ACADEMIC FREEDOM IN INDONESIA

Dismantling Soeharto-Era Barriers

Human Rights Watch
New York · Washington · London · Brussels

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PREFACE: ACADEMIC FREEDOM AND HUMAN RIGHTS

This report examines barriers to academic freedom and the exercise of basic rights erected during the thirty-two year authoritarian rule of President Soeharto in Indonesia. As this report was being prepared, Indonesia was undergoing what appeared to be a momentous transition, spurred on by students and faculty, toward a more democratic society. Although many of the barriers had been rendered ineffective by the momentum of the reform movement, a series of legal limitations on citizens' exercise of basic rights remained in place and military authorities continued to have broad discretionary power to limit citizen's rights in the name of "national stability." Indonesia was also facing a deep economic crisis and sporadic outbreaks of violence against ethnic Chinese. One of the central contentions of this report is that, under Soeharto, open inquiry and debate on just such issues was stymied by far-reaching censorship, surveillance, and ideological pressures, and by intimidation, harassment, and imprisonment of outspoken critics. Scholars and students, well-situated to explore the social and political realities that underlie such problems and help in the search for solutions, were among those targeted by the government. Objective criticism is the basis of social progress; it is difficult to imagine how that progress can be achieved without uninhibited research and dialogue.

The preamble to the Universal Declaration of Human Rights declares that "every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for [human rights]." To this end, the declaration specifically provides for the right to education, mandates that access to educational institutions and to the cultural and scientific resources of society shall be available to all, and provides that "education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms." Human Rights Watch believes that educational institutions cannot fulfil their mission of strengthening respect for human rights when the basic rights of educators and students themselves are not respected.

While academic freedom is not a self-contained right, the freedom to pursue research and scholarship unfettered by censorship and persecution cannot be separated from freedom to exercise basic civil and political rights as set forth in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights (ICCPR). This essential linkage is expressly recognized in the Lima Declaration on Academic Freedom and Autonomy of Institutions of Higher Education, adopted by the World University Service in 1988 as a guidepost for the defense of academic freedom worldwide. The Lima Declaration states: "Every member of the academic community shall enjoy, in particular, freedom of thought,

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conscience, religion, expression, assembly and association as well as the right to liberty and security of person and liberty of movement." As a human rights organization, it is not our intention to support or dispute the opinions, ideas, or research findings of the academics and students whose cases we discuss. It is, however, a central feature of our mandate to defend their right to express their views and to study, research, teach, and publish without interference.

As set forth in Article 19 of the ICCPR, freedom of expression "shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers." This freedom is essential to academic excellence. A university fulfills its mission when academics are not forced to support an official line, an economic agenda, or a political ideology, but rather are free to use their talents to advance human knowledge and understanding. Freedom of expression is also a core civil and political right essential to citizen autonomy. There can be no liberty and no meaningful citizenship where individuals are denied the basic right to ask questions and seek information about what is going on in society, and to share their ideas and views with others. To date, international attention to this basic right has understandably emphasized artistic freedom and freedom of the press, essential attributes of a free society. Relatively little attention, however, has been paid to the crucial role played by academic institutions, dedicated to inquiry, information and ideas, in preserving and giving meaning to the right.

In principle, the university is an institution open to all on the basis of merit, and should serve as an important intellectual resource not only to governments and industry, but also to individuals and interests independent of the state. In practice, attacks on campus-based critics and politically motivated government interventions often threaten to turn the university into an institution that exclusively serves the interests of state power holders. Because the great majority of universities around the world are public institutions or are dependent on government funding, and because such institutions typically are viewed by governments as "prime instruments of national purpose," governments have considerable power to influence what takes place on campus and an incentive to wield that power.

A wide range of governments abuse their power. In cases such as Indonesia under Soeharto, politically motivated attacks on dissident faculty and students were accompanied by damaging ideological and institutional constraints, including political screening of faculty, restrictions on what could be discussed in seminars, limitations on autonomous organizational activity on campus, and restrictions on access to campuses by groups and individuals whose ideas did not meet the approval of state authorities. Political assaults on the academic community thus not only claimed individual victims, they also served as a crucial component in broader government efforts to limit citizens' basic rights and as an important barrier to the development of independent institutions and a dynamic civil society.

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There is another reason why we have published this report: Compared to other professional groups, including doctors, scientists, journalists, writers, and lawyers, academics worldwide have been slow to campaign against human rights abuses, and slow to take action aimed at addressing the plight of colleagues overseas. Higher education is fast becoming a global concern. As barriers fall, there is increasing opportunity to assist those who have been arbitrarily targeted by their governments, and increasing need to articulate principles for the defense of academic freedom worldwide. By visiting or attempting to visit students and scholars in prison, keeping in touch with their families, colleagues, and unions, raising money for their legal defense and medical needs, raising their cases with governments and international organizations, academics ensure that their colleagues are not forgotten. By speaking out when students and scholars are censored, constrained in their exercise of basic rights as citizens, or targeted for imprisonment and torture, academics fulfill an important part of their mission as educators.

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I. INTRODUCTION

I think it is Soeharto's worst crime that he has made Indonesians afraid to think, afraid to express themselves.
Adnan Buyung Nasution, 27 March 1993[1]

A nationwide student protest movement played an instrumental role in forcing the resignation of President Soeharto on May 21, 1998 and in opening the door to democratic reform in Indonesia. Students and faculty emerged at the forefront of the reform movement in large measure because they publicly spoke their minds, courageously and consistently ignoring a variety of repressive laws, regulations, decrees, and abusive practices that have long limited political and intellectual freedom on Indonesia's campuses and in Indonesian society. At the time this report went to press, the momentum of the reform movement and the government's embrace of reform initiatives had rendered many of the constraints unenforceable for the time being, but significant constraints continued to exist both on paper and in practice. Human Rights Watch believes that reform has not gone far enough. To achieve lasting results, the rights to free expression, association, and assembly, so forcefully claimed by students and faculty in the months immediately prior to the resignation of Soeharto, must be given full legal and institutional protection.

This report examines the legacy of Soeharto's authoritarian rule for scholarship and academic life in Indonesia, identifying seven continuing barriers to critical inquiry and exercise of basic rights by members of the Indonesian academic community.[2] These barriers are the products of government-imposed ideological

[1]Adam Schwarz, *A Nation in Waiting: Indonesia in the 1990s* (St. Leonards, Australia: Allen & Unwin Pty. Ltd., 1994), p. 237. Dr. Nasution is a pioneering Indonesian legal aid and human rights activist, a legal historian, and a practicing attorney in Jakarta.

[2]The report does not address conditions in East Timor, the formal annexation of which by Indonesia in 1976 has not been recognized by the United Nations. The international status of East Timor is beyond the scope of this report.

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conformity and the overt hostility to organized political opposition that marked the rise of Soeharto and the army in 1965-67, but also include far-reaching institutional controls targeted on the universities.

President Soeharto's "New Order" government was not uniformly hostile to the academic community. Many academics and students backed Soeharto when he first assumed power, and the government's emphasis on rapid economic growth created opportunities for a range of academic specialists. As Soeharto consolidated his power, however, he eventually turned his attention on the universities, which were emerging as a leading source of opposition to the authoritarian policies of the new government and the increasing political prominence of the military. In response to student protest movements in the 1970s, the government twice cracked down hard on the academic community. Although the effects were most pronounced in the social sciences and the humanities, the government's repressive response to the protests had devastating consequences for academic freedom and for freedom of expression in society more generally.

After the crackdowns in the 1970s, political controls over academic life in Indonesia were among the most intrusive in the world. Incoming academics were subjected to mandatory political background checks, students were subjected to compulsory on-campus ideological indoctrination sessions, political expression and activity were outlawed on campus, and students and academics who directly challenged the government were prominent among Indonesian dissidents imprisoned for exercising their basic rights to free expression, assembly, and association. In addition, a wide range of publications was censored, speakers were barred from campus by police and military authorities, seminars were monitored and subject to cancellation at the discretion of the authorities, and academic research was stymied by labyrinthine state research permit issuance procedures.

The student protest movement that toppled Soeharto in 1998 did not spring into being overnight, but rather was the product of dissatisfaction with the government that had been building for years. Academics were prominent among the New Order's critics for more than two decades, and campus protests in the 1990s formed an important part of growing pressures for greater political openness and respect for citizen's rights in Indonesia. In the last years of Soeharto's rule, these pressures led to a number of concessions by the government. Because government relaxation of controls, where it occurred, was not accompanied by formal repeal of regulations legitimating the intrusive policies sketched above or by the implementation of institutional protections for basic rights, however, the scope of citizens' freedom to express views and debate government policies continued to depend on splits between Soeharto and the powerful military, splits within the

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military leadership itself, the zealousness of local administrators and officials, and a speaker's personal connections with power holders.

The result was continuing uncertainty about the boundaries of the permissible. This uncertainty, together with periodic government crackdowns on dissent and intimidation of those who delved into matters that the government viewed as sensitive, created a climate hostile to intellectual innovation and vigorous debate. The lack of clear boundaries also created a black market in ideas, a continued gap between what people said in private and what they were willing to say in public, depriving the society of the intellectual dynamism that results from open expression of competing viewpoints.

Until Soeharto's resignation, open analysis and inquiry into subjects such as the calamitous events of 1965-67 that accompanied Soeharto's rise to power, the growing wealth of the president's family and his close associates, discrimination against the ethnic Chinese, and military operations in such places as East Timor, Aceh, and Irian Jaya were all but impossible. Many other subjects, such as government corruption and nepotism, the entrenched and prominent political role of the military, and the absence of truly democratic political institutions might or might not be off-limits depending on shifts in the political winds. Members of the academic community were not the only ones who suffered—controls were imposed throughout Indonesian society—but students and faculty, well-placed to contribute to and enrich public debate on such issues, were frequent targets of the government's repressive policies.

In Indonesia today, all candidate teachers, as well as applicants for jobs in a wide range of other professions, are subjected to mandatory political background checks designed to screen out all individuals alleged to have had affiliations with communist or leftist organizations in the mid-1960s. Under the screening procedures, family members of such individuals, including children and grandchildren, in-laws, and nephews and nieces, are also suspect. The screening procedures cast an ideological pall over education, keep many qualified individuals out of the teaching profession, and, because the criteria for exclusion are vague and unevenly implemented, create an environment in which the threat of being named an ex-communist or sympathizer, whether by government officials or by colleagues seeking to settle personal scores, continues to poison intellectual life in Indonesia.

Book censorship is institutionalized in Indonesia. Under a law still in effect, all works which in the view of the attorney general "could disturb public order" are subject to censorship. Under this law, hundreds of novels, historical studies, religious tracts, and books on political and social controversies have been banned, including scholarly works on subjects from early twentieth century social

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movements, to liberation theology, to the rise of Asia as a center of global capitalism.

By law, Indonesian citizens can still be imprisoned for expressing dissenting views. Under Soeharto, individuals who challenged the militaristic underpinnings of New Order rule or attempted to organize independent political opposition were made the object of aggressive campaigns which included show trials, prolonged imprisonment, public scapegoating, and, at times, physical intimidation and torture. The primary victims were leaders of ethnic and religious separatist movements, but also included outspoken political dissidents who dared to attempt to organize political opposition to Soeharto. Some of the most prominent victims were from the academic community. Although political space for dissent has expanded dramatically, broadly worded laws limiting freedom of expression and association remain on the books.

Since the early 1980s, students' introduction to campus life has been a mandatory, state-sponsored session in the state ideology, Pancasila, held on-campus prior to their first semester in college. These indoctrination sessions, known as P4 (short for *Pedoman Penghayatan dan Pengamalan Pancasila*, a difficult to translate title which has been rendered in English as *Upgrading Course on the Directives for the Realization and Implementation of Pancasila*), stress rote memorization of formulaic precepts legitimating New Order rule. The P4 sessions have been suspended for academic year 1998-89, but it remains unclear whether the government intends merely to revise the curriculum or to abolish the sessions altogether.

Under Soeharto, student political expression and activity was outlawed on campus, campus-wide student councils were abolished, and all student organizations and activities were placed under the direct supervision and control of university rectors. Rectors, in turn, were made accountable to military and civilian authorities for implementation of the policies. In 1990, the restrictions were partially lifted and campus-wide student councils were allowed for the first time in over a decade. With the success of the student protest movement in 1998, the restrictions now have little practical effect, and the new minister of education in the post-Soeharto government has indicated that they are under review. At the time this report was written, however, the ban had not yet been formally repealed.

Among the most deeply rooted legacies of New Order rule is the pervasive militarization of Indonesian society. In the Soeharto era, militarization was reflected on campus in routine intelligence-gathering operations and surveillance of student life, arbitrary decrees from military authorities restricting students' right to demonstrate, the use of combined police and military force to contain campus rallies (the police in Indonesia are part of the armed forces), and the frequent harassment, arrest, and sometimes torture of campus activists. The military continues to have

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authority to monitor campus affairs and to intervene on campus whenever it deems necessary in the interest of "national stability."

Finally, academic inquiry and expression continues to be subject to government control. Although the climate for research has improved significantly, barriers to autonomous academic inquiry remain in place, including onerous state research permit requirements and laws which were used in the past to keep dissidents off campus and to limit the scope of discussion and debate in academic seminars.

At the time this report was being prepared, institutional pillars of the old regime had come under assault and some already had begun to collapse. For the first time in twenty-five years, independent political parties, labor unions, and professional organizations were being allowed to form. Some restrictions on the press had been lifted, Indonesia's notorious anti-subversion law was under review, some political prisoners had been released, and the government party, Golkar, was no longer giving orders but was fighting just to survive. On campuses, demands for greater autonomy were being voiced openly and newly installed Minister of Education Juwono Sudarsono had indicated that government restrictions on student activity would be reconsidered.

The Indonesian constitution invokes freedom of expression and other basic rights, and Indonesian education law recognizes the principles of academic freedom and scientific autonomy. The success of the student protest movement and resignation of Soeharto have created an opportunity to give renewed substance to those provisions and bring their implementation into line with internationally recognized human rights standards. Through the release of this report, Human Rights Watch seeks to encourage the Indonesian government to undertake a systematic dismantling of Soeharto's authoritarian legacy and to implement guarantees for citizens' exercise of basic rights.

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II. RECOMMENDATIONS

Human Rights Watch urges the adoption by the government of Indonesia of the following recommendations:

- Repeal the so-called "special investigation" (*Penelitian Khusus* or *Litsus*) regulations which require that new teachers and entrants to a range of other "strategic professions" undergo mandatory ideological and political background checks. Individuals should no longer be banned from teaching or be subject to removal on account of their past or present political affiliations or those of their colleagues or family members. Academic merit henceforth should be the sole criterion for hiring and promotion decisions.

- The government should cease all media and book censorship. The government censorship "clearinghouse" created in 1989 should be disbanded, and the attorney general should be stripped of power to censor books and other printed materials. Although Indonesian law allows members of the academic community to apply for exemptions to use censored materials, in practice the government's censorship of memoirs, literary works, and a wide range of foreign and domestic historical works and social science texts has had a chilling effect on scholarly inquiry across a range of disciplines.

- Repeal the three laws used most often to silence dissidents, including students and faculty critics: Presidential Decree 11/1963 (subversion); Article 154 of the Criminal Code (spreading hatred toward the government); and Articles 134-137 (insulting the head of state).

- Repeal the set of ministerial decrees known collectively as "Normalization of Campus Life — Coordinating Body for Student Affairs" *(Normalisasi Kehidupan Kampus — Badan Koordinasi Kemahasiswaan* or NKK/BKK) and all other governmental decrees that prohibit students from engaging in political activity on campus, limit student autonomy and effectively make university administrators answerable to military authorities and to the central government in Jakarta for violations of the restrictions. Minister of Education Juwono Sudarsono has indicated that the policies are under review; they should be abolished altogether. The government should also

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make a public commitment to respecting students' basic rights, including their right to hold peaceful public protest marches.

- End all military intervention in campus affairs.
  — Legal and extra-legal military and intelligence agencies, including branches of the military's Coordinating Agency for the Maintenance of National Stability (Badan Koordinasi Bantuan Pemantapan Stabilitas Nasional or Bakorstanas), should be prohibited from engaging in on-campus intelligence gathering absent a warrant; harassment of students and faculty who make critical comments at seminars or in interviews with the press should be stopped.
  — Campus-based "Student Regiments" (Resimen Mahasiswa) should be used solely as a vehicle for recruitment and training of future military personnel, and no longer as an on-campus intelligence network by which military authorities monitor the activities of students.
  — The practice of routine coordination of student supervision between university administrators in charge of student affairs (*Pembantu Rektor III* and *Pembantu Dekan III*) and military and intelligence officers, also facilitated by the NKK/BKK decrees described above, should immediately cease. The duties and powers of the university administrators should be reformulated so as to give maximum scope to student autonomy in accordance with academic standards.

- Abolish the practice by which government agencies such as the Ministry of Information and the Social and Political Affairs Directorate of the Ministry of Home Affairs maintain blacklists to prevent critical academics, writers and other disfavored individuals from attending campus seminars or stating their views in public media. Regulations requiring that seminar organizers give prior notice to the Ministry of Home Affairs and national police headquarters in Jakarta when foreign speakers are invited to campus should also be repealed.

- Abolish research permit procedures which give government and military officials effective veto power over proposed academic field research and invite corruption. Academic merit should be the sole criteria by which proposed research is evaluated.

- Abolish mandatory on-campus ideological indoctrination sessions (already suspended for academic year 1998-99 by order of the Department of

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Education and Culture dated June 1, 1998). If government-sponsored, on-campus civic education is retained, academic values must at all times govern the selection of materials to be covered in the curriculum.

- Police and military should cease indiscriminate and punitive attacks on student demonstrators and adhere at all times to international standards governing the policing of civilian protest.
  — Peaceful, lawful assemblies should not be disturbed.
  — In dispersing violent assemblies, officials should at all times act in accordance with the United Nations' Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, including its requirements that all law enforcement officials exercise restraint in the use of force and act in proportion to the nature of the threat that they face, "minimize damage and injury and respect and preserve human life," and use firearms only when less dangerous means are not practicable.

- The government should treat all students arrested or detained during protest rallies in accordance with internationally recognized standards of criminal justice.
  — Under no circumstances should students be arrested for exercise of their rights to free expression, association and assembly.
  — Students arrested for suspected participation in violent acts should be informed immediately of the reasons for the arrests, be informed promptly of the charges against them, and be presumed innocent unless and until proven guilty according to law in a public trial with all guarantees necessary for their defense.
  — No students arrested or detained should be subjected to torture or to cruel, inhuman or degrading treatment or punishment.
  — All claims of use of excessive force by security forces against protesters and other civilians should be subject to full and impartial investigation by an independent body, and those found responsible should be prosecuted to the full extent of the law.

- The government should immediately conduct thorough inquiries into the cases of all students and other activists whose whereabouts remain unknown and who are presumed to be in detention. Where inquiries have already begun, vigorous investigations should continue until the "disappeared" are accounted for. If they are found to be or to have been in

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police or military custody, those responsible for violating established criminal procedure should be prosecuted accordingly.

