensity of these protests, the minister of research and technology, M. Nasir, announced that university rectors who encourage their students to join the protests would receive sanctions. According to Nasir, this was in accordance with the wishes of the president, who wanted him to dampen the protests from the students.⁷³ This was probably the most direct threat to academic freedom by a high-ranking government official.

In 2019, a video circulated of Robertus Robet, a sociology lecturer at Jakarta State University, singing an antimilitary song that students used to sing in the demonstrations of 1998 that had brought Suharto down. He was protesting the government's plan to position military officers in civilian posts in various ministries, arguing that it would be a return to the New Order, when the military also ruled over civilian matters. Due to this video, he was charged with the ITE law by the police.⁷⁴

In the same year, the administration of Gajah Mada University censored a student publication, *Balairung*, for publishing a special edition on cases of confiscated or disputed lands in and around Yogyakarta. Some of these disputed

lands were used to build the Yogyakarta International Airport. The university demanded that these magazines be retracted, and their content changed, before being redistributed.⁷⁵

In 2020, organizers from the law faculty of Gajah Mada canceled a seminar after they and the speaker were intimidated by unidentified parties. The seminar was titled "On Impeachment During a Pandemic: Views from State Administration." The speaker, Nimatul Huda, a law professor from the Indonesian Islamic University, received death threats via WhatsApp, and her house was visited by unknown persons late at night. She was accused of implicitly suggesting that Joko Widodo be impeached. The organizers received threats via chat, telling them that their whole families would be killed should they insist on holding the event.⁷⁶

Criticism of University Leadership

A worrying trend in the repression of academic freedom is the use of force by university leadership to quell internal criticism—that is, criticism from lecturers or students directed against the university administrators. Whereas in all the previous cases, the university put pressure on their lecturers or students because of an (imagined or real) external force exerted by law enforcement or ormas, in the case of the repression of anti-university sentiments, the university leadership fights for its agenda.

Student presses often bear the brunt of censorship. In 2014, magazines published by the student press at the State University of Yogyakarta were confiscated after the publication featured criticism of the university's initiation rites. In 2016, two different student presses received sanctions. *Poros*, a publication of the students at Ahmad Dahlan University, was deactivated after criticizing the university's decision to open a faculty of medicine.⁷⁷ The same fate befell *Pendapa*, a student publication from Sarjanawiyata Tamansiswa University in Salatiga, after they published a piece on the failure of the faculty of mathematics and natural sciences to hold a graduation ceremony that year.⁷⁸

In 2019 at Syiah Kuala, Saiful Mahdi criticized the faculty leadership on the university's closed WhatsApp group. The dean reported him to the police, and Mahdi was subsequently convicted of transgressing the ITE Law. He was sentenced to three months imprisonment with a fine of ten million rupiahs, or approximately \$680 USD.⁷⁹ In September 2021, Mahdi was freed after the president granted amnesty. This case attests to the absurd charges that the ITE Law facilitates.

In 2020, the State University of Semarang put Sucipto Hadi Purnomo, a literature professor, on leave and expelled a student for two unrelated reasons. In the case of Purnomo, this was because of a post he put on Facebook that university administrators perceived as an offense against Joko Widodo. Upon closer

examination, however, the sanction might have been caused by the professor serving as a whistleblower about plagiarism in the rector's work.⁸⁰ A student from the same university was also put on leave after reporting the university's rector to the Corruption Eradication Commission for corrupting the students' funds.⁸¹

In March 2020, due to the COVID-19 pandemic, universities shifted from face-to-face to online teaching. At several universities, lecturers and students expressed their discontent with how this was handled. Thus, for instance, the privately owned National University students requested a reduction in tuition fees. The university responded by expelling two students, suspending a student for six months, and giving stark warnings to six other students. Furthermore, they threatened to sue the students under the ITE Law if they continued their online campaign.⁸² The Muhammadiyah Institute of Law in Kisaran, North Sumatra, fired two lecturers and suspended nine students (including several whose suspensions entailed a loss of scholarships) after they demanded that the institute move to online teaching instead of holding face-to-face classes.⁸³