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III. THE SOEHARTO LEGACY ON CAMPUS: A HISTORICAL OVERVIEW

The history of New Order political controls on the academic community demonstrates that the freedom to pursue research and scholarship unfettered by censorship and persecution cannot be separated from basic political freedoms. During Soeharto's thirty-two year rule, the government gave high priority to economic growth and technological development. It drew heavily on a range of academic experts, most notably economists, but also engineers, planners, and other specialists. Indonesia made remarkable economic progress during much of this period and the government built thousands of new schools, substantially raising literacy rates. At the same time, however, the rise of Soeharto, an army commander at the time he assumed power, was marked by a bloody, indiscriminate purge of communist party members and their supporters in 1965-67, and by the increasing militarization of Indonesian society. Soeharto consistently used repression to rein in potential challenges to his rule. Hostility to any form of political debate or political life independent of government control was accompanied by arbitrary arrest and harassment of dissidents, denial of basic rights to political opponents, censorship, and imposition of a new ideological orthodoxy. With few external enemies, the primary focus of the armed forces became internal security. Although the government's totalitarian reach exceeded its grasp, surveillance of civilians was pervasive.[3]

In the 1970s, student protests were crushed and the academic community itself became the subject of government and army surveillance and suspicion.

[3]See Richard Tanter, "The Totalitarian Ambition: Intelligence Organizations in the Indonesian State," in Arief Budiman, ed., *State and Civil Society in Indonesia* (Victoria, Australia: Monash Papers on Southeast Asia, no. 22, Monash University, 1990). Tanter's title effectively captures the disjunction.

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Student political activity was banned and academics, particularly those in the humanities and social sciences, part of whose business it is to address contemporary social, cultural, and political developments, were subjected to far-reaching controls. Paradoxically, the success of the campus-based protest movement in 1998 can be attributed at least in part to these very controls. The ban on student political activity and imposition of controls on campus life were directly contrary to the essential function of the academic community—to develop and promote critical inquiry and understanding—and came to be seen as such and to be resisted by important segments of the student and faculty population. Because the government continued to depend on academics for economic and technological expertise, moreover, opposition to the government's authoritarian policies increasingly found a receptive audience even within certain government circles. When the Indonesian currency took a nose-dive in early January 1998, making it clear to everyone that the nation was headed for a severe economic downturn, student activists and critical academics emerged as forceful and independent voices for change.

1965: The Anti-Communist Pogrom

President Soeharto rose to power in the aftermath of a failed coup attempt against Sukarno, Indonesia's first president, on September 30, 1965. In the months prior to the coup attempt, the country was politically polarized and in desperate economic straits, a crisis reflected in rising social tensions and at times violent social unrest. Campuses were also polarized, with many of the most prominent student organizations directly linked to political parties, serving as their recruitment centers and youth branches. In addition to Sukarno, who had assumed increasingly authoritarian powers beginning in the late 1950s, two primary political forces were jostling for power: the army and the Indonesian Communist Party (Partai Komunis Indonesia or PKI). Although the coup attempt claimed the lives of six army generals, it was the army, led by then-Major General Soeharto, that emerged in its aftermath as the paramount power. The events surrounding the coup attempt remain unclear and some participants themselves described it as an internal military affair, but the government subsequently maintained that it was exclusively the work of the PKI.

Students aligned with anti-communist parties joined forces with the army and formed a number of new umbrella organizations to coordinate anti-communist activity and attacks on communist supporters. The most powerful of these organizations was called Unity of Indonesian Student Action (Kesatuan Aksi Mahasiswa Indonesia or KAMI). With army backing, KAMI organized a series of large street demonstrations against the government, which played an important role in strengthening then-Major General Soeharto's hand against Sukarno, in supporting

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the effective transfer of authority to Soeharto in March 1966, and in legitimating Soeharto's formal installation as president in March 1967.[4] Although students and faculty who supported the army and wanted a change from the chaotic and authoritarian rule of Sukarno rose quickly to prominence in the New Order, those deemed politically unsympathetic were crushed.

In 1965-67, Soeharto presided over a bloodbath that destroyed Indonesia's communist party. Estimates of the number of people killed range from a quarter million to over one million. Individuals suspected of having leftist affiliations, including large numbers of teachers and student activists, were among roughly one million citizens imprisoned in the wake of the coup attempt. Three categories of prisoners were established: Group A members, including officials of the PKI and its affiliates, were tried and sentenced, sometimes to death; Group B members were detained for years without charge, but in most cases there was not enough evidence to try them; Group C members, who numbered in the hundreds of thousands, were guilty only by association with any of a long list of organizations, subsequently banned, deemed by the New Order government to have been sympathetic to the communists. With the exception of about 1,000 people, none of those imprisoned was ever tried, let alone convicted of any offense. To this day, those accused of having been members of an organization banned in the mid-1960s are under constant surveillance, often face restrictions on their freedom of movement, have no right to vote, have to report regularly to the police, and are banned from holding jobs in the civil service, which includes all teachers in government schools and universities, and from publishing articles in mass-circulation newspapers or other publications.

The very lack of clarity as to what led to the 1965 coup attempt and what happened in its immediate aftermath became the government's chief ideological weapon against political opponents and dissenters. A message incessantly repeated by New Order officials until the last days of Soeharto's rule, long after the destruction of the Indonesian Communist Party and the fall of communism in

[4]Edward Aspinall, "Student Dissent in Indonesia in the 1980s," Center of Southeast Asian Studies Monograph, Monash University, 1993, pp. 3-5; Robert B. Cribb, *Modern Indonesia: A History Since 1945* (Harlow, England: Longman Group Ltd., 1995), p. 110.

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Eastern Europe, was that social chaos could again grip the country because communism and other subversive forces, manipulative and hard to identify, continued to threaten the Republic from within.

One of the most important consequences of the rise of Soeharto was the progressive militarization of Indonesian society. In the year following the coup attempt, the Indonesian Armed Forces (Angkatan Bersenjata Republik Indonesia or ABRI) expanded a 1950s doctrine called the "Middle Way" into what came to be known as "Dual Function," whereby ABRI was to play an increasingly prominent role as a "social and political force" as well as serve as a defense force.[5] Under the New Order, the chief function of ABRI became internal security.[6] As one observer of the Indonesian military, writing in 1990, phrased it: "In Indonesia in the New Order period under President Soeharto, three separate political processes [came] together to yield a distinctive and institutionalized pattern of control of the Indonesian population: *militarization, comprehensive domestic political surveillance, and intermittent but persistent state terror*."[7] Formal army doctrine called for "ensuring the security and success of each government program in the field of development" and "the stabilization of social conditions . . . to generate the basis for national development and security."[8] ABRI's territorial commands were expanded and upgraded to fulfill these functions, with military counterparts of civilian institutions created at each level of the bureaucratic hierarchy down to the village level. Intelligence gathering was carried on at all levels, supervised by a

[5]See David Jenkins, *Suharto and His Generals: Indonesian Military Politics 1975-1983* (Ithaca, NY: Cornell Modern Indonesian Project Monograph Series No. 64, 1984), pp. 74-88. According to Todung Mulya Lubis, the Middle Way "positioned the military neither as the tool of the civilian government, as in Western countries, nor as a military regime holding socio-political power. Instead it was to be a social force working closely with other social forces." Todung Mulya Lubis, *In Search of Human Rights: Legal-Political Dilemmas of Indonesia's New Order, 1966-1990* (Jakarta: PT Gramedia Pustaka Utama & SPES Foundation, 1993), p. 196.

[6]Ian MacFarling, *The Dual Function of the Indonesian Armed Forced: Military Politics in Indonesia* (Canberra: Defense Studies Centre, 1996); Tanter, "The Totalitarian Ambition," p. 214.

[7]Tanter, "The Totalitarian Ambition," p. 214 (emphasis in original).

[8]Ibid., p. 237.

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number of different organs with often overlapping jurisdiction, including the military unit in charge of internal security,[9] the military intelligence agency,[10] the State Intelligence Coordinating Body (Badan Koordinasi Intelijen Negara or Bakin), National Police Intelligence, the Directorate General of Social and Political Affairs in the Home Ministry, the office of the Deputy Attorney General for

[9]This unit initially was known as the Operational Command for the Restoration of Order and Security (Komando Operasi Pemulihan Keamanan dan Ketertiban or Kopkamtib). Kopkamtib was replaced in September 1978 by the Coordinating Agency for the Maintenance of National Stability (Badan Koordinasi Bantuan Pemantapan Stabilitas Nasional or Bakorstanas).

[10]This unit initially was known as the Strategic Intelligence Agency (Badan Inteligen Strategis or Bais). Bais was replaced by the Armed Forces Intelligence Agency (Badan Inteligen ABRI or BIA).

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Intelligence, and police intelligence.[11] ABRI was guaranteed a block of seats in parliament, and scores of important political leaders, from cabinet members to governors to local officials, were recruited from ABRI ranks.

The first years of New Order rule have been described as "characterized by remarkable political ferment and free expression of ideas (except for former communists) after the constraints and fears of the late Sukarno era."[12] As the New Order consolidated its power, however, it progressively tightened controls on expression and transformed the slogan "politics, no; development, yes,"[13] a slogan which had become popular among groups dissatisfied with the increasingly polarized politics of the Sukarno era, into a rigid doctrine.[14]

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[11]See Tanter, "The Totalitarian Ambition," pp. 218-223.

[12]Jamie Mackie and Andrew MacIntyre, "Politics," in *Indonesia's New Order: The Dynamics of Socio-Economic Transformation* (St. Leonards, Australia: Allen & Unwin Pty. Ltd., 1994), p. 12.

[13]Lubis, *In Search of Human Rights*, p. 160.

[14]One of the oft-repeated doctrines of Soeharto and other New Order officials was the so-called "Development Trinity" (Trilogi Pembangunan) — national stability, economic growth, and distribution of the benefits of development — objectives which, they said, had been impossible under Sukarno when political competition was the norm. See, e.g., "Presiden Soeharto: Kesetiaan ABRI tidak bisa Dikompromikan," *Kompas Online*, December 5, 1996.

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The vilification of the radical left in the aftermath of the coup attempt and the increasing political prominence of ABRI had important long-term consequences for intellectual and academic life. One important legacy of 1965 was what Indonesia sociologist Franz Magnis-Suseno called the authorities' "despicable habit" of accusing dissidents and individuals involved in human rights advocacy of being "infected" with communism.[15] A corollary was the scapegoating of political opponents. There is no question that some PKI officials were involved in the attempted coup and that PKI members in some areas engaged in acts of violence, but there is also no question that the overwhelming majority of those killed or arrested were themselves suspected communists or members of affiliated groups, all but a handful of whom were never given a chance to defend themselves in a court of law. Rather than investigating the killings and bringing the perpetrators to justice, the government stripped surviving communists, alleged communist sympathizers, and, in many cases, members of the extended families of such individuals, of basic rights of citizenship, repeatedly blaming them for the national trauma of 1965-67. The New Order never again arrested political opponents on such a massive scale, but it continued the practice of blaming political opponents for outbreaks of social unrest. As described below, some of the most prominent targets of New Order scapegoating in the 1990s were from the academic community.

A second legacy was censorship. Within a month of the attempted coup, over seventy novels and other writings by authors linked to leftist groups were banned. In subsequent years, far-reaching book censorship was institutionalized under a Sukarno-era law giving authority to the attorney general to ban all works which "could disturb public order."[16] Marxist works were outlawed, but so too were a broad range of other books, including new social science texts, historical studies, literary works, and memoirs.

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[15]John McBeth, "Red Menace: Warnings of a communist revival get personal," *Far Eastern Economic Review*, 2 November 1995.

[16]Farid Hilman, *Pelarangan Buku di Indonesia* (unpublished book manuscript, dated September 1997, on file at Human Rights Watch), p. 16.

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A third legacy was the aggressive suppression of Chinese language and cultural expression. The government asserted that the coup plotters had been supported by Beijing through Chinese-Indonesian intermediaries. The initial target after the coup attempt was an organization called the Consultative Body for Indonesian Citizenship (Badan Permusjawaratan Kewarganegaraan Indonesia or Baperki), which had been created in 1954 to promote Indonesian citizenship for ethnic Chinese but which had developed close ties to the PKI. After the coup attempt, Baperki's Res Publica University in Jakarta was burned, and all Baperki schools (in which Indonesian was the language of instruction) were closed and allowed to reopen only under new management. Baperki itself, at the time the largest association of ethnic Chinese in the country, was banned. In addition, some 600 Chinese-language schools were closed and Chinese language education was outlawed.[17] In subsequent years, the government banned the use of Chinese characters in publications and advertising[18] and subjected the ethnic Chinese, both Indonesian citizens and resident aliens, to overt and de facto discrimination.[19] As one scholar noted: "In Indonesia, between March 1966 and March 1998, not a single person of known Chinese descent became a cabinet minister, senior civil servant, general, admiral or air marshal; there have even been very few Parliamentarians."[20]

1973-74 and 1977-78: Political Controls on Faculty and Students

The government's treatment of the academic community was colored by its response to student protest movements that first emerged in the 1970s. In the early years of the New Order there was little campus-based opposition to Soeharto. Leftist students and scholars had been purged and those who remained were largely

[17]Charles A. Coppel, "Patterns of Chinese Political Activity in Indonesia," in J.A.C. Mackie, ed., *The Chinese in Indonesia: Five Essays* (Melbourne, Australia: Thomas Nelson Ltd., 1976), p. 64.

[18]Hilman, *Pelarangan Buku*, pp. 19-20.

[19]Ibid., pp. 20-21; Patrick Walters, "Indonesia relaxes ban on Chinese language," *The Australian*, August 4, 1994. For some specific examples, see "Javanese Governor Bans Chinese-Language Karaoke," Reuters, June 4, 1991; "Jakarta's Chinese Told: Tone Down New Year Joy," *Straits Times*, February 4, 1997.

[20]Benedict Anderson, "From Miracle to Crash," *London Review of Books*, April 26, 1998, p. 5.

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supportive of Soeharto's commitment to opening the economy to world markets. Many former student leaders entered the government, both as ministers and as economic advisers and specialists. By the early 1970s, however, the New Order government's hostility to political life, its embrace of foreign investment, and close relationships with wealthy businessmen, both foreign and domestic, began to draw criticism both from some former campus supporters and from a new generation of students. Two major campus protest movements, described below, emerged in 1973-74 and 1977-78, respectively. In both cases, the movements rose to national prominence when limitations on basic rights and autonomous political activity had closed other political outlets. The government responded by imposing far-reaching political controls on the academic community and new limitations on freedom of expression.

The first student protest movement under the New Order emerged not long after the government had eviscerated the political parties. In 1967, New Order officials established Golkar as the government's parliamentary vehicle. In keeping with the government's hostility to politics, Golkar was not styled a political party but a grouping of military and civilian "functional groups" (the word Golkar itself is derived from "Golongan Karya;" literally, "Functional Group").[21] In 1973, officials pressured all nine existing political parties to join one of two new larger parties, the United Development Party (Partai Persatuan Pembangunan or PPP) for Muslim parties, and the Indonesian Democratic Party (Partai Demokrasi Indonesia or PDI) for nationalist and Christian parties. At the same time, the government introduced the idea of "floating mass," according to which "the populace [was to] become a floating mass allowed to vote once every five years but otherwise refrain from political activity."[22] Pursuant to the "floating mass" concept, the two opposition parties were prohibited from establishing permanent offices in rural areas. As room

[21]Adam Schwarz, *A Nation in Waiting: Indonesia in the 1990s* (St. Leonards, Australia: Allen & Unwin Pty. Ltd., 1994), p. 31

[22]Ibid., pp. 32-33.

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for political activity narrowed, those who believed that the government was on the wrong course or felt that their interests were not being served, particularly those from Muslim and socialist parties and those adhering to liberal or democratic socialist ideologies,[23] all of whom had seen their influence wane, had few outlets to express their grievances. It was in this context of narrowing political space and increasing dissatisfaction that the first major campus-based opposition to Soeharto emerged.

[23]Richard Robison, *Indonesia: The Rise of Capital* (Canberra, Australia: Asian Studies Association of Australia, Southeast Asia Publications Series, no. 13, 1986), p. 159.

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In 1973, students and faculty, many of whom belonged to the groups that had been pushed aside in the government's assault on the existing political parties, grew increasingly vocal in their criticisms. Their themes included corruption and waste of taxpayer money on pet projects of officials, the extravagant lifestyles of many leaders, the government's open embrace of foreign capital (in the early years, largely Japanese), and the frequently cosy relationships between the so-called "financial Generals" and wealthy Chinese-Indonesian business groups. As student protests grew more frequent, students received direct support not only from faculty, but from some government officials. Most notably, the students were encouraged by a high-ranking general named Soemitro, suggesting that dissatisfaction with at least some of Soeharto's policies had reached the upper echelons of power. On January 16, 1974, students at the University of Indonesia organized large demonstrations to greet the arrival of Japanese Prime Minister Tanaka to the country. The student demonstrations spilled into the streets where they were quickly joined by thousands of angry, poor Jakartans. The demonstrations turned into riots: a major shopping center and other buildings were set on fire and at least eight people were killed.[24]

Many commentators, both Indonesian and foreign, believe that the student movement had become the pawn in a struggle for power within the Soeharto government, with different factions competing to use the protest movement to strengthen their own positions. Soemitro himself argues that his opponents in elite circles close to Soeharto encouraged the students and hired thugs to provoke rioting and the burning of shops, thereby setting the stage for a far-reaching crackdown on the protesters.[25]

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[24]For descriptions of these events, see Robison, *Indonesia: The Rise of Capital*, pp. 159-168; Schwarz, *A Nation in Waiting*, pp. 29-35; International Commission of Jurists, *Indonesia and the Rule of Law* (London: Frances Pinter, 1987), pp. 86-88.

[25]See "Saya Dipojokkan, Biayanya Rp. 300 Juta," *Jawa Pos Online*, February 18, 1998; "Melacak Joki Penunggang Mahasiswa," *Forum Khusus*, April 20, 1998.

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In the aftermath of the demonstrations and riots, which the government quickly suppressed, roughly 800 people were arrested, prominent student leaders and several faculty were imprisoned, and Soemitro was eased into retirement. Critical journalists were also imprisoned and six of Jakarta's most independent and critical newspapers, including two affiliated with student groups who had supported Soeharto in 1965-67, were summarily closed down.[26]

[26]Cribb, *Modern Indonesia*, p. 129.

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In the ensuing months, institutional measures were instituted to give the central government greater control over student activity. These measures included a requirement that students obtain a permit for all on-campus activities, institution of a permit scheme for student publications to be supervised both by the Ministry of Information and university administrators, and enactment of regulations forcing formerly party-affiliated student organizations to join a single organization controlled by the government (these groups, which had gained national prominence as a result of their support for the New Order in 1965-66, continued to recruit new student members but were based off campus).[27] According to a leading historian of Indonesia, the government also responded to the unrest by launching what was to become a decade-long, aggressive ideological campaign.[28] Beginning in 1974, President Soeharto established a commission to turn Pancasila,[29] a set of guiding principles for the nation first articulated by Sukarno on the eve of independence in 1945, into a tool for political control.

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[27]Didik Supriyanto, *Perlawanan Pers Mahasiswa* (Jakarta: Yayasan Sinyal, Pustaka Sinar Harapan, 1998), pp. 36-37.

[28]Cribb, *Modern Indonesia*, pp. 136-143.

[29]Pancasila itself consists of an enumeration of five broad principles: belief in one supreme being, a just and civilized humanitarianism, the unity of Indonesia, a people led by wise policies arrived at through a process of consultation and consensus, and social justice for all the Indonesian people. The Soeharto government's use of Pancasila as an ideological tool is described in more detail in chapter 7 below.

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A second major student protest movement emerged in 1977 in the wake of parliamentary elections in May of that year marred by widespread army coercion, vote-rigging, and other manipulation by army-backed Golkar cadres. Despite these measures and a solid victory overall in the polls, Golkar suffered embarrassing defeats in Jakarta and the province of Aceh, where Muslim voters came out behind the United Development Party. Public criticism of the government grew through the end of 1977, with critics continuing to attack economic policies which they saw as favoring a handful of wealthy capitalists with access to Soeharto.[30] Anti-Chinese riots in Bandung in November indicated growing public unrest. With the electoral process viewed as biased and subject to government manipulation, and few alternative outlets available, student protests again emerged on the national political stage.

[30]See Jenkins, *Suharto and His Generals*, pp. 74-88.

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This time, student leaders scrupulously avoided making alliances with disaffected government figures, and focused instead on building a coalition of student councils to push a platform for reform. In the run-up to the general session of parliament scheduled to hold presidential elections in March 1978, student council leaders at major public universities in Jakarta, Bandung, Yogyakarta, Surabaya, Palembang, and Medan issued statements and held rallies boldly calling for the replacement of Soeharto, reorientation of the country's economic and political systems, and institution of the rule of law (*negara hukum*). The students also criticized the close alliance between Golkar and the army, and the increasingly prominent role of the army as a partisan political force. In January 1978, the student council (*dewan mahasiswa*) at the prestigious Bandung Institute of Technology (Institut Teknologi Bandung, ITB) published the *White Book of the 1978 Students' Struggle*, a work which has been called the "first systematic Indonesian critique of the domestic policies of the New Order regime."[31] The *White Book* lambasts the government for endemic corruption, economic policies which facilitate self-enrichment at the expense of social welfare, repression of independent political voices, and losing touch with the people.[32] At about the same time, General Dharsono, a high-ranking military official with ties to a number of disaffected Muslim groups, publicly called on the government to heed the calls for reform, stating that the protests were evidence that the government was losing the public trust.[33]

The publication of the White Book and Dharsono's remarks prompted the government to act. Dharsono was ousted from his position, the "White Book" was banned, and student leaders in Bandung and other cities where student councils had been active were put on trial.[34]

The government clamped down on the entire campus community following the 1978 protests. Through a policy formally known as "Normalization of Campus

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[31]"Editors' Note," *Indonesia* 25 (April 1978) (Ithaca, New York: Cornell Modern Indonesia Project), p. 151.

[32]"White Book of the 1978 Students' Struggle," *Indonesia* 25 (April 1978) (Ithaca, New York: Cornell Modern Indonesia Project), pp. 151-182.

[33]Jenkins, *Suharto and His Generals*, pp. 87-88.

[34]"Defense of the Student Movement: Documents from the Recent Trials," *Indonesia* 27 (April 1979) (Ithaca, New York: Cornell Modern Indonesia Project), pp. 1-2; International Commission of Jurists, *Indonesia and the Rule of Law* (London: Frances Pinter, 1987), p. 90.

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Life," the government banned political expression and activity from the campuses, and placed all student activities under the supervision and control of the university rectors. Campus-wide student councils were outlawed and only closely monitored departmental student representative bodies were allowed to exist.[35] Rectors, in turn, were made answerable to the military authorities and to the Ministry of Education and Culture for implementation of the policies.[36]

[35]For a description of these regulations, see Didik Supriyanto, *Perlawanan Pers Mahasiswa*, pp. 37-45.

[36]Mulya T. Lubis and Fauzi Abdullah, *Human Rights Report, Indonesia 1980* (Jakarta: Sinar Harapan, 1981), quoted in Edward Aspinall, "Student Dissent in Indonesia in the 1980s," Center of Southeast Asian Studies Monograph, Monash University, 1993, p. 9.

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In subsequent years, on-campus "training" courses in Pancasila, which Soeharto transformed into an official state ideology, were made obligatory for students. (The nature and impact of these indoctrination sessions are discussed in chapter 7 below.) The university became an important locus of military intelligence operations. Undercover agents attended seminars and campus-based "Student Regiments" (Resimen Mahasiswa or Menwa) increasingly served as a vehicle not only for recruitment and training of future military personnel, but as an on-campus intelligence network to monitor the activity of other students. Student rallies were routinely broken up by security forces. Between 1978 and the resignation of Soeharto, scores of students were imprisoned for political crimes, many under broadly worded laws criminalizing "deviation" from the state ideology, "disrespect" for the president or vice-president, and "public expression of hate or insult" directed against the government.[37]

In the 1980s, the entire academic community suffered from the pervasive security presence on campus and the government's hostility to independent political expression. Pressures on faculty to toe the line were imposed through a variety of measures, including central government control over promotion decisions at public universities, denial of travel privileges to critical professors, monitoring of academic seminars, and increasingly institutionalized press and book censorship on a significant range of historical, political and economic subjects. As civil servants, faculty at public universities were required to show "monoloyalty" to Golkar, and to wear civil servant uniforms on designated days each month. Under regulations governing public gatherings, prominent writers, environmentalists, legal aid lawyers, and foreign scholars deemed overly critical of the government were routinely blacklisted and banned from public campuses, severely limiting the ability of the university to serve as an open forum and a resource to social institutions independent of the state.

The 1990s: The Role of Students and Faculty in the Push for Change

[37]International Commission of Jurists, *Indonesia and the Rule of Law*, 85-86.

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By the late 1980s, nearly two decades of rapid economic growth in Indonesia had given rise to a small but increasingly assertive middle class. This growth was reflected on campus in sharp increases in overall enrollments and a proliferation of new private universities, academies, and institutes to serve the children of an expanding population of workplace supervisors, small businessmen, and mid-level government employees.[38] At the same time, a wide range of Indonesians, including an important segment of the expanding middle class, was increasingly demanding greater freedom of expression and the opening of the political system to broader citizen participation.

Student activists, who had been driven underground and radicalized by the repressive campus policies instituted in the late 1970s, were an important source of pressure. Campus protest first reemerged in 1987, and an initial period of activity culminated in 1989 in a series of student protests on land dispute issues and

[38]See Edward Aspinall, "Students and the Military: Regime Friction and Civilian Dissent in the Late Soeharto Period," *Indonesia* 59 (April 1995) (Ithaca, New York: Cornell Modern Indonesia Project), p. 31 (noting that the number of private universities increased from sixty-three in 1978 to 221 in 1990). Indonesia today has over sixty state run institutions of higher education (including thirty public universities, ten teacher training colleges, and fourteen state Islamic institutes), 270 private universities and at least 600 other private tertiary institutions offering non-degree diploma programs. Public and private universities are located in cities throughout the archipelago, with highest concentrations in major cities on Java and provincial capitals. *See* Karen Johnson et al., *Indonesia: A Study of the Educational System of the Republic of Indonesia and a Guide to the Academic Placement of Scholars in Educational Institutions in the United States* (Washington D.C.: American Association of Collegiate Registrars and Admissions Officers, 1993), p. 25.

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violence against civilians. A 1996 Human Rights Watch report described the reemergence of campus protest as follows:

> Ironically, the revival of student activism since the late 1980s, much of it aimed at championing social justice for the poor, has been seen as one of the signs of greater openness in Indonesia, even as it has also been an indication of discontent and frustration with the Soeharto government.
>
> But the revival was not due to any easing of government controls on campus activities. Rather, the emergence of "radical populism" among Indonesian students was a direct result of the lack of any authorized venue for discussions of political and social issues...[39] Throughout the 1980s, some of the brightest students in Indonesian universities formed off-campus discussion clubs where they read and debated political and social theories—Marxism, dependency theory and liberation theology, among others—that both explained and offered solutions to social injustice and had the added attraction of being banned topics in Indonesia. The first arrests of students associated with such a study club took place in 1988 when three members of the Palagan Study Club in Yogyakarta were arrested and sentenced on subversion charges to prison terms ranging from seven to eight and a half years.[40]
>
> Those arrests helped galvanize the student movement, particularly in Yogyakarta, whose plethora of colleges and universities facilitated inter-campus organizing. By 1989, the Yogyakarta Students Communication Forum (Forum Komunikasi Mahasiswa Yogyakarta) had been formed from over 1,000 students on twenty-eight different campuses in and around the city, and it became a model for similar fora in other cities.[41]

[39]For a good discussion of the recent history of student activism and the emergence of the PRD and other organizations with a radical populist bent, see E. Aspinall, "Students and the Military: Regime Friction and Civilian Dissent in the Late Suharto Period," *Indonesia*, no.59, April 1995, pp. 21-44.

[40]These arrests are described in detail in Asia Watch (now Asia Division, Human Rights Watch), *Injustice, Persecution, Eviction: A Human Rights Update on Indonesia and East Timor* (New York: Human Rights Watch, 1990), pp. 7-16.

[41]Aspinall, "Students and the Military...," *Indonesia*, p. 32.

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Students began to join forces with NGOs to defend the interests of peasants evicted from their land for development or commercial purposes and workers deprived of the right to organize. Yogyakarta students were particularly active in the early 1990s in support of families displaced or about to be displaced by the World Bank-funded Kedung Ombo dam; Surabaya students were out in the streets *en masse* in 1993 to protest the death of Marsinah, a young woman labor activist, and to raise worker rights issues. Communications technology—mobile phones, fax machines, and electronic mail—helped facilitate intercity organizing, and by late 1993, it was common to have demonstrations involving students from throughout Java, if not farther afield.

Such demonstrations were almost always broken up by the police or military and the leaders arrested. However, the fact that they continued, and indeed, increased in size and frequency, was attributed by many, including the students themselves, to tacit support from some members of the military who were not unhappy either with the anti-Soeharto themes of many of the protests or with the sense that mass street actions conveyed that the president was losing his grip.[42] (The growth of the student movement coincided with the emergence into the open of a split between Soeharto and the military in the dispute over selection of the vice-president in 1988.)[43]

[42]See Human Rights Watch/Asia, *The Limits of Openness* (New York: Human Rights Watch, September 1994), p. 12; Aspinall, "Students and the Military," pp. 34-42. The possibility of military support surfaced in a student protest against then Minister of the Interior Rudini in November 1989 in Bandung; in a protest against the state lottery in November 1993 in Jakarta where demonstrators were actually allowed to go up to the gate of the presidential palace; and in a demonstration in the lobby of the national parliament on December 14, 1993. Syarwan Hamid, the hard-line general who runs the social and political affairs division of the military, told the Jakarta magazine *Forum Keadilan* (August 12, 1996), that PRD is well-financed from the pockets of former (unnamed) officials.

[43]This passage first appeared in Human Rights Watch/Asia and Robert F. Kennedy Memorial Center for Human Rights, "Indonesia: Tough International Response Needed to Widening Crackdown," *A Human Rights Watch Short Report*, vol. 8, no. 8(C), August 1996, pp. 9-10.

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As described above, the reemergence of campus political life was facilitated by splits within the elite but grew on its own as a response to the controls implemented a decade earlier. In the 1990s, student protest became an important source of pressure on the government for relaxation of political controls and broader citizen autonomy. Important links also existed between student groups and Indonesia's increasingly active NGO (nongovernmental organization) sector. Although a discussion of Indonesian NGOs is beyond the scope of this report, legal aid activists, environmentalists, independent labor organizers and a wide range of other activists assumed increasing prominence in the 1980s and early 1990s in pushing for fundamental institutional reform and in drawing attention to human rights and other abuses by New Order officials.[44] The rise of the NGOs provided an important outlet for student study group activists and for a number of prominent faculty members, and such ties created an important channel for exchange of information between activists based on and off campus.

[44]For an account of the political orientation and role of the NGOs, and government attempts to contain their activities, see Todung Mulya Lubis, *In Search of Human Rights: Legal-Political Dilemmas of Indonesia's New Order, 1966-1990* (Jakarta: PT Gramedia Pustaka Utama & SPES Foundation, 1993), pp. 206-250.

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To a limited extent, domestic pressures for the relaxation of political controls were encouraged by the government's emphasis on economic development, which required opening Indonesia's borders to foreign capital and information flows. A new higher education law passed in 1989 and a government regulatory decree issued in 1990 included guarantees for both "academic freedom" and "scientific autonomy."[45] In 1990, President Soeharto himself publicly endorsed broader "openness" in Indonesian society as one of the government's development objectives. On campuses, the changed climate was reflected in a 1990 decree allowing the reestablishment of campus-wide student senates for the first time in over a decade. Also in 1990, President Soeharto publicly endorsed the creation of an organization known as the Indonesian Association of Muslim Intellectuals (Ikatan Cendekiawan Muslim se-Indonesia or ICMI, an organization which quickly grew to national prominence), and the president's endorsement energized a variety of campus-based Muslim groups. Beginning about the same time, some government officials and campus administrators themselves felt that campus life had grown sterile during the 1980s and informally began to allow more room for campus-based activities.[46] Many academics and intellectuals took advantage of the opening to push for more fundamental reform.

In a 1990 interview, Mochtar Lubis, one of Indonesia's senior journalists and most independent intellectuals, stated:

[45] *Lembaran-Negara Republik Indonesia, No. 38, 1990: Peraturan Pemerintah Republik Indonesia Nomor 30 Tahun 1990 Tentang Pendidikan Tinggi* (copy on file at Human Rights Watch); *Tambahan Lembaran-Negara RI, No. 3390: Penjelasan Atas Undang Undang Republik Indonesia Nomor 2 Tahun 1989 Tentang Sistem Pendidikan Nasional* (copy on file at Human Rights Watch).

[46] See Suprianto, *Perlawanan Pers Indonesia*, pp. 87-91.

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> There is no time to waste. Indonesians must be allowed to develop their critical faculties so they can understand what's happening to themselves, to their society and in the world. Not just understand, but be able to analyze and make choices. Members of society are not allowed to be critical so how can they be creative? How can you expect people to create, to think, if there is no climate of freedom? Without fostering our intellectual strengths, which means letting people say what they think without fear, Indonesians will remain coolies in their own country. It's terrifying to think that just to say common things you have to be so careful. When you reach that stage, and that's where we are, you have to realize we've arrived at a critical situation.[47]

Even as the government loosened controls in some areas, however, it repeatedly insisted that the kind of "openness" that it endorsed was "responsible openness," and continued to use repressive laws, violence, and ideological campaigns to enforce its interpretation of what constituted "responsibility." Because there was no institutionalization of protection for basic rights, citizens never could be sure how far the opening extended. As Indonesian sociologist Arief Budiman, now teaching in Australia, phrased it in a 1997 speech: "Democracy is given as a 'loan' by the powerful state. If the state feels that it is inconvenient to continue giving this 'loan,' it can easily be terminated."[48]

The 1990s thus witnessed an oscillation between greater leeway for expression and periodic crackdowns. Student protest was a bellwether of these opening and closings, and significant expansions of protest activity in 1993-94 and 1996 were each followed by renewed crackdowns.[49] Protests in the 1990s were not

[47]Quoted in Schwarz, *A Nation in Waiting*, p. 238.

[48]Arief Budiman, "The Lonely Road of the Intellectual: Scholars in Indonesia," address delivered upon the appointment of Dr. Budiman as Chair, Indonesian Studies Program, University of Melbourne, October 1997 (copy on file at Human Rights Watch).

[49]For information on the 1993-94 protests and subsequent crackdown, see Amnesty International, "Indonesia: Student prisoners of conscience," June 1994, AI Index 21/14/94; Amnesty International, "Indonesia: Update on student prisoners of conscience," July 1994, AI Index 21/27/94; Human Rights Watch/Asia, *The Limits of Openness*, pp. 12-13. For information on the 1996 protests and the subsequent crackdown, see Human Rights Watch/Asia and Robert F. Kennedy Memorial Center for Human Rights, "Indonesia: Tough International Response Needed to Widening Crackdown," *A Human Rights Watch Short Report*, vol. 8, no. 8(C), August 1996.

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limited, as they had been in the 1970s, to elite campuses and did not focus to the same extent on national-level political issues. New protest activity included campaigns on campus and local issues, inter-campus campaigns on land rights issues, a successful challenge to the national lottery in 1993, election boycott campaigns, anti-corruption and anti-nepotism protests, rallies and hunger strikes to protest violence by the security apparatus against students and other civilians, and, increasingly, workers' rights campaigns.

Faculty as well as students became more active and more vocal on social and political issues in the 1990s. Faculty spoke out on behalf of academic freedom, joined off-campus human rights and democracy advocacy groups, and lent their expertise to NGO campaigns on a wide range of issues, from women's rights to legal reform. In interviews with Human Rights Watch in September 1997, Indonesian faculty uniformly reported that classroom and seminar discussions had become more freewheeling, and many stated that the most significant barrier to free expression was no longer censorship on campus, but continuing, far-reaching controls on the ability of faculty to state their views publicly.

If students and faculty played an important role in the push for greater openness, they also continued to define the limits of government tolerance. The most prominent victim from the academic community was Dr. Sri Bintang Pamungkas, whose case is described in more detail in chapter 6 below. Sri Bintang, a long-time economist at the University of Indonesia and one-time member of parliament, emerged as a leading public proponent of democratic reform in the early 1990s only to be arrested, first in 1995 and again in 1997. He was first arrested in August 1995, publicly blamed with organizing boisterous demonstrations in Germany that had greeted Soeharto during a state visit there in April. Sri Bintang had been invited to Germany by a student group and had been in the crowd at one of the demonstrations.[50] Apparently lacking evidence to support its initial allegations, the government at trial instead alleged that he had made derogatory remarks about Soeharto in a question-and-answer period following an address he had delivered at the Berlin Technical University. Sri Bintang was sentenced to thirty-four months in jail under Article 134 of the Indonesian criminal code, Indonesia's equivalent of a *lese majesty* law, which outlaws expression of "disrespect" for the head of state. After being released pending his appeal, Sri Bintang subsequently was rearrested in March 1997 and put on trial for subversion for sending a holiday greeting card

[50]See Human Rights Watch/Asia, "Soeharto Retaliates against Critics: Official Reactions to Demonstrations in Germany," *A Human Rights Watch Short Report*, vol. 7, no. 6, May 1995, pp. 3-5.

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calling for an election boycott and founding a political party dedicated to implementation of constitutional and legal reform.[51] He was one of the first people released after Soeharto's resignation.