Conclusion: Challenges to Academic Freedom in Post-Authoritarian Indonesia

This chapter's review of the Indonesian case suggests that the end of an authoritarian regime and the transition to democracy do not always translate into greater academic freedom. Authoritarian practices continue to dampen academic freedom as differences and disagreements are solved through repression and violence. There is a long-standing notion that powerholders have the authority to silence academic activities that go against their interests. This deeply embedded notion is internalized by academics, which is exemplified by cases where university leadership becomes the source of repression.

The powerholders employ repressive force on academics when their activities are seen as something that disturbs or disrupts stability. Despite its fall from power, the hegemonic discourses established under the New Order continue to influence the state of academic freedom to this day. PKI, communism, and Marxism are still perceived as an actual danger to Indonesia, and separatism is considered illegitimate under any circumstance, even if it is in reaction to human rights violations. Novel taboos, like the LGBTQ debate, are considered corruptive because they go against religious teachings and are a danger to the future generations of Indonesia. Regardless of the arena, stability, national unity, and social harmony trump academic freedom.

Nevertheless, there are also notable discontinuities with the past. The cases in this chapter reflect how, in the post-authoritarian era, power is no longer centralized but dissipated into smaller nodes of influence. Among these smaller sites, the ormas are particularly prominent, as they have proven uniquely effective in

pressuring university leaders. Ormas see themselves as fulfilling certain functions of the state, especially in areas where the state is perceived as falling short,⁸⁴ but the relationship between them might be even closer than this; there are instances where the law enforcement and ormas seem to be on the same side in silencing academic activities. In many of these cases, the police have not prosecuted ormas for intimidation or violence against academics.

The second major discontinuity is how contemporary lives play out on the Internet. In many cases, authorities and ormas become aware of whatever content they deem as undesirable through postings on social media. The intimidation and verbal abuse of academics are often done through WhatsApp or Facebook or in the form of credential thefts. Ironically, instead of protecting academics, the ITE Law is frequently used as a legal justification for repressive actions.

What does the future hold for academic freedom in Indonesia? While the attacks on academics working on communism, Marxism, or PKI; Papua; and LGBTQ-related issues do not show indications of subsiding, there are two other worrying trends. The first is the implementation of the 2019 Science Law that prohibits researchers from studying topics that might threaten "national security" and "social harmony."⁸⁵ This law also applies to foreign researchers whose visa permits can be revoked should they violate the law. One can imagine that this law could be misused to systematically prohibit Indonesian and foreign researchers from studying topics considered threats to "national security," like the PKI, Papua, and LGBTQ issues.

The second worrying trend is the recent inauguration of the virtual police. This new unit, which is under the national police, patrols social media to find hate speech or defamatory statements. Worryingly, private individuals can also report the same things through a dedicated site. Those found in violation of the ITE Law will be sent a warning through private messages asking them to delete the post within twenty-four hours. Should they disregard the warning, they will be sent a second message. After two messages, the police will summon the individual.⁸⁶ This means that policing will be more invasive, and the already worrying ITE Law implementation will be more comprehensive.

Notes

¹ The New Order, under the leadership of Suharto, ruled over Indonesia between 1966 and 1998. The administration was marked by centralized power and militarism. The New Order ended after the Asian economic crisis led to a growing discontent that mounted in days of student-led demonstrations, the killing of four students, widespread looting, and anti-Chinese riots in May 1998. Suharto eventually resigned, and Indonesia entered the so-called "Reformation era" that is significantly more democratic. ² Katrin Kinzelbach, Ilyas Saliba, Janika Spannagel, Robert Quinn, *Free Universities*. *Putting the Academic Freedom Index into Action* (Global Public Policy Institute, 2021): 24.

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