In the student community, the most prominent victims were a group of radical students belonging to the People's Democratic Party (Partai Rakyat Demokrasi or PRD) and its affiliates, including Indonesian Student Solidarity for Democracy (Solidaritas Mahasiswa Indonesia untuk Demokrasi or SMID). The PRD, led by former Gadja Mada University (Universitas Gadja Mada or UGM) student Budiman Sudjatmiko, grew out of the underground study groups that emerged in the 1980s, described above, but was set apart from other groups by its strident criticism of New Order institutions, its attempts to mobilize peasants, workers, students, and artists in a united struggle for change, and its success in organizing large worker and student demonstrations in major cities in Java and a few cities outside Java.

[51]See Amnesty International, "Former MP charged with subversion for election boycott call," March 1997, AI Index: ASA 21/11/97.

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In July 1996, when rioting broke out in Jakarta following the government-engineered ouster of Megawati Sukarnoputri, the most popular opposition leader to emerge in over two decades, from her position as head of the opposition Indonesian Democratic Party, the government instituted a virtual witch-hunt for PRD members. In an aggressive public campaign, the government accused the PRD of having been the "mastermind" behind the riots, and military and government officials repeatedly asserted that the PRD was communist, a reincarnation of the banned PKI and a manifestation of the long-proclaimed "latent" danger still posed by communists.[52] In the wake of the riots, senior army officials embarked on a campaign aimed at Muslim mass organizations to whip up fervor against this new communist threat and rally forces behind the government. Fourteen PRD activists eventually received harsh jail sentences, ranging from eighteen months to thirteen years, even though the government produced no evidence that any of the defendants had been involved in the July 1996 riots. The convictions were instead based on their political activities and statements, their participation in prior demonstrations, and their alleged "deviation" from the state ideology.[53] (The case of the PRD prisoners is discussed in more detail in chapter 6 below.)

Far from quieting the opposition, the government's actions against political opponents in 1996 were greeted in 1997 by increasing public demands for political change and increasingly open criticism of the government in the press. In the run-up to parliamentary elections held in May 1997, students coordinated a nationwide "blank ballot" (*golput*) campaign calling for an election boycott. The election, the bloodiest in Indonesian history, took place against the backdrop of violent mob attacks on police depots, the shops of Chinese-Indonesian merchants, and Christian churches. Through the end of the year, critics continued to blame the government for its poor responses to ecological disaster as hundreds of forest fires covered much of the region in a thick haze, as well as the deepening economic crisis.

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[52]Human Rights Watch/Asia and Robert F. Kennedy Memorial Center for Human Rights, "Tough International Response," pp. 11-14.

[53]See Amnesty International, "Indonesia: The Trial of Thought," April 1997, AI Index: ASA 21/19/97.

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Many faculty, including some of the government's own social science researchers, became increasingly vocal in calling for reform. Mochtar Pabottingi, a political scientist at the prestigious, government-funded National Institute of Sciences (Lembaga Ilmu Pengetahuan Indonesia or LIPI) told Human Rights Watch in an interview in 1997: "The fundamental obstacle to intellectual freedom is the government's monopolization of political truth. [In the government's eyes,] conflict of ideas is bad, we should not question the government or its one-sided reading of history: the army and leaders are always right. . . . The only response is to continue to find the distortions, regardless of the threats and the government's practice of strategically jailing critics to keep up the fear. It is a question of endurance. The constitution and ideals of the republic are on our side."[54]

1998: The Nationwide Student Protest Movement and the Opening to Democratic Reform

President Soeharto resigned from office on May 21, 1998. His resignation followed national outrage over the shooting deaths of four students at Trisakti University in Jakarta during a student demonstration on May 12; widespread rioting in Jakarta and other cities in which over 1,000 people lost their lives, many in fires set by looters, on May 14-15; and calls for him to step down from some of his closest associates within the government. Prior to these events, however, pressure on Soeharto to resign had been building steadily, with student protests, prominently backed by many leading faculty and community leaders, providing the most important and most continuous source of public pressure. Several features of the campus-based protest movement relevant to the present discussion are set forth below.

First, the rise of the student protest movement in 1998 broadly followed the pattern of 1973-74 and 1977-78, campus-based protests once again arising to national prominence against a backdrop of growing public discontent and the closure of other political outlets. Public expressions of concern and dissatisfaction with policies of the Soeharto government first erupted after the sharp drop in the value of the Indonesian rupiah in early January 1998. Although student protesters immediately responded by holding rallies and issuing declarations calling for fundamental political as well as economic reform, the student protests were initially only one part of a much larger outpouring of demands for change. It was only when

[54]Interview with Human Rights Watch, Jakarta, September 30, 1998.

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popular opposition leaders failed to mount any significant challenge to Soeharto and it was clear that no political changes would be implemented by Indonesia's highest legislative body (Majelis Perwakilan Rakyat or MPR) at its "General Session" in early March 1998 (such sessions are held once every five years to select a president and to set the "broad outlines" of government policy for the coming five years) that the focus of national attention shifted away from opposition figures and the student movement again became a national political force.

Second, although spurred in part by the growing economic crisis, the student protesters from the beginning demanded political as well as economic reform. Nearly every demonstration demanded price controls to address the economic crisis, but most of the protests also demanded that Soeharto step aside, asserting that government greed—manifested in corruption, economic favoritism, and nepotism—had led the government to ignore the public interest and thus to forfeit its right to rule in the name of the public. Many of the protests, moreover, added specific recommendations for structural political reform. One common demand was repeal of Indonesia's "five political laws," laws which effectively ban independent political organizations and strictly regulate the two recognized political parties. Other common demands included implementation of measures aimed at demilitarization of society, decentralization of government, and guaranteeing respect for basic rights.

A declaration by student senate leaders at the University of Indonesia, dated January 22, 1998, exemplifies the political nature of student demands. The declaration asserted that the economic crisis could not be separated from failure of Indonesia's political leadership to live up to its commitment to the public, and listed five demands: (1) price controls on basic commodities to assist the most vulnerable groups in society; (2) political reform, including restoration of public institutions as servants of the people, and repeal of all laws which limit the public's right of freedom of association, assembly, and expression; (3) a change of national leadership as an "absolute precondition" for political reform; (4) admission by the president of full responsibility for the economic, social and political crisis; and (5) student unity with the public in the struggle for reform.[55]

[55]"Pernyataan Sikap Mahasiswa Universitas Indonesia," *Indonesia Daily News Online*, January 23, 1998.

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Third, the protest movement was unprecedented in scope. Even in January and February, when significant protest activity was taking place on only a dozen or so campuses, protests were reported not only in major student centers in Java such as Yogyakarta, Jakarta, Bandung, and Surabaya, but also in cities outside Java not previously known as protest centers such as Pekanbaru, Sumatra, and Palu, Sulawesi. After the General Session of the MPR in March, students from literally hundreds of institutions, including private universities, academies, and institutes as well as leading public universities and state teacher training and Islamic institutes, participated in the movement. Larger rallies drew 10,000 to 15,000 students and scores of rallies, even in smaller cities, drew 5,000 or more students. On many days, protests were held on a dozen or more campuses simultaneously. Protests took place not only on campuses in major cities, but on campuses in cities throughout the country, including each of the following: Abepura in Irian Jaya; Lampung, Banda Aceh, Medan, Palembang, Padang, Jambi, Pekanbaru, and Bengkulu in Sumatra; Ujung Pandang, Menado, and Palu in Sulawesi; Kupang in Timor; Pontianak, Samarinda, and Banjarmasin in Kalimantan (Borneo); Denpasar in Bali; Mataram in Lombok; Jakarta, Bogor, Bandung, Sukoarjo, Yogyakarta, Surakarta, Salatiga, Purwokerto, Semarang, Malang, Surabaya, Tasikmalaya, and Cirebon in Java.

Student groups of striking diversity participated in organizing the protests. As in the 1970s, organizers of demonstrations included recognized student government leaders, but many major demonstrations also were organized by representatives of the wide variety of Muslim, radical leftist, and reform-oriented organizations that had emerged since the late 1980s. Many new umbrella organizations were formed expressly to coordinate protests. This diversity is best exemplified by three successive protests held at Gadja Mada University (UGM) in Yogyakarta on April 2, 3 and 4. The first demonstration was organized by a student group called the Committee of the Peoples Struggle for Change (Komite Perjuangan Rakyat untuk Perubahan or KPRP), an organization of leftist students known on campus as the "radical pro-democracy group." Some of the organizers of the demonstration were affiliated with SMID, the affiliate of the PRD described above. The demonstration the following day was coordinated by the League of Yogyakarta Muslim Students (Liga Mahasiswa Muslim Yogayakarta or LMMY), a coalition of centrist Muslim students which has been active in organizing protests on campus since 1996. The third demonstration, attracting over 20,000 students, was organized by yet another organization, a group called the UGM Student Family (Keluarga Mahasiswa UGM), a body formed by the UGM student senate and supported by a large number of UGM professors and lecturers.

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Fourth, the strength and popular appeal of the protest movement would have been unthinkable without the active support and, frequently, direct participation of university faculty. A turning point in the campus protest movement came in late February, when faculty speakers joined students in addressing rallies. Particularly important was a large rally at the University of Indonesia (UI) on February 25, 1998, held while at least four truckloads of police and soldiers in riot gear and scores of rapid response troops on motorcycles with automatic rifles stood ready at the campus gates. Students were joined at the rally and on the podium by many prominent faculty and other public figures, including Mahar Mardjono (former rector of the university and a long-time member of the team of presidential doctors), Dr. Sri Edi Swasono (a prominent professor and former government official), Dr. Selo Sumardjan (a prominent professor and former adviser to the late revolutionary war hero and sultan of Yogyakarta, Hamengkubuwono IX), Dr. Karlina Leksono (Indonesia's first female astronomer), Wahyu Sardono (an alumnus and popular television comedian), and Mulyana W. Kusumah (a prominent democracy and human rights advocate). At the rally, the head of the University of Indonesia Alumni Association, Hariadi Darmawan (a retired army officer and government official), read aloud a six-page declaration. The declaration, although it did not set forth specific demands, offered a scathing critique of the government's response to the economic crisis. Among other criticisms, the declaration blamed the government for endemic corruption and nepotism, accused the government of self-serving "manipulation of constitutional processes and mechanisms," and stated that "lack of respect for the law and norms of social justice and human rights have been spread in the name of national stability to ensure the unobstructed implementation of a capitalist and nepotistic development which benefits only a certain small circle of entrepreneurs . . . ."[56] The participation of faculty in the protest movement, which mushroomed in subsequent weeks to include junior and senior faculty, university administrators, and prominent alumni on over a dozen of Indonesia's leading campuses, made it difficult for the authorities to brand the protests as the work of a handful of radicals or the product of misplaced youthful idealism.

[56]"Statement of Concern: Civitas Akademica of the University of Indonesia," *Indonesia Daily News Online*, March 4, 1998.

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The UI rally was also significant because it was conducted publicly, with invitations sent to press and public figures prior to the event. According to sources familiar with the planning of the rally, the protest had been in the works for weeks, but a number of participants were reluctant, given the increasingly militarized and tense political climate, to risk a public display of opposition.[57] The decision to send invitations and publicly declare the rally a proper form of expression was quickly picked up on other campuses. As Dr. Mardjono said in a subsequent interview, defending what might be seen by the authorities as the presumptiveness of the call for change: ". . . the campus is a channel for the views of the public and [the university works on behalf of] social welfare, humane values, and social justice . . . . Sometimes we forget that attention to social matters [is part of the mission of the university]."[58]

The rally had important political resonance because of the role of the University of Indonesia as the "Campus of the New Order Struggle" (UI students had been among the most prominent backers of Soeharto and the rise of New Order in 1965-67). Student protesters signified their rejection of that legacy by approaching two large signposts on campus grounds carrying the "Campus of the New Order Struggle" slogan and obliterating the words "the New Order" with black spray-paint.

Thereafter, faculty members, researchers such as Hermawan Sulistyo of the Indonesian Institute of Sciences (LIPI), and alumni, some of whom had been active in protest movements in the 1970s, often advised students and helped in facilitating contacts with students and faculty on other campuses. University rectors, deans, and prominent faculty members frequently addressed the rallies, expressing support for the students' demands for political reform. At a rally held during the last week in April at Dr. Soetomo University in Surabaya, for example, Poncol Marjada, the

[57]Human Rights Watch interview with Ezki Suyanto, New York, March 31, 1998.

[58]"' Orang Jujur Sekali Malah Dianggap Bodoh,'" *Media Indonesia*, March 8, 1998.

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university rector, read a statement formally calling on students to participate in the demonstrations to express their concerns. At a rally at Gadja Mada University in Yogyakarta the same week, senior professor Dr. Loekman Soetrisno declared to the crowd of students: "If Martin Luther King could trigger the birth of a new America, you, too, the young people, can create a new Indonesia."[59]

[59]"Indonesian Milik Kalian, Orang Muda," *Ummat*, May 4, 1998.

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Scores of faculty expressed support for the students in commentaries and interviews in leading media. On May 2, 1998, Indonesia's "National Education Day," over 200 faculty at the University of Indonesia issued a statement criticizing the government and expressing support for "all public movements aimed at creating a clean and accountable system of government."[60] On May 8, a group of twenty-one full professors from five of Indonesia's most prestigious universities issued a statement calling for support for the student movement "from teachers, lecturers, and professors on all levels, and by all academies and universities throughout Indonesia."[61] The group also appealed to "all academicians of state and private universities in Indonesia, and to all scientists, professionals, nongovernmental organizations (NGO), private and religious organizations, to cooperate in bringing about comprehensive reform."[62] Among the prominent signatories were former government minister and current UI professor Dr. Emil Salim and UGM rector Dr. Ichlasul Amal. On May 2, a new umbrella group of alumni from forty-eight universities and other tertiary education institutions publicly issued a statement in support of the students and announced the creation of a nationwide legal support and psychological counseling network for students injured in protests and for the families of activists who have "disappeared" after being forcefully abducted by military or paramilitary teams.[63]

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[60]"Krisis Memburuk Akibat Pernyataan Simpang Siur," *Kompas Online*, May 4, 1998.

[61]"Guru Besar Lima PTN: Galang Reformasi Menyeluruh," *Kompas Online*, May 9, 1998.

[62]Ibid.

[63]"Alumni back student calls for reform," *Jakarta Post*, May 4, 1998.

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Faculty associations and other academic groups also issued platforms for political change. In a public declaration released on January 18, nineteen social science researchers at the Indonesian Institute of Sciences (LIPI) called for a change of leadership, protesting that "every contribution of ideas from outside the circle of state power is greeted with prejudice and suspicion, not with relief at the widening of participation. The public sphere is closed . . . ."[64] On February 10, a group of over seventy alumni of the Bandung Institute of Technology (Institut Teknologi Bandung or ITB), which had been the center of student protest twenty years earlier, issued a strongly worded statement that the country was facing a national disaster caused by the failure of Soeharto's leadership. In April, the Research Institute for Democracy and Peace, an institute founded by social science researchers at LIPI, issued a detailed "Political Reform Agenda" (*Agenda Reformasi Politik*) setting forth their vision for a two-stage transition to a more democratic society. The agenda suggested specific measures for reform in such areas as presidential accountability, separation of powers, freedom of political association, demilitarization of society, national and local elections, and development of civil society. Some of these same researchers maintained close contacts with student leaders and worked actively to support the movement. Graduate students and overseas student associations held rallies and issued declarations of support.

Finally, students showed remarkable resilience and commitment to the reform cause notwithstanding government repression. Every attempt the government made to diffuse the protest movement only strengthened it. The government tried to contain the movement by force, banning public marches by students nationwide and stationing hundreds of riot police and troops at campuses across the country. The security presence at campus gates became a magnet for the protesters' anger and, increasingly, a flashpoint for violence. The ensuing tense confrontations between students and security forces only added fuel to the developing political crisis.

Nearly every day from early March to May 21, the same scene was repeated in cities across Indonesia: thousands of students gathered for a campus rally and, after one or more hours of speeches, patriotic songs, and calls for immediate reform, they marched in rows to the campus gates. At the gates, they came face to face with rows of police and troops who stood squarely in their path, under strict orders from the military command in Jakarta to prevent the students from marching through city streets. Although the majority of the protests were

[64]"Pernyataan Keprihatinan 19 Peneliti LIPI," *Indonesia Daily News Online*, January 23, 1998.

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peaceful, some of the confrontations turned violent. Between March 11 and May 2, over eight hundred people were reported injured in over thirty separate clashes, many with serious facial and head wounds. (A chronology and brief description of these clashes is set forth in Appendix D.) Rather than containing the movement, the government's response pushed toward increased violence, as witnessed by violent confrontations in Bogor, Medan, Solo, and Yogyakarta in early May, and culminating in the shooting deaths of four students at Trisakti University on May 12.

The government also tried to deter the protests through ideological pressures and fear. On April 16, the president stated that security forces should take "repressive" measures where necessary to restrain the students.[65] At about the same time, the armed forces commander for the Jakarta region stated that he had evidence that the student protests were being manipulated by subversive elements in society, who had formed a network to foment social chaos,[66] and military Commander-in-Chief Wiranto warned of "a serious threat of [national] disintegration" due to "certain individuals or groups who have the intention of destroying national unity and solidarity."[67] The government also reiterated its ban on "practical political activities" on campus and threatened to expel students who violated the policy.[68] There was also evidence that the forced abduction and subsequent "disappearance" of over a dozen of prominent opposition organizers which began in early February was the work of a group within the military.[69] In response to the threats, students stepped up the level of protest activity.

Finally, the government tried persuasion, offering to meet with student leaders in "dialogue" sessions to discuss student demands. Most student leaders rejected the offer, saying that their demands were clear and that dialogue would be

[65]"ABRI can use 'repressive measures,'" *Tempo Interaktif*, April 17, 1998.

[66]"Pangdam Jaya: Jaringan Oposisi Berusaha Masuk Kampus," *Media Indonesia*, April 18, 1998.

[67]"Gen. Wiranto warns over threat to unity,"*Tempo Interaktif*, April 15, 1998.

[68]"Kegiatan Politik Dilarang di Kampus," *Kompas Online*, April 5, 1998.

[69]Human Rights Watch, "Disappearances in Indonesia: The Military Must Answer," press release, April 28, 1998; Human Rights Watch, "Torture, Disappearances, and Arrests of Indonesian Activists," press release, April 1, 1998.

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appropriate only after the government showed its commitment to change by implementing concrete reforms.

Conclusion

The campus-based movement not only played an important role in toppling Soeharto, it emboldened a wide range of Indonesians to offer critical diagnoses of the problems facing the country and to speak openly of the kind of reforms they would like to see and the kind of society they would like to build. The challenge now facing Indonesia is to remove the institutional bases of authoritarian rule built up during Soeharto's thirty-two year rule. Some of the most important barriers are discussed in the following chapters.

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IV. POLITICAL BACKGROUND CHECKS

All candidate teachers, as well as applicants for jobs in a wide range of other professions, are subjected to mandatory political background checks designed to screen out those "tainted" by affiliation with communist or leftist organizations in the mid-1960s as well as those who lack what the government calls an ideologically "clean environment."[70] The screening procedures cast an ideological pall over education, keep many qualified individuals out of the teaching profession, and, because the criteria for exclusion are vague and unevenly implemented, create an environment in which the threat of being named an ex-communist or sympathizer, whether by government officials or by colleagues seeking to settle personal scores, continues to poison intellectual life in Indonesia.

Pursuant to a procedure known as "Special Investigation" (*Penelitian Khusus* or *Litsus*), set forth in a 1990 presidential decree, applicants for jobs in the military, civil service, and a number of specified professions are subject to mandatory background screening. All former political prisoners[71] from the 1965-67 period continue to be formally prohibited from teaching in any public school or university. As described above, the overwhelming majority of such individuals were never convicted of any offense. The exclusion thus is not a question of denial

[70]For discussion and analysis of the scope of the screening procedures, see Article 19, "Surveillance and Suppression: The Legacy of the 1965 Coup in Indonesia" (London: Article 19, The International Centre Against Censorship, Issue 43, September 1995); Human Rights Watch/Asia, *Injustice, Persecution, Eviction*, pp. 39-43.

[71]The Indonesian government distinguishes between individuals tried and convicted of political crimes (political prisoners: *naripidana politik* or *napol*) and those who were imprisoned, sometimes for a decade or more, but never formally charged with a crime (political detainees: *tahanan politik* or *tapol*). This report uses the term "political prisoners" to refer to both categories, unless a distinction is specifically noted in the text.

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of civil rights of individuals based on prior wrongdoing, but instead is an arbitrary group stigma. Such individuals are automatically banned from teaching, regardless to matter their credentials or behavior over the past thirty years.

The list of those who are ideologically suspect is not limited to the '65 generation. The government's ideological screening is also aimed at identifying those who lack what government regulations call an ideologically "clean environment." Those in the extended families of former political prisoners, including siblings, aunts and uncles, children, grandchildren, and in-laws, are presumptively "unclean" and must demonstrate their loyalty to the state ideology and establish that they are free of ideological taint.

According to an explanation of the "clean environment" procedures issued by the Coordinating Minister for Politics and Security in 1988:

> Among other things, the evaluation will involve:
> a. family environment, sibling relationships, relationships which have been dominant/very influential on the attitude, behavior and mental ideology of an individual because of family relationships, personal links, closeness, sibling relationships, sameness of ideals and outlook and so on.
> b. [relationships] included in the dominant environment are as follows:
> 1. parents toward their children
> 2. in-laws toward their children's spouses
> 3. grandparents who bring up their grandchildren
> 4. uncles, older siblings, others who have paid for the upbringing, schooling, who have given their wisdom, helped them out for a relatively long time and so on
> 5. wives toward their husbands
> 6. environmental relationships which have their own distinctive color for an individual ([including one's colleagues at work, whether one is a] farmer, trader, bureaucrat, religious scholar, etc.).[72]

[72]"Explanation of the Government about Ideological Mental Screening for Civil

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Servants, Candidates for the Civil Service and Others as of 8 September 1988," Appendix A in Asia Watch (now Human Rights Watch, Asia Division), *Injustice, Persecution, Eviction: A Human Rights Watch Update on Indonesia and East Timor* (New York: Human Rights Watch, 1990), pp. 91-94.

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The regulations provide that military recruits must come from families "untainted" by any connection with the coup attempt. For civil servants, "the screening of the family environment is the same, except it focuses more on the character of the individual himself and how far ingrained is the ideology to uphold Pancasila and the 1945 Constitution as well as his loyalty to the government and the state. If the person involved has a stable ideology and is loyal to the State and Government, his becoming a civil servant can be considered, even though in his family environment there is someone who was involved in [the coup attempt]." Although the regulations are directed primarily at military personnel and civil servants, screening is also mandatory for all citizens in a position to influence public opinion, including teachers, members of political parties, journalists, shadow puppeteers, mayors, members of legal aid societies, and priests.[73]

The regulations were used most aggressively in the late 1980s, when concern about a resurgence of communism, manipulated by political factions within the Indonesian armed forces, led to an aggressive public campaign to track down (and fire from their jobs) those who could not prove that they or members of their extended families were "clean" of any involvement with the PKI and its mass affiliates. Among the victims was Drs. Koesoemanto, the well-respected head of a university publishing house, Gajah Mada Press, who was forced to resign in 1989, apparently because in the 1960s, he had once been a member of Baperki, a Chinese organization with ties to the PKI.[74] The regulations were still in effect at the time this report was prepared. As the examples below demonstrate, accusations of "uncleanliness" have been used not only by government officials but also by private individuals as a weapon against those whose reputations they wish to tarnish.

In 1995, Kuwat Triyanto (general studies), Harsono (mathematics), and Lie Sing Tew (law), faculty members at Satya Wacana Christian University (Universitas Kristen Satya Wacana or UKSW), were pressured to give up their

[73]Ibid., p. 94; see also Article 19, "Surveillance and Suppression," p. 7.

[74]Human Rights Watch/Asia, *Injustice, Persecution, Eviction*, p. 41.

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administrative and teaching positions on the basis of allegations that, thirty years earlier, the three had ties to the Indonesian Communist Party or had been members of organizations banned after the coup attempt for alleged links to the PKI. Despite their backgrounds, they apparently had been able to obtain teaching positions at UKSW through a sympathetic former rector. They adopted a low profile and their position as teachers did not become an issue until the university came under intense scrutiny in a highly politicized battle between faculty and the university administration.[75]

[75]Human Rights Watch interview with Th. Sumartana, Yogyakarta, September 22, 1997.

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The allegations against the three first surfaced in the course of a protracted faculty strike that followed the university's dismissal in October 1994 of Dr. Arief Budiman, an internationally prominent sociologist and long-time critic of the New Order government. Dr. Budiman was fired after having protested the election of a new rector the previous year. Dr Budiman claimed publicly that the university had violated its own procedures when, in selecting the new rector, it ignored the vote of the faculty senate. The firing of Dr. Budiman led to large-scale demonstrations by faculty and students calling themselves the "pro-democracy group." A number of strike participants believed that military authorities, who had often voiced disapproval with Dr. Budiman, were behind the firing.[76] Shortly after Dr. Budiman was fired, armed forces chief of staff Soeyono likened Dr. Budiman to a driver who often gets into accidents. In press interviews on October 27, 1994, Soeyono commented: "If a driver like that gets fired, isn't that okay? It's natural, a measure to safeguard the passengers."[77] Soeyono also warned faculty and staff not to use demonstrations to push their views. Notwithstanding the warning, over one hundred of the approximately 300 faculty members went on strike, bringing academic life to a standstill, with the faculty demanding reinstatement of Dr. Budiman and the administration refusing to budge. The standoff continued into 1995.

[76]Ibid., Human Rights Watch interviews with Pradjarto D.S. and I Made Samiana, Salatiga, September 24, 1997.

[77]Budi Kurniawan, *Catatan yang Tercecer dari Kemelut UKSW* (unpublished manuscript, dated August 1997, on file at Human Rights Watch), ch. 7, p. 10.

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A participant in the strike told Human Rights Watch that one of the major blows to the movement to have Dr. Budiman reinstated came when allegations were made against the three ideologically "tainted" lecturers.[78] The allegations began to circulate at the end of October 1995 when the West Java military commander, Yusuf Kartanegara, and his chief of staff, Djoko Subroto, gave press interviews stating that they had learned that certain UKSW faculty members had communist backgrounds. Armed forces Chief of Staff Soeyono publicly called for their removal from teaching positions. An administration spokesman then suggested that the three were involved in the strike movement.[79] Leaders of the movement to have Dr. Budiman reinstated emphasized to Human Rights Watch that the three "unclean" professors had not played a significant role in the dispute with the administration and had not been among those sanctioned by the administration for participating in strikes.[80] They described the accusations as an ideological ploy to publicly discredit the protesting faculty, the three lecturers serving as unwitting victims of the broader political struggle on campus.[81]

Another example of the continued effects of the screening procedures involved public accusations in 1996 against Mulyana W. Kusumah, a lecturer in criminology at the University of Indonesia in Jakarta and a leading Indonesian human rights activist.[82] In March 1996, Mulyana was appointed secretary-general of the Independent Election Monitoring Committee (Komite Independen Pemantau Pemilu or KIPP), a nongovernmental organization formed to monitor the fairness of the upcoming 1997 national elections. Beginning in April 1996, old accusations

[78]Human Rights Watch interview with Th. Sumartana, Yogyakarta, September 22, 1997.

[79]Kurniawan, *Catatan yang Tercecer*, ch. 17, p. 14.

[80]Ibid.; Human Rights Watch interview with I Made Samiana, Salatiga, September 24, 1997.

[81]Although the "clean environment" incident was not the final chapter in the long battle between the striking faculty and the administration, over fifty professors and lecturers ended up leaving the university permanently. Human Rights Watch interview with Pradjarto D.S., Salatiga, September 24, 1997.

[82]This case previously was reported in Human Rights Watch/Asia, "Indonesia: Election Monitoring and Human Rights," *A Human Rights Watch Short Report*, vol. 8, no. 5(C) , May 1996, pp. 6-7.

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began to resurface that Mulyana had been involved as a high school student in the mid-1960s in Ikatan Pemuda Pelajar Indonesia or IPPI (Association of Indonesian Student Youth), a group that was considered an *onderbouw* or affiliate of the PKI.

At the time of the accusation, Mulyana was forty-eight. He was seventeen when he was alleged to have been a member of IPPI at the government high school he attended in Bogor, West Java. He graduated from the economics faculty at the University of Indonesia in 1968 and has been a lecturer there since 1970. Between 1983 and 1996, he held a variety of positions at the Legal Aid Institute, and he has written extensively on issues of human rights and criminology.

The charge linking Mulyana to a banned organization had been around for some time. It came up before the Asia Pacific Economic Cooperation (APEC) summit in Jakarta in November 1994 when Mulyana's house was surrounded by intelligence agents for several days. The origins of the public accusations against Mulyana are not clear. There is some evidence that the charges grew out of a split in the Indonesian Legal Aid Society (of which Mulyana was then a member), with opponents within the organization raising the profile of his teenage activities as a way to discredit him. In 1996, the allegations resurfaced in a memorandum from the Bogor social and political affairs office No. 200/06-Sospol dated April 18, 1996 and signed by Didi Wiardi, head of the office, that was publicized immediately in the Golkar newspaper, *Suara Karya*. Armed forces chief of staff Soeyono was among a number of military officials who subsequently publicly attested to the accuracy of the government memo, stating that military records showed that Mulyana had been a chess coach in the youth organization.[83]

One of the many explanations given by the Indonesian press for why the military should begin making public statements about Mulyana in April 1996 was that it was a convenient way of discrediting KIPP as a Communist-inspired movement. The Bogor memo recommended, on the basis of Mulyana's alleged teenage affiliation in this "banned organization," that he be denied the right to vote in the 1997 national elections. According to the ideological screening regulations, all individuals whose names appear on the list of banned organizations must be screened by local officials to determine their ideological fitness to vote. Shortly

[83]"Kontroversi Hak Pilih Sang Aktivis," *Gatra*, May 4, 1996.

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after the news was released, a member of Indonesia's parliament stated publicly that if Mr. Kusumah did not have the right to vote, he should not be involved in election monitoring.[84]

[84]"Mulyana on the Accusation of Forbidden Organization," *Indonesia Media Network*, April 23, 1996.

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Mulyana, who was never arrested let alone convicted of any crime in connection with his activities in the 1960s, vigorously denied the allegations, saying that he had first learned of the charges in 1991. Mulyana noted that he had been cleared of links to the PKI in several background screenings he had undergone when he was hired as a lecturer with the University of Indonesia. The local official who had released the report countered in a subsequent interview with the press that Mulyana had been under government supervision since 1971. Internal security officials claimed that there was no ulterior motive with respect to Mulyana's case. "Reports backed by hard data have to be circulated so all parties can be vigilant," said one official.[85] The Bogor social and political affairs office said it had issued alerts on Mulyana in 1987 and 1992 (both election years). "We just watch him. As long as he doesn't engage in anti-government activities, we let him alone," according to the head of information for the West Java division of the army.[86] Newspapers and magazines were told in April 1996 not to publish articles by Mulyana.

From a human rights standpoint, the truth of the allegations is irrelevant. Regardless of whether Mulyana had belonged to the youth organization while a teenager, he was never charged or convicted of any offense. Mulyana was not forced to step down, and did not lose his teaching position, but, as he said in a press interview, "psychologically, my wife and children feel the effects."[87] As Human Rights Watch said at the time: "To accuse anyone of being tainted by an affiliation with a nonviolent association he may have had as a teenager more than thirty years earlier is ludicrous; the fact that such an accusation still can be used to restrict the rights and jeopardize the career of Indonesian citizens is appalling."[88] Because the regulations used against Mulyana remain in effect, moreover, the allegations against him may well resurface in the future.

Anecdotes showing the intimidating effects of the "clean environment" regulations are legion. An associate professor of linguistics at UGM in Yogyakarta, for example, told Human Rights Watch in September 1997 that he had been

[85]"Balada Dadang Dari Bogor," *Sinar* (Jakarta-based news weekly), May 4, 1996, p. 70, quoted in Human Rights Watch/Asia, "Indonesia: Election Monitoring," p. 7.

[86]Ibid.

[87]"Mulyana on the Accusation of Forbidden Organization," *Indonesia Media Network*, April 23, 1996.

[88]Human Rights Watch/Asia, "Indonesia: Election Monitoring," p. 6.

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recommended for promotion to full professor status in 1992 and was told at the time that it was a formality, as he had fulfilled all of the criteria for promotion, including high marks for teaching and a long publications list. When interviewed by Human Rights Watch, the professor, who wished to remain anonymous, still had not received his promotion. He explained that shortly after he had complained publicly about the lack of action on his pending promotion, he was told by a faculty member close to the Dean that his promotion had not been processed because the Dean had learned that he had an affiliation with the communist party in early 1960s, that he was not "clean." He told Human Rights Watch that the allegation is entirely fictitious, and surmises that the real reason he has not been promoted has to do with religious favoritism in campus politics, the "clean environment" rumor used to intimidate him into silence.[89]

[89]Human Rights Watch interview, Yogyakarta, September 23, 1997.

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Another individual, a retired writer and former university lecturer, who also wished to remain anonymous, also said that pervasive ideological intimidation has indirect, corrosive effects that he experienced firsthand. This man, who had initially supported the New Order but had grown disillusioned, often spoke out against the intolerant and repressive nature of the government and was a friend of the internationally prominent writer and outspoken government critic Pramoedya Ananta Toer. In 1996, his daughter, who was married to the son of a government official, told him that her father-in-law was worried that if he continued to speak out and associate with former political detainees, not only he, but his children and in-laws could suffer. He concluded with frustration that he was caught in a peculiarly New Order dilemma, wanting to speak his mind and yet wanting to avoid creating a strain in his daughter's marriage and potentially endangering his family.[90]

[90]Human Rights Watch interview, Jakarta, October 1, 1997.

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V. BOOK CENSORSHIP

By one estimate, over 2,000 books were banned by the New Order government.[91] Under a law still in effect, all works which, in the view of the Attorney General, "could disturb public order" are subject to censorship.[92] Under this law, hundreds of novels, historical studies, religious tracts, and books on political and social controversies have been banned, including scholarly works on subjects from early twentieth century social movements, to liberation theology, to the rise of Asia as a center of global capitalism.[93]

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[91]Adi Prasetjo (Stanley), "Orde Baru 31 Tahun, 2,000 Judul Buku Dibredel," *Tempo Interaktif*, January 29, 1996.

[92]Farid Hilman, *Pelarangan Buku di Indonesia* (unpublished book manuscript, dated September 1997, on file at Human Rights Watch), p. 16.

[93]Ibid., pp. 47-62 ; "Mengapa Buku Dilarang," *Media Kerja Budaya* 3, February

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1996, pp. 4-9; PEN American Center Freedom-to-Write Committee, *Censorship, Silence, and Shadowplay: Freedom of Expression in Indonesia, 1994* (New York: PEN American Center, 1994), *passim*.; Asian Forum for Human Rights and Development (Forum-Asia), *Stability and Unity on a Culture of Fear* (Bangkok: Forum Asia, 1995), pp. 138-46.

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The broad censorship practiced by the Soeharto government has had a direct impact on scholarship and the academic community. The Indonesian National Library keeps copies of banned books, but such books are inaccessible without the prior approval of security authorities. Researchers and students are, in principle, able to apply for permission to use such books for academic study, but in practice they must obtain prior permission from the State Intelligence Coordinating Body (Badan Koordinasi Intelijen Negara or Bakin), the Coordinating Agency for the Maintenance of National Stability (Badan Koordinasi Bantuan Pemantapan Stabilitas Nasional or Bakorstanas), and the attorney general's office. These authorities have untrammeled discretion to delay or refuse to issue permits for use of the books.[94] Because of the permit requirements, the National Library is often forced to deny permission to students and others.[95] Although many academics and intellectuals keep copies of banned books and there is an active market in photocopies of such works, they are rarely used in classrooms except by the most critical and fearless lecturers. Because publications of studies based on such sources could damage one's career, references to banned works are absent from the works of all but a handful of scholars.

Book censorship in Indonesia did not begin with the New Order. In 1963, President Sukarno issued a decree, PP no.4/1963, requiring publishers to submit copies of all books to their local prosecutor's office within forty-eight hours of publication. The decree vested the attorney general with broad power to criminalize possession and seize all copies of works which "could disturb public order [and] have a negative influence on efforts to achieve the goals of the [Indonesian] Revolution."[96] Within a month of the coup attempt, this decree was used to ban all works by writers who belonged to the Indonesian Communist Party or its affiliates. In 1969, the Soeharto government enacted the decree into law and subsequently built up a bureaucratic infrastructure to implement the law.

During the 1970s and 1980s, most censorship decisions were initiated by one of the New Order security and intelligence bodies. In October 1989, a "clearinghouse" was formed to study the contents of books and make censorship recommendations directly to the attorney general. The clearinghouse is composed

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[94]See "Buku Terlarang, Dibuang Sayang, Dibaca Jangan," *Kompas*, January 16, 1996.

[95]Ibid.

[96]Hilman, *Pelarangan Buku*, p. 16.

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of nineteen members, including representatives of the attorney general's office and all of the leading intelligence agencies in the country, including the State Intelligence Coordinating Body (Badan Koordinasi Intelijen Negara or Bakin), the Coordinating Agency for the Maintenance of National Stability (Badan Koordinasi Bantuan Pemantapan Stabilitas Nasional or Bakorstanas), and the Armed Forces Intelligence Agency (Badan Inteligen ABRI or BIA), together with representatives from the ministries of information, education, and religion. Today, most censorship decisions are made by the attorney general on the advice of the clearinghouse.

A wide range of works is subject to censorship. In 1996, the Jakarta daily *Kompas* listed criteria used by the government in making censorship decisions. Works subject to censorship include those which: conflict with the state ideology or national constitution; contain Marxist-Leninist teachings or interpretations; destroy public faith in government leaders; are pornographic; are atheistic or insult a religion recognized in Indonesia; undermine national development; lead to ethnic, religious racial or inter-group conflict; or undermine national unity.[97] Because there is no provision in the law for compensation for those whose books are seized, publishers and book stores that carry controversial works take a substantial financial risk. Because banning also criminalizes possession, it can also be used to keep critics on the defensive. A prominent example occurred in 1989 when three students were arrested, convicted of subversion, and sentenced to jail terms ranging from seven to eight and a half years for, among other things, possessing and attempting to distribute copies of Pramoedya Ananta Toer's banned novels on the rise of Indonesian nationalism.[98]

A study of the impact of the government's censorship on scholarly inquiry has not yet been undertaken, but previous works have noted the impact of the policy on the availability of social science texts, poetry and fiction, commentary on and analysis of contemporary political controversies, and alleged government abuses.[99]

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[97]"Dari Mana Datangnya Pelarangan?," *Kompas*, January 16, 1998.

[98]Human Rights Watch/Asia, *Injustice, Persecution, Eviction*, pp. 7-16.

[99]On the social sciences, see Asian Forum for Human Rights and Development (Forum-Asia), *Stability and Unity on a Culture of Fear* (Bangkok: Forum Asia, 1995), pp. 138-139. On poetry and fiction, see PEN American Center Freedom-to-Write Committee, *Censorship, Silence, and Shadowplay*, pp. 18-33; Hilman, *Pelarangan Buku*, pp. 69-79; Forum-Asia, *Stability and Unity*, pp. 141-143. On contemporary political controversies, see Forum-Asia, *Stability and Unity*, pp. 143-146; Human Rights Watch/Asia, *Injustice, Persecution, Eviction*, pp. 51-53. On alleged government abuses, see Hilman, *Pelarangan Buku*, pp. 47-58; Forum-Asia, *Stability and Unity*, pp. 144-145; Human Rights Watch/Asia,

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Because Marxist-Leninist teachings are banned, professors in the social sciences can be subject to harassment. In 1988, for example, Dr. Arief Budiman, a sociologist at Satya Wacana Christian University (*see* above) was accused by a university alumni group of teaching Marxism to students, and the complaint was forwarded to the regional armed forces headquarters (*Korem*). As Dr. Budiman responded: "How can you know if someone is a Marxist if you don't know what Marxism is? . . . I have never suggested that students become Marxist. I teach about Marxism because it is part of the theoretical and ideological study of development."[100]

Injustice, Persecution, Eviction, pp. 51-53.

[100]Quoted in Kurniawan, *Catatan yang Tercecer,* ch. 6, p. 6.

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Virtually all works by authors alleged to have been communists or communist sympathizers continue to be banned, whether those works were written before or after the 1965 coup attempt. Prominent among such authors is Pramoedya Ananta Toer, Indonesia's best known novelist. Some two dozen works of fiction, a memoir, and a number of significant historical studies by Pramoedya, including works on the Chinese in Indonesia and on important historical figures Tirto Adhi Suriyo and Kartini, are banned. Even his edited edition of one of Indonesia's first novels, *Hikayat Siti Marijah*, by Haji Mukti, is banned on the ground that the novel emphasizes "social contradictions."[101] Students who wish to write their theses on Pramoedya's works have been denied permission to do so by their advisors and university administrators.[102] Pramoedya is accused by his critics in Indonesian literary circles of having denigrated and subjected other writers to abuse when he headed the literary section of the leftist cultural organization Lekra (Lembaga Kebudayaan Rakyat or Institute of Peoples' Culture) in the 1950s and early 1960s. Pramoedya was jailed for fourteen years after the 1965 coup attempt as a suspected communist based on his work for Lekra. None of these claims justify the continued censorship of his writings. Pramoedya is a prolific and respected author, and his works represent a gold mine for literary and cultural critics that was all but lost to the scholarly community as a result of the arbitrary censorship practices of the New Order government.

[101]"Mengapa Buku Dilarang," *Media Kerja Budaya* 3, February 1996, p. 6.

[102]Human Rights Watch telephone interview with Made Toni, June 23, 1998.

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Publications in Chinese have been banned altogether. As described above, ethnic Chinese were made the subject of de jure as well as de facto government discrimination following the 1965 coup attempt, amid allegations that the coup plotters received support directly from Beijing through Chinese-Indonesian intermediaries. All Chinese-language schools were closed permanently in 1966. Because the closures were carried out almost overnight, many students lost the ability to continue their education.[103] In late 1978 and 1979, a series of government decrees formally banned all imports of goods with Chinese characters, and forbade use of Chinese characters in all publications and circulation of any Chinese-language printed matter, absent the express consent of the authorities, with the exception of a government-run newspaper.[104] Again, although there was an exception in the regulations for academic study of Chinese-language materials, the ban has had devastating consequences for the development of scholarship on China in Indonesia, and has all but closed off discussion of the status of the Chinese-Indonesian community and its role in recent Indonesian history.[105]

Historical studies have been a leading target of the censors. In almost every case, the rationale for censorship contained in the attorney general's censorship decision is that the offending work "inverts the facts" which could "lead the public astray" and ultimately "disturb public order." Censorship thus presupposes an official history. In at least one case, this was made explicit. In 1990, the attorney general banned *Permesta: Kandasnya Sebuah Cita-Cita* (Permesta, the End of Hope), by KML Tobing, an account of the Permesta Rebellion in Sulawesi during the late 1950s. According to the censorship decree, the book was banned because it "contains analyses that conflict with the work *Cuplikan Sejarah Perjuangan TNI Angkatan Darat* (*Aspects of the History of Struggle of the National Army*)," a work published by the Armed Forces.[106]

Other historical works banned in the past decade include the following:

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[103]Charles A. Coppel, "Patterns of Chinese Political Activity in Indonesia," in J.A.C. Mackie, ed., *The Chinese in Indonesia: Five Essays* (Melbourne, Australia: Thomas Nelson Ltd., 1976), p. 64.

[104]Hilman, *Pelarangan Buku*, pp. 19-21; Patrick Walters, "Indonesia relaxes ban on Chinese language," *The Australian*, August 4, 1994.

[105]Human Rights Watch interview with Th. Sumartana, Yogyakarta, September 22, 1997.

[106]Hilman, *Pelarangan Buku*, p. 34.

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- *Tan Malaka: Pergulatan Menuju Republik, Vol. I* (*Tan Malaka: The Struggle for the Republic*), by Harry A. Poeze. Tan Malaka was one of Indonesia's most important nationalist figures and an early leader of the Indonesian Communist Party. The book, published by P.T. Pustaka Utama Grafiti, was an Indonesian translation of a 1976 Leiden University dissertation by Poeze, and the book had sold 2,700 copies by the time it was banned. A highly respected political scientist at the University of Indonesia, Dr. Alfian, had written the introduction to the Indonesian edition. The book, according to the banning order, could result in the spread of Marxist-Leninist teachings.

- *Di Bawah Lantera Merah* (*Under the Red Lantern*), a study written in the early 1960s by the late Soe Hok Gie on the emergence of the Indonesian nationalist movement in the early 20th century.

- *Sang Pemula* (*The Initiator*), a political biography of Tirto Adhi Suriyo, turn-of-the-century proto-nationalist, by Pramoedya Ananta Toer;

- *Cina, Jawa, Madura dalam Konteks Hari Jadi Kota Surabaya* (*Chinese, Javanese and Madurese in the Context of the Founding of Surabaya*), a historical account of ethnic relationships in Surabaya, Indonesia's second largest city.

- *A Story of Indonesian Culture*, an account of the Institute of People's Culture, a leftist organization prominent in the 1950s and 1960s allegedly linked to the PKI, by Joebaar Ajoeb, former secretary general of the Institute.

- *The Devious Dalang: Sukarno and the So-Called Untung Putsch*, transcripts of fourteen interrogation depositions (*berita acara pemeriksaan*) from military interrogations in 1970 of Bambang S. Widjanarko, an eyewitness to events that occurred in Jakarta at the time of the 1965 coup attempt. The transcripts, which portray Sukarno in a favorable light, were originally published in Indonesia in 1974 and were not banned until 1990, when the attorney general determined that "circulation of the book could generate feelings both for and against Bung

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Karno and, it is feared, could tend to generate public disturbance/anxiety (*kerawanan*)."[107]

- *Amerika Serikat dan Penggulingan Soekarno* (*The United States and the Overthrow of Sukarno*), an Indonesian translation of a book by American scholar Peter Dale Scott on the 1965 coup attempt and its aftermath;

- *Primadosa: Wimanjaya dan Rakyat Indonesia Menggugat Imperium Soeharto* (*First Sin: Wimanjaya and the Indonesian People Accuse Soeharto's Imperium*), a 1994 work by Wimanjaya K. Liotohe that suggests Soeharto was behind the 1965 coup attempt;

- *Kehormatan Bagi Yang Berhak: Bung Karno Tidak Terlibat G30S/PKI* (*Respect for Those Who Have the Right: Bung Karno was not Involved in G30S/PKI* [the 1965 coup attempt]), by Manai Sophiaan, a leader of the Indonesian Nationalist Party in the 1960s.

- *Nyanyi Sunyi Seorang Bisu* (*The Lonely Song of a Mute*), 1995 memoir by banned novelist Pramoedya Ananta Toer describing his fourteen-year imprisonment on Buru island.

- *Bayang-Bayang PKI* (*Shadows of the Indonesian Communist Party*) — described in detail below.

- *Memoar Oei Tjoe Tat* (*The Memoirs of Oei Tjoe Tat*) — described in detail below.

As many of the titles on the above list suggest, historical studies of the 1965 coup attempt are routinely banned. The generation that experienced the events of 1965 is now growing old, and there has been an outpouring of works on the coup, its precursors and its aftermath. Censorship encompasses works with contributions from leading Indonesian scholars as well as eyewitness accounts, such as memoirs, which serve as important sources for historians.

[107]Hilman, *Pelarangan Buku*, p. 50.

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On April 22, 1996, the Indonesian Attorney General issued a directive banning the book *Bayang-Bayang PKI* (*Shadows of the Indonesian Communist Party*), a collection of essays and transcripts of seminar presentations on the events surrounding the 1965 coup attempt, first published in December 1995. The book, produced by the Institute for the Free Flow of Information in Jakarta, an independent research and publishing house established by Goenawan Mohamad, provides a summary of the existing scholarly literature on the attempted coup, and includes interviews with a number of eyewitnesses, including retired Lieutenant General Kemal Idris, one of the military leaders responsible for suppressing the communist party after the coup attempt; Manai Sophian, who was a Indonesian Nationalist Party leader in the 1960s, and Cosmas BatuBara, a retired minister under President Soeharto and former leader in the student movement which played an important role in the transfer of power to Soeharto. The book also includes contributions from retired historian Ong Hok Ham and University of Indonesia political scientist Arbi Sanit.

In the preface to the book, Goenawan Mohamad explains that the book highlights the many unanswered questions remaining about the coup attempt and issues a call for renewed scholarship. The censors responded by silencing the debate. The justification for the ban given in the attorney general's directive is that the book "Inverts or obscures facts on the history of G30S/PKI [the attempted coup], and includes tendentious explanations . . . that could lead [readers] to an erroneous viewpoint, leading the public astray and ultimately disturbing public order."[108] The directive does not explain what facts are twisted or what explanations are tendentious.

On September 25, 1995, the Indonesian Attorney General issued a directive banning the book *Memoar Oei Tjoe Tat* (*The Memoirs of Oei Tjoe Tat*), a work edited by Pramoedya Ananta Toer and Adi Prasetjo (Stanley) and published in April 1995 by PT Hasta Mitra. The author, seventy-three at the time the book was released, was Indonesia's first Minister of State of Chinese ancestry, and had served a twelve year jail term for alleged involvement in the attempted coup. The book gives Oei Tjoe Tat's version of the events surrounding the coup and the transfer of power from Sukarno to Soeharto, and is a rare account of the Chinese community in Jakarta at the time of the coup.

After the book's release, the book was attacked by a group called Fosco '66 (Forum Komunikasi '66, or Communication Forum '66), a group of prominent New Order supporters. Fosco '66 sent a letter to the attorney general detailing a list of

[108]Ibid., p. 58.

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what they perceived as historical inaccuracies in the memoir and requesting that it be banned. The author also was accused of using his memoirs to attempt to clear his name from involvement in the coup. Oei Tjoe Tat responded to the criticism by saying simply that although the memoir is entirely subjective, as it is based on his recollection, it is accurate to the best of his ability, and he challenged his detractors to demonstrate any alleged falsehoods. Acting on advice of the clearinghouse, the attorney general banned the book on the ground that the book includes passages that "lead [the reader] astray, invert the historical facts, and put down the New Order government and national leadership."[109] The directive concludes that the book "could generate mistaken opinions especially in the younger generation and thus lead to public unease, ultimately disturbing public order."

As these cases demonstrate, censorship played an important role in defining New Order ideological orthodoxy and frequently was used as a weapon against political opponents. Academics, students, and scholarship itself suffered as a result.

[109]Ibid., pp. 56-57.

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VI. THE CRIMINALIZATION OF DISSENT

Under Soeharto, citizens who challenged the government's militaristic underpinnings or attempted to organize independent political opposition were made the object of aggressive campaigns which included show trials, prolonged imprisonment, public scapegoating, and, at times, physical intimidation and torture. The primary victims were leaders of ethnic and religious separatist movements, but also included outspoken political dissidents who dared to attempt publicly to organize political opposition to Soeharto. Although political space for dissent began to expand beginning in the late 1980s, broadly worded laws limiting freedom of expression continued to enable the government to target those whom it wished. Some of the most prominent targets were from the academic community.

The Soeharto government used three primary legal weapons against critics and political opponents, all of which, as of this writing, are still on the books:

- The "anti-subversion" law (Law No. 5/1963), which, among other things, makes it a crime to "distort, undermine or deviate from the ideology of Pancasila" or "disseminate feelings of hostility or arouse hostility, disturbances or anxiety among the population."

- The "spreading hatred" laws (criminal code Articles 154-156), which, among other things, criminalizes "public expression of hate or insult to the government."

- The "lese majesty" laws (criminal code Articles, 134, 137(1), 207, 208), which criminalize "deliberate disrespect" for the president, vice-president, and other government officials, and the "dissemination, display or posting" of material "offensive" to such officials.[110]

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[110]International Commission of Jurists, *Indonesia and the Rule of Law* (London: Frances Pinter, 1987), pp. 85-86. The New Order also periodically used Indonesia's blasphemy law to silence campus speech. See Human Rights Watch/Asia, "Indonesia: Press

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Closures in Indonesia One Year Later," *A Human Rights Watch Short Report*, vol. 7, no. 9, July 1995, p. 2; Human Rights Watch/Asia, "Indonesia: Students Jailed for Puns," *A Human Rights Watch Short Report*, vol. 5, no. 5, March 1993, pp. 1-3; Human Rights Watch/Asia,"Indonesia's Salman Rushdie," *A Human Rights Watch Short Report*, vol. 3, no. 13, April 1991, pp. 1-6.

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As has been emphasized by many observers, the vagueness of the laws invites arbitrary applications, allowing the government to invoke the laws to imprison opponents at will.[111] What the Indonesian Human Rights Commission (Komnas HAM) said about the subversion law can be equally said of all three: "The . . . law can be used to punish people whose ideas are different from those of the government."[112]

As documented in previously published human rights reports, students were arrested and often convicted and sentenced to lengthy jail terms under these broad laws for such things as distributing banned novels and participating in discussion groups on political themes,[113] distributing a "Land for the People" calendar that caricatured government leaders,[114] staging a satirical protest of the

[111]A brief history of the application of the anti-subversion law is set forth in International, "Indonesia: The Anti-subversion Law: A Briefing," February 1997, AI Index: ASA 21/03/97, pp. 6-9 (on-line version).

[112]Quoted in ibid., p. 1.

[113]Human Rights Watch/Asia, *Injustice, Persecution, Eviction*, pp. 7-16.

[114]Asia Watch (now Human Rights Watch/Asia), "Indonesia: Criminal Charges for Political Caricatures," *A Human Rights Watch Short Report*, vol. 3, no. 14, May 1991.

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government's election campaign,[115] holding a demonstration outside the national parliament calling on Soeharto to take responsibility for human rights violations,[116] and possession of stickers calling Soeharto the "mastermind of all disasters."[117]

[115]Asia Watch (now Human Rights Watch/Asia), "Indonesia: Government Efforts to Silence Students," *A Human Rights Watch Short Report*, vol. 5, no. 16, October 1993.

[116] Amnesty International, "Indonesia: Update on Student Prisoners of Conscience," July 1994, ASA 21/25/94.

[117]Human Rights Watch/Asia, *The Limits of Openness*, p. 11, n. 12.

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At the time Soeharto resigned, jailed political prisoners included a professor and a number of student activists. Two of the cases—that of University of Indonesia economist Sri Bintang Pamungkas and that of fourteen students and youths affiliated with the PRD—are set forth below.[118] In both cases, the individuals concerned were originally arrested and publicly held responsible for anti-government unrest. In both cases, the government, apparently lacking evidence to prove the initial charges, proceeded with criminal prosecution anyway, using Indonesia's broad subversion and hatred-sowing laws to impose substantial jail terms. The different treatment of the cases by the post-Soeharto government shows the distance already traveled by the new government and the distance still left to be traveled as it confronts the legacy of the Soeharto years.

Sri Bintang Pamungkas

At the time of Soeharto's resignation, Dr. Sri Bintang Pamungkas, a prominent, fifty-three-year-old economist at the University of Indonesia, Muslim democracy activist, and outspoken critic of President Soeharto, was in prison and standing trial in Jakarta. On May 8, 1996, Sri Bintang was sentenced to a thirty-four month prison sentence for "insulting the president," based on remarks he made during a lecture at the Berlin Technological University in Germany in 1995. After being released pending appeal, he was again arrested in March 1997, this time charged with subversion—for forming a political party dedicated to reform of the Indonesia political system and for sending a greeting card calling for the boycott of national elections and the replacement of Soeharto.

Sri Bintang holds a Ph.D. in economics from Iowa State University and a master's degree in industrial system engineering from the University of Southern California. He joined the faculty at the University of Indonesia in 1972 and has also served as a senior management consultant. In the late 1980s, he emerged as one of the most outspoken critics of the government. He first became directly involved in politics in 1992, when he joined the Development Unity Party (Partai Persatuan

[118]Information on scores of other political prisoners incarcerated at the time of Soeharto's resignation is in Human Rights Watch and Amnesty International, "Release Prisoners of Conscience Now!," *A Joint Human Rights Watch - Amnesty International Report*, June 1998.

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Pembangunan), one of the two opposition parties allowed to operate in Indonesia. Sri Bintang's decision to join the PPP was itself a bold move, because, as professor, he was a civil servant, and, pursuant to civil service rules, he was expected to show "monoloyalty" to the ruling Golkar party.

Sri Bintang's 1992 campaign for parliament has been described as "exceptional for its blunt criticisms of corruption, economic inequality, and the continuing involvement of the military in national politics."[119] Sri Bintang continued to speak out after he was elected to office. In March 1994, during a speech at Muhammadiyah University in Surakarta, he alleged misuse of state bank credits by PT Sritex, an Indonesian-owned textile factory near Surakarta partly owned by Harmoko, then Golkar chairman, and by the president's daughter Siti Hardijanti Rukmana (commonly referred to as Mbak Tutut).

In February 1995, Sri Bintang was expelled from the PPP by the party leadership and was formally recalled from parliament. He apparently had angered the PPP leadership by declaring himself a candidate in party elections and engaging in heated confrontations with government officials. In April 1995, Sri Bintang delivered a lecture at the Berlin Technical University (Technische Universiteit Berlin). The lecture coincided with a state visit to Germany by President Soeharto which was marked by rowdy demonstrations in Hanover on April 2 and in Dresden on April 5 accusing the president of major human rights violations. President Soeharto called the Indonesians who took part in the demonstrations "traitors" and also termed them "insane" and "irrational."[120] Coordinating Minister for Political and Security Affairs Soesilo Soedarman suggested that the demonstrations were evidence that activists were trying to undermine Pancasila.[121]

Upon his return from Germany, Sri Bintang was publicly blamed for the demonstrations and was made the subject of an aggressive government campaign to discredit him. Even before charges were filed against him, he was deprived of the right to travel and thus was forced to miss the graduation of one of his children from Iowa State University.[122] On April 19, one day after Sri Bintang's interrogation had

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[119] Hefner, Robert W., "Islam, State and Civil Society," Indonesia 56 (October 1993) (Ithaca, New York: Cornell Modern Indonesia Project), p. 20.

[120]See Human Rights Watch/Asia, "Soeharto Retaliates against Critics: Official Reactions to Demonstrations in Germany," *A Human Rights Watch Short Report*, vol. 7, no. 6, May 1995, p. 1.

[121]Ibid., p. 5.

[122]Tim Buku Bintang, *Saya Musuh Politik Soeharto* (Jakarta: Pijar Indonesia, May

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begun, his house was stoned by men on motorcycles, and the rear window of his car was smashed. Although he was given police protection at his request thereafter, the suspected culprits were members of Pemuda Pancasila, a goon squad that had worked closely with the government in the past, particularly during election campaigns.[123]

As described above, although the government's investigation apparently failed to produce evidence that Dr. Pamungkas had played a role in organizing the demonstrations, he was tried instead under Indonesia's "lese majesty" law for derogatory remarks about Soeharto he allegedly made in a question-and-answer period following his lecture at the Berlin Technical University. He was sentenced to two years and ten months in prison on May 8, 1996 but was released pending the outcome of his appeal. After his release, he immediately picked up where he had left off. On May 29, 1996, three weeks after his conviction, he founded a new political party called the United Indonesian Democratic Party (Partai Uni Demokrasi Indonesia or PUDI), dedicated to constitutional reform and democratic overhaul of the legal system.

1996), pp. 49-50.

[123]Human Rights Watch/Asia, "Soeharto Retaliates," p. 5; Tim Buku Bintang, *Saya Musuh*, pp. 45-46.

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PUDI was immediately denounced by existing political parties as in violation of Law No.3/1985 which restricts political parties in Indonesia to the three existing parties. Sri Bintang further enraged the government by saying that one of the goals of PUDI would be to encourage Indonesian citizens to cast a blank ballot (*golongan putih*) as a protest measure during elections scheduled for May 1997 and by sending holiday greeting cards calling for replacement of Soeharto. At about the same time, a book that was put together by activists telling Bintang's side of the story, first published in May 1996, was banned by order of the attorney general.[124] Sri Bintang was again jailed on March 5, 1997, charged with subversion for launching PUDI and calling for Soeharto's replacement. In April 1997, he learned in prison that he had been fired from his teaching position at the University of Indonesia.

On May 26, 1998, Sri Bintang was one of the first political prisoners granted amnesty (*abolisi*) and released by the post-Soeharto government. Almost immediately thereafter, he was reinstated as a faculty member at the University of Indonesia. Sri Bintang's release was a welcome gesture and came as the new government was also announcing its intent to redraft the subversion law. At the time this report was prepared, however, it was unclear what changes would be made to the law, and whether all of its vaguely worded provisions would be replaced with specific, narrowly drawn provisions capable of providing protection for freedom of expression and preventing arbitrary application of the law. It was also unclear whether the "spreading hatred" laws or the "lese majesty" laws, under which Sri Bintang was convicted in 1996, would be repealed.

The PRD Students

[124]Tim Buku Bintang, *Saya Musuh Politik Soeharto* (Jakarta: Pijar Indonesia, May 1996).

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As noted above, following riots in Jakarta in July 1996, the government engaged in a virtual witch-hunt for students affiliated with the People's Democratic Party (Partai Rakyat Demokrasi or PRD), a radical leftist party.[125] Fourteen of the activists ended up being sentenced to jail terms ranging from eighteen months to thirteen years, even though the government failed at trial to produce evidence that any of the fourteen had been involved in the rioting, much less as "masterminds" of the disturbance, as the government repeatedly had claimed in its public campaign against the activists.[126] At time this report was being prepared, all of the PRD prisoners were still in jail, and prospects for their release were at best uncertain. The government was continuing to insist that it would not release "Marxists," and, as described in chapter 3 above, the PRD repeatedly was accused of being

[125]A detailed description of the government's hunting down and arrest of PRD activists in 1996 and its campaign to portray the PRD as communist is in Human Rights Watch/Asia and Robert F. Kennedy Memorial Center for Human Rights, "Indonesia: Tough International Response Needed to Widening Crackdown," *A Human Rights Watch Short Report*, vol. 8, no. 8(C), August 1996, pp. 5-9, 11-14.

[126]Seven of the fourteen report having been beaten during interrogations; one said he was tortured with electric shocks. The defendants were denied a range of rights guaranteed them under Indonesian law, including the right to legal counsel subsequent to arrest. *See* Amnesty International, "The PRD Prisoners: A Summary of Amnesty International's Concerns," October 1997, AI Index 21/56/97, pp 6-7 (on-line version).

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communist by the Soeharto government.[127] The continued incarceration of the PRD prisoners is thus the clearest evidence that there is still a long way to go before the Soeharto legacy is removed from Indonesia's penal code and rooted out of its judicial system.

If Sri Bintang was targeted because he was outspoken, even at times brash in his criticism, and had sought through PUDI to organize an independent political party, the radical rhetoric and organizational achievements of the PRD activists made them even more ripe for scapegoating by a government which had little tolerance for independent political activity of any kind and was quick to brand confrontational politics a form of treason.

Three characteristics, which were the focus of the allegations against the PRD defendants at trial, set them apart from other activists.

[127]See "Government to free more political prisoners," *Jakarta Post,* May 28, 1998. The article quotes a high-ranking government official as stating that "[President Habibie] said requirements for [the release of] prisoners is based on three criteria: that they are not opposed to the Constitution, not Marxist, and that they are not on criminal charges."

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First, their rhetoric was strident. In a declaration released after its founding conference in 1994, for example, SMID (Student Solidarity for Democracy), one of the PRD-affiliated groups, called for a fight against what it called the totalitarianism and fascism of the New Order government; an end to the capitalist strategy of development; academic freedom and an end to militarism on campus; a democratic trade union movement; basic human rights, including freedom of expression and association; a multiparty political system; abolition of the "dual function" of the military; and an end to economic monopolies.[128] Although the language contains neo-Marxist, populist and liberal democratic elements, there is no call for armed struggle or violent overthrow of the government.

Second, although the PRD was small in numbers, it attempted to organize a united front to challenge the New Order government, establishing separate affiliates dedicated to organizing on behalf of peasants, workers, artists and students. During the public campaign against the PRD, Gen. Feisal Tanjung, then commander of the armed forces, argued that this structure was borrowed from the PKI. When the argument was pointed out to a leader of SMID who had gone underground, he replied, "We didn't borrow from the PKI, we learned from Golkar [the government party]—it started out as a loose organization and then became a party. And Golkar has its organizations for peasants, workers, and youth."[129]

Finally, the PRD was involved in organizing a series of major student protests and public demonstrations, including labor rallies which attracted over 10,000 workers into the streets of cities such as Jakarta, Surabaya, Solo, and Bogor, demanding their rights under Indonesian law and the right to freedom of association.[130] Although there had been clashes between protesters and security

[128]Human Rights Watch/Asia, "Tough International Response Needed," p. 11.

[129]Ibid., p. 12.

[130]Ibid., Appendix IV, pp. 23-25.

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forces at some of the demonstrations, at trial the government did not claim that the rallies had been violent. Instead, the prosecution focused on the allegedly subversive nature of the demands made by the protesters who attended the demonstrations, including such demands as a referendum to determine the status of East Timor, an increase in wages, and freedom of association.[131]

All of the features described above set the PRD activists apart from other student groups, but none of the features justified their imprisonment, let alone the severe sentences—thirteen years for PRD leader Budiman Sudjatmiko—that they received. To the extent that the government is distinguishing the PRD prisoners from Sri Bintang and other prisoners who have been released on the ground that the PRD prisoners were accused at trial of harboring "Marxist" ideas, the distinction finds no support in international human rights law. In Indonesia, "Marxist" has long been used as an epithet, and the term in any case is not susceptible to precise definition. If the new government is to make a break with the Soeharto past, in which expression of dissenting views and vigorous assertion of rights was too often conflated with violence against the state, it must immediately release all prisoners arrested for peacefully exercising their basic rights of free expression, association and assembly, including the PRD prisoners.

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[131] Amnesty International, "Indonesia: The PRD Prisoners," p. 4 (on-line version).

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The effect in the classroom of the arrest of outspoken faculty and students is hard to gauge. There is evidence, however, that the government's allegations that the PRD activists were "anti-Pancasila" traitors led both students and faculty alike to question the premises of the government's mandatory Pancasila curriculum (*see* chapter 7 below). There is no question, however, that such arrests, and the media campaigns that accompanied them, chilled the speech of students and faculty on political subjects, limiting their ability to contribute to and participate in public life as citizens.[132]

[132]See ibid., pp. 14-16 (describing the impact of the government's scapegoating campaign against the PRD activists on freedom of expression elsewhere in Indonesian society).

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Dr. Melani Budianta, a professor at the University of Indonesia told Human Rights Watch that, in the immediate aftermath of the July 27 riots, she was part of a group of professors in the languages and literature faculty who were outraged at the government's scapegoating of the PRD and its ongoing hunt for PRD members still at large.[133] Three students in the languages and literature faculty who had belonged the PRD had disappeared, and the faculty members did not know whether they were in hiding or had been arrested. The professors decided they would write a strongly worded letter protesting the government's actions for publication in a Jakarta newspaper. In a short time, some members of the groups began to have doubts because of the increasing severity of the government's ideological campaign against the PRD in public media. Some left the group, and the language of the draft letter was toned down. The professor explained: "People became afraid, unwilling to take an unnecessary risk by putting their own reputations on the line. It wasn't so much a question of fear of arrest, as fear that they would be labeled as troublemakers, that signing a letter could be a black mark that would follow them for years."[134] Eventually, the group disbanded and no letter was sent.

[133]Human Rights Watch interview with Melani Budianta, Jakarta, September 30, 1997.

[134]Ibid.

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VII. ON-CAMPUS IDEOLOGICAL INDOCTRINATION

Under Soeharto, students' introduction to campus life was a mandatory, state-sponsored indoctrination session in the state ideology, Pancasila, held on-campus prior to their first semester in college. These sessions, known as P4 (short for *Pedoman Penghayatan dan Pengamalan Pancasila*, a difficult-to-translate title which has been rendered in English as *Upgrading Course on the Directives for the Realization and Implementation of Pancasila*[135]), were first required of civil servants in the late 1970s and were extended to students beginning in 1980. Students were also required to take two semesters of "Pancasila Education" as a prerequisite to graduation. According to Indonesian historian Ong Hok Ham, the entire Pancasila curriculum, but particularly the P4 sessions, are emblematic of the New Order government's privileging of "political loyalty over expertise" in academic matters.[136]

[135]Michael Morfit, "Pancasila: The Indonesian State Ideology According to the New Order Government," *Asian Survey*, vol. XXI, no. 8, August 1981, p. 838.

[136]Human Rights Watch interview with Ong Hok Ham, Jakarta, September 17, 1997.

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Indonesian students and faculty interviewed by Human Rights Watch repeatedly emphasized that a distinction should be maintained between Pancasila and P4, noting that the doctrine itself is open to a range of interpretations. As described above, Pancasila itself consists of an enumeration of five broad principles: belief in one supreme being, a just and civilized humanitarianism, the unity of Indonesia, a people led by wise policies arrived at through a process of consultation and consensus, and social justice for all the Indonesian people.[137] The doctrine was first articulated in a 1945 speech by Sukarno prior to the declaration of Indonesian independence and was subsequently embodied in the preamble to the 1945 Constitution as a statement of the foundational principles of the new nation. As a doctrine that pre-dates the founding of the nation, Pancasila is sometimes likened to the Declaration of Independence in the United States, and a leading scholar of Indonesia termed it Indonesia's "statement of civilizational intent."[138]

The P4 curriculum was, however, as one Indonesian critic phrased it, "sheer indoctrination."[139] The core of the curriculum consisted of thirty-six formulaic precepts (*butir*). The sessions, which were required to include at least forty hours of classroom instruction, stressed rote memorization and regurgitation of the precepts, and repeated a drill to which students had been exposed since grade

[137]Morfit, "Pancasila: The Indonesian State Ideology," p. 839.

[138]Ruth McVey, "Building Behemoth: Indonesian Constructions of the Nation-State," in *Making Indonesia: Essays on Modern Indonesia in Honor of George McT. Kahin* (Ithaca, New York: Cornell Southeast Asia Program, 1996), p. 24.

[139]"P4 course for students suspended," *Jakarta Post*, June 4, 1998.

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school.[140] In an article analyzing the curriculum, one foreign scholar noted that P4 offered a static vision of Indonesian society, one in which Indonesians are to work together to promote economic growth and increased prosperity for all, but also one emphasizing the role of the armed forces in preserving the existing social order, allowing no room for social change. Calling P4 an "ideology of containment rather than one of mobilization," the scholar wrote: "The clear and conscious attempt of P4 . . . is to provide an accepted framework to contain politics within defined boundaries. Pancasila, as propounded by P4, is the clearest and most self-conscious articulation of this ideological vision and, by implication, of the competing visions that the government is not willing to tolerate."[141]

As noted above, the sessions were first required of civil servants in the late 1970s and were extended to campuses in 1980, shortly after the government had cracked down on political activism on Indonesia's campuses and implemented far-reaching institutional controls to prevent the emergence of renewed activism. The imposition of the P4 requirements also coincided with a move, which many interpreted as directed against Muslim activists, to require all political and social organizations to adopt Pancasila as their "sole basis" (*asas tunggal*). This requirement was enacted into law in 1985. To the extent Pancasila was used against proponents of an Islamic state and to encourage mutual tolerance and respect among Indonesia's diverse religions and ethnic groups, the government's measures won some popular support. In countless government proclamations, in schools, and in the courts, however, Pancasila was more often defined in negative terms, as against the great inchoate, subversive communist threat:

[140]See "Prof. Soetandyo: Pedagogik Jadikan P4 Tak Populer," *Surabaya Post*, June 8, 1998.

[141]Morfit, "Pancasila: The Indonesian State Ideology," p. 850.

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- The annual celebration of Pancasila, Hari Kesaktian Pancasila ("Sacredness of Pancasila Day") is held on October 1, purposefully chosen because it is the anniversary of the morning after the coup attempt, the day when six Indonesian generals were found murdered, their bodies, allegedly mutilated, thrown to the bottom of a well. The celebration of Pancasila thus became the occasion to remind citizens of "the latent danger of the PKI."[142]

- Political opponents of the New Order were routinely labeled "anti-Pancasila." In 1995, for example, four critical professors, Sri Bintang Pamungkas, Mulyana W. Kusumah, Arief Budiman and George Aditjondro, were among fifteen individuals accused by armed forces Chief of Staff Soeyono of being "anti-Pancasila," and using "communist methods" to spread their ideas. These accusations echoed allegations made earlier by President Soeharto that certain "formless organizations" [Organisasi Tanpa Bentuk or OTB] were using democracy and human rights as a ruse to propagate ideas contrary to Pancasila.[143]

- As already noted above, the first cause of action in Indonesia's notorious "anti-subversion" law makes it a crime to "distort, undermine or deviate from the ideology of Pancasila."

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[142] See "Menpen: Kesaktian Pancasila, Ingatkan Bahaya Laten PKI," *Kompas Online*, October 1, 1996.

[143] "Curiga Lima Belas Tanpa Bentuk," *Forum Keadilan*, no. 15/IV, November 6, 1995.

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In the later years of the New Order, the government's use of Pancasila came under increasing attack. In 1996, when the government launched its campaign against the PRD, for example, declaring the organization to be "anti-Pancasila" and suggesting that it was a reincarnation of the banned PKI, students began asking professors to explain what the PRD had in common with the PKI. In response, Dr. P.J. Soewarno, Director of the Center for the Study and Documentation of History at Sanata Dharma University in Yogyakarta, published a strongly worded critique of the government's use of Pancasila:

> We are taught to distance ourselves from communism and the PKI, but we are not given the opportunity to know them in a scholarly way. How can such teaching be carried out? Doesn't this mean that we are being ordered to wage war against an enemy whose identity, weaknesses and strengths we don't know? . . . The knowledge of teachers cannot be complete if the teachers concerned only know about the PKI through books or documents issued by the power holders of the New Order and are not allowed to study books published by the PKI itself or independent groups. . . . Professors who teach Pancasila are going to have trouble giving explanations about the PKI because the only books that are free to circulate are those that are anti-PKI. Works that explain the PKI itself are forbidden. That's the trouble for professors who teach Pancasila . . . If you don't respond clearly, it means you are not carrying out Pancasila education properly . . . If you respond clearly and in a scholarly way, you are likely to be accused of spreading communism and that is the accusation most feared by teachers.[144]

As indicated at the outset of this report, the government formally suspended P4 courses for academic year 1998-99 following the resignation of Soeharto. There have also been calls that it be abandoned in its entirety.[145] The P4

[144]P.J. Suwarno, "Sulit, Mengajar Pancasila pada Mahasiswa," *Kompas Online*, October 1, 1996.

[145]See "Hapuskan P4 dan Ebtanas, Tunda Akreditasi," *Kompas Online*, June 25, 1998.

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curriculum is fundamentally incompatible with the spirit of open inquiry that should characterize academic inquiry and therefore should be abolished. If civic education is retained in the universities, academic values must at all times govern the selection of materials to be covered in the curriculum.

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VIII. THE BAN ON STUDENT POLITICAL ACTIVITY AND EXPRESSION

Under Soeharto, student political expression and activity was outlawed on campus, campus-wide student councils were abolished, and all student organizations and activities were placed under the direct supervision and control of university rectors. Rectors, in turn, were accountable to military and civilian authorities for implementation of the policies.[146] The ban on politics legitimized interference by the security apparatus on campus and turned the university administration on each campus into what some Indonesian commentators called a "censoring, investigating institution."[147] Since the decrees were enacted in the late 1970s, they have been the subject of constant criticism. In 1990, the restrictions were partially lifted and campus-wide student councils were allowed for the first time in over a decade.

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[146]Indonesian law gives the president, on advice of the minister of education and culture, the authority to hire and fire the rectors of all public universities. See *Lembaran-Negara Republik Indonesia, No. 38, 1990: Peraturan Pemerintah Republik Indonesia Nomor 30 Tahun 1990 Tentang Pendidikan Tinggi* (copy on file at Human Rights Watch), Article 38(1). Rectors of private universities must be approved by the minister. Ibid., para. 38(2). The law also gives the minister broad authority to supervise the administration of universities. Ibid., Art. 121(4).

[147]Mulya T. Lubis and Fauzi Abdullah, *Human Rights Report, Indonesia 1980* (Jakarta: Sinar Harapan, 1981), quoted in Edward Aspinall, "Student Dissent in Indonesia in the 1980s," Center of Southeast Asian Studies Monograph, Monash University, 1993, p. 9.

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With the success of the student protest movement in 1998, the restrictions now have little practical effect, and the new minister of education in the post-Soeharto government has indicated that they are under review.[148] At the time this report was written, however, the ban had not yet been formally repealed.

In 1978 and 1979, the government issued a set of decrees which came to be known collectively as "Normalization of Campus Life -- Coordinating Body for Student Affairs" *(Normalisasi Kehidupan Campus -- Badan Koordinasi Kemahasiswaan* or NKK/BKK). The most far-reaching restrictions were contained in the following decrees:

- Minister of Education and Culture/SK No. 0156/U/1978, which outlawed student political activity and expression on campus, allowing only "academic" discussion of political subjects.

- Director General of Higher Education/002/DK/Inst/1978, which put all student activities under the control of the vice-rector for student affairs (*Pembantu Rektor III*), assisted by the vice-deans for student affairs (*Pembantu Dekan III*) in each faculty. The decree created the Coordinating Body for Student Affairs, a campus institution which gave the rector effective authority to appoint or remove leaders of student organizations at will.

- Minister of Education and Culture/Instruction No. 1/U/1978 and Minister of Education and Culture/SK No. 037/U/1979, which outlawed campus-wide student councils *(dewan mahasiswa*) and limited the permissible content of student activities to student welfare, recreation, and academic/intellectual matters.

[148]See "Bakal Berakhir," Era NKK/BKK," *Kompas Online*, May 29, 1998; "Mendikbud Juwono Soedarsono: Konsep NKK/BKK Ditinjau Kembali," *Republika Online*, May 29, 1998.

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In intention and effect, these decrees represented the application on campus of the "floating mass" concept, described above, in which political activity was viewed as inherently disruptive and divisive, and thus to be limited to government-prescribed channels and times. The government justified the ban on campus political activities by stating that campuses should be the site of study and research, not "practical politics," and by asserting that students could engage in political activity through established political parties based off-campus.[149] As then-Minister of Education and Culture Daud Yusuf phrased it: "If students engage in political 'action and policy,' they are engaging in activity that is inconsistent with their mission as students and therefore it is inappropriate for them to do so as students."[150]

[149]Suprianto, *Perlawanan Pers Mahasiswa*, pp. 38-48.

[150]Ibid., p. 39.

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The most immediate effect of the NKK/BKK policies was, as described in chapter 3 above, to force student political activity underground, thus contributing to the ideological polarization of the student body and paving the way for the emergence of radical student opposition in the 1980s and 1990s. The policy of rooting out campus activism was doomed from its inception. Although student activists rarely form more than a small minority of the student body, important characteristics of the university facilitate such activism, including an intellectual climate relatively open to debate and expression of controversial ideas, the ease of organizing group activity in the typically close-knit campus environment, and the availability of public spaces suited for assemblies.[151] The university typically is home to advocates of ideas and views across the political spectrum but the most active student groups often are vocal critics of the political status quo and proponents of reform. In Indonesia, which has a long history of student protest and in which other outlets for political expression systematically were blocked, these features were even more pronounced than in many other countries. The desire of students to critically engage problems in Indonesian society certainly could not be wiped away by government decree.

A second important effect was the militarization of Indonesia's campuses. Although the decrees made the office of the rector primarily responsible for enforcement of the ban, they also created a channel for routinized supervision of student life by the military (ABRI) and civilian intelligence bodies. At each regional military headquarters (Korem), an officer was put in charge of establishing regular contact, both in person and by telephone, with the vice-rector for student affairs at each university in his jurisdiction.[152] (The role of ABRI on campus is described in more detail in chapter 9 below.)

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[151]See "Student Political Activism," in Philip G. Altbach, ed., *International Higher Education: An Encyclopedia* (New York: Garland, 1991), pp. 247-260.

[152]Human Rights Watch interview with Mochtar Mas'oed, Yogyakarta, September 23, 1997.

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In addition, the policy drained Indonesian campus life of an important source of intellectual vitality. Instead of directing students, enjoying the newfound autonomy that comes with student life, toward debate and open exchange of ideas on social and political issues of the day, the NKK/BKK policy, together with the P4 ideology sessions described above, emphasized loyalty to superiors and the avoidance of controversy. Students at the Islamic Teacher's Training Institute in Yogyakarta, for example, visited by Human Rights Watch in September 1997, reported that the rector was requiring all incoming students to sign a declaration stating that they would not engage in any activities not approved in advance by the rector's office.[153]

One of the campus institutions that suffered most from the regulations was the student press. In the 1980s, few student papers were established and those that did exist were closely monitored and intellectually timid. In the late 1980s and in the 1990s, the student press again grew bold, but was subject to harassment and censorship from university administrators and from military and civilian authorities. In interviews with Human Rights Watch in late September 1997, student editors at publications in Yogyakarta reported the following:

[153]Human Rights Watch interview with Adi S., Yogyakarta, September 22, 1997.

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- On September 25, 1997, student editors at *Paradigma*, a publication founded by students from a number of universities in the Yogyakarta area who were dissatisfied with the control exercised by university and government officials over established campus publications, were visited by a team of twelve government officials. They included representatives of the regional military headquarters (Korem) as well as officials from local offices of the attorney general, the social and political directorate of the Ministry of Internal Affairs, and the Ministry of Information. The staff was told that although it had applied for a permit to publish *Paradigma*, the paperwork had not been completed, and it should not publish again until the permit was obtained. The representative of the attorney general's office requested copies of the last three issues of *Paradigma* and said that the issues would be evaluated to see if they contained matters in conflict with the policies of the government.[154]

- Student editors at *Sintesa*, a publication of students in the political and social science faculty at Gadja Mada University, said their right to publish was suspended by order of the Indonesian Minister of Information in 1992, after publishing an article stating that seventy percent of students believed that the Indonesian constitution should be changed. Although *Sintesa* was allowed to publish again, the publication was again censored in 1995 after an article on the death toll from the killings which followed the 1965 coup attempt. According to students, the second crackdown came in the form of an order from the attorney general's office banning circulation of the article.[155]

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[154]Human Rights Watch interview with *Paradigma* staff, Yogyakarta, September 25, 1997.

[155]Human Rights Watch Interview with *Sintesa* staff, Yogyakarta, September 23, 1998.

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- Student editors at *Arena*, published by the students of the Sunan Kalijaga State Islamic Institute (IAIN) in Yogyakarta, reported that in May 1993 the magazine had been closed down for over a year for publishing a lead article on the business dealings of President Soeharto and his family.[156]

- At *Balairung*, a publication open to all students at Gadja Mada University, student editors reported that the publication was censored in 1993 for an article calling for an open interpretation of Pancasila, the official state ideology. By order of the West Java armed forces commander, advertisements for the publication at local newsstands which included a reference to the article had to be blacked out. *Balairung* was censored again in 1995 for an article critical of the "dual function" of the military.[157]

[156]Human Rights Watch Interview with *Arena* staff, Yogyakarta, September 22, 1998.

[157]Human Rights Watch Interview with *Balairung* staff, Yogyakarta, September 25, 1998.

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In the later years of the New Order, implementation of controls on student political activity increasingly came to depend on the political orientation and zealousness of the rector. Where the rector had a high public profile and believed that student political activism was a normal part of student life, the regulations were effectively held in abeyance. In the mid-1980s, for example, Dr. Koesnadi Hardjasoemantri, rector at Gadja Mada University in Yogyakarta and a revolutionary war veteran, forbade the military from entering campus grounds without his prior permission, offered leadership training programs for activists, and even participated in some rallies.[158] Where the rector was more responsive to military pressures, however, students were regularly suspended or expelled for participating in rallies. One of the more notorious rectors in this regard was Wiranto Arismunandar, the rector of the Bandung Institute of Technology from 1989-1997. During his tenure, at least twelve students were expelled and sixty-one students were suspended, many for engaging in activities that violated restrictions on campus activism.[159] Under the NKK/BKK regulations, students' freedom to exercise their basic rights thus came to depend on the personal characteristics of the rector.

The precise status of the NKK/BKK decrees today is not clear.[160] The restrictions were partially lifted in 1990 when then-Minister of Education Fuad Hassan issued a decree allowing the formation of campus-wide student senates. Rectors continued, however, to supervise closely all student activities and continued to have the power to override student election results. During the student protest movement of 1998, the NKK/BKK regulations again became the subject of national attention. In March 1998, Soeharto named Wiranto Arismunandar (*see* above) to be Minister of Education and Culture. On April 2, at a time when the student protest movement already had achieved a nationwide following, Arismunandar publicly reiterated the prohibition on political activity on campus, defining it to include "any attempt, direct or indirect, to implement or influence political decision-making."[161]

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[158]Human Rights Watch Interview with Koesnadi, Jakarta, September 19, 1997. Many former students interviewed by Human Rights Watch confirmed that Koesnadi's policies were widely admired among students and, in particular, among student activists.

[159]"Kegiatan Politik Dilarang di Kampus," *Kompas Online*, April 5, 1998.

[160]*Compare* "Bakal Berakhir, Era NKK/BKK," *Kompas Online*, May 29, 1998 *with* "NKK/BKK Sudah Dicabut Tahun 1990," *Kompas Online*, May 30, 1998.

[161]"Kegiatan Politik Dilarang di Kampus," *Kompas Online*, April 5, 1998.

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In response to a reporter's question, he stated that calling for removal of a public official would violate the policy and suggested that university rectors should sanction offending students "without hesitation."[162]

Because of the strength of the protest movement, the minister's remarks were widely criticized and completely ignored in practice by students and administrators. The minister's invocation of NKK/BKK at the very moment when campuses were emerging as the only outlet for autonomous political expression illustrates the partisan potential of the policy and the ease with which "practical politics" was equated with student expression of dissenting views. A uniform ban on the exercise of basic rights is offensive wherever it is applied. The Indonesian experience, consistent with experience elsewhere throughout the twentieth century, suggests that universities flourish as centers of academic excellence not when the government aggressively attempts to depoliticize campuses, but when there is space for autonomous political activity off campus and students' basic rights as citizens are guaranteed.

IX. MILITARY INTERVENTION ON CAMPUS

Among the most deeply rooted legacies of New Order rule is the pervasive militarization of Indonesian society. In the Soeharto era, militarization was reflected on campus in routine intelligence-gathering operations and surveillance of student life, arbitrary decrees from military authorities restricting students' right to demonstrate, use of combined police and military force to contain campus rallies (the police command structure is part of the armed forces hierarchy), and the frequent harassment, arrest, and sometimes torture of campus activists.

Under the New Order, surveillance of campus life by police and military intelligence agents became routine:

[162]Ibid.

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- Enrolled students were recruited by the police and military as paid informers. Many student activists told Human Rights Watch that it was routine for military authorities to pay students to spy on other students, particularly on campuses in which there was an active protest movement. One former student activist explained that, when working as a journalist after graduation, he came across a former classmate who had entered the armed forces and was surprised to learn that the former classmate was already a lieutenant colonel, a rank that he should not have achieved so quickly. When the former activist pressed his former classmate, the latter eventually conceded that he had been recruited as a campus spy by the armed forces while a freshman and subsequently had been credited for the time he was on the armed forces payroll as a student.[163]

[163]Human Rights Watch interview with Andreas Harsono, Jakarta, September 15, 1997.

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- Security agents (*intel*) routinely attended rallies, dressed as students but identifiable because of past run-ins with students and by their military haircuts.[164] Police, territorial military commands, and national bodies such as the Coordinating Agency for the Maintenance of National Stability (Badan Koordinasi Bantuan Pemantapan Stabilitas Nasional or Bakorstanas) each had their own agents. During the student protest movement in 1998, intelligence agents on several campuses themselves became the targets of violent student attacks, the students surrounding and beating the agents in retaliation for violent crackdowns on student protesters by security forces during prior rallies.[165] Students seized pistols, walkie-talkies, recording devices and notes from the agents.[166]

[164]Human Rights Watch interview with Gunardi, Yogyakarta, September 23, 1997.

[165]See "Letda Dadang Tewas Akibat Penyakit Jantung," *Kompas Online*, June 3, 1998 (noting that a retired police officer working as an intelligence agent died of a heart attack during an assault by angry students). See also description of April 4 demonstration at Gadja Mada University, Appendix D.

[166]See "Soal Unjuk Rasa Mahasiswa, Semua Pihak Perlu Menahan Diri," *Kompas Online*, May 13, 1998; "Kerusuhan Kian Marak, Intel Diadili Massa," *SiaR*, May 8, 1998.

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Because the identity of the agents was exposed as a result of the attacks, their presence on campus became the subject of national attention. The armed forces commander-in-chief eventually conceded that he had ordered the agents onto the campuses, claiming that such interference with campus affairs was justified by the military's need to keep an eye out for parties that were "instigating students."[167]

- On many campuses, students in the Student Regiment (Resimen Mahasiswa or Menwa, who are supervised through the rector's office by the regional army commander) also acted as informers, collecting evidence and making lists of participants at rallies.[168]

See also description of April 4 demonstration at Gadja Mada University, Appendix D.

[167]"Pangab Akui Kirim Intel ke Kampus-kampus," *Republika Online*, May 9, 1998.

[168]See, for example, Human Rights Watch/Asia, "Criminal Charges for Political Caricatures," p. 1. In an interview with Human Rights Watch, Gadja Mada University faculty member Mochtar Mas'oed explained that the role of Menwa depended a great deal on the attitude of the rector, noting that on some campuses, particularly in smaller cities, the student regiments could be "more militaristic than the military." Human Rights Watch interview, Yogyakarta, September 23, 1997.

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Although most of the students and faculty interviewed by Human Rights Watch reported that the presence of informers and intelligence agents on campus had little effect within the classroom, this was not the case on campuses with embattled ethnic minorities. Baltasar Kehi, a Ph.D. graduate of Columbia University, reported that when he began work as a professor at Atma Jaya Catholic University in Jakarta in 1994 fellow professors warned him not to criticize the government or speak about human rights and democracy because there were student informers in the classroom. Although Dr. Kehi says he ignored this advice, he stated that his students themselves, most of whom were ethnic Chinese Indonesians, were very wary of discussing political subjects in the classroom, and told him outside of class of their fear that other students could be informers.[169] At Cenderawasih University in Irian Jaya (the western half of the island of New Guinea, incorporated into Indonesia in 1969), a heavily militarized province in which there have been ongoing skirmishes between government troops and ethnic separatists, the effects were far more damaging. As one Irianese student, who wished to remain anonymous, explained: "Students are suspicious of each other. You never know who might be *intel*. Even among students from the interior, we speak about injustices only in hushed tones."[170]

Because of the standing prohibition on student political activity, set forth in the NKK/BKK decrees described above, and the broad power of the military to regulate public affairs, students' exercise of basic rights often depended on what military authorities were willing to tolerate. The tolerance of military authorities in turn depended on splits between the military leadership and Soeharto, and splits within the military itself. As noted in chapter 3 above, one of the reasons often given for the reemergence of student protest in the late 1980s was a growing rift between the armed forces leadership and Soeharto, some armed forces commanders

[169]Human Rights Watch interview with Baltasar Kehi, Jakarta, September 30, 1997.

[170]Human Rights Watch interview, Abepura, September 27, 1997.

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apparently viewing the student protests as a way of sending a signal to Soeharto that his position was not unassailable. In some cities, moreover, military authorities sought out student activists and even encouraged protests.[171]

[171]See Aspinall, "Students and the Military," p. 30.

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When military commanders determined that protests were inappropriate, however, they had considerable means at their disposal to intervene to stop the protests. One technique was the use of paramilitary thugs, including at times members of Menwa[172] and, more commonly, members of an organization called Pancasila Youth (Pemuda Pancasila), which had branches throughout the country and was active in staging counter-demonstrations and at times physical attacks on prominent critics of the government.[173] Another means used to intimidate protesters was to detain a limited number of protesters overnight for questioning and then release them without charge the next morning.[174] When large rallies were scheduled, military authorities frequently positioned large contingents of security forces just outside the gates of the campus. In 1998, the clearest example of the military's arbitrary restriction of students' basic rights was the military's announcement of a nationwide ban on public marches by students. As described above, the massing of troops at campus gates to enforce the ban became the target of student anger, leading to a series of tense confrontations, a significant number of which ended in violent clashes between students and security forces.

Among the most notorious abuses of the armed forces under Soeharto was the use of excessive and at times lethal force against unarmed civilians. In late April 1996, students at a number of universities in Ujung Pandang, the largest city on the island of Sulawesi, organized a series of rallies to protest an increase in transportation fares. Initial demonstrations on April 22 and 23 were peaceful, although demonstrations grew in size and riot police were out in force. On April 24, the first violence took place, with students overturning several minibuses. Security forces then began striking out at students and lecturers alike. In the late afternoon, three armored personnel carriers entered the campus of the Indonesian Muslim University (Universitas Muslim Indonesia or UMI) and troops stormed the demonstrators. In the ensuing melee, more than one hundred students were injured and at least three students were killed, including Syaiful, an architecture student, Andi Sultan Iskandar, an accounting student, and Tasrif, a student of development

[172]See, for example, Asia Watch (now Asia Division of Human Rights Watch), "Government Efforts to Silence Students," p. 8.

[173]See "Political Gangsters," *Inside Indonesia*, no. 53, January-March 1998; "Political Thugs," *Inside Indonesia*, Digest No. 13, May 30, 1996; Human Rights Watch/Asia, "Tough International Response," p. 7.

[174]Human Rights Watch interview with Gunardi, Yogyakarta, September 23, 1997; Human Rights Watch interview with Titok Heryanto, Yogyakarta, September 23, 1997.

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studies. The body of Andi Sultan Iskandar had a bruised chest, an open wound behind the left ear, and blood was coming from his nose and mouth. Tasrif's had been stabbed, his face was swollen and dark blue, apparently because of beatings with the butt of a rifle. All of the bodies were found in the nearby Pampang River. The armed forces claimed that the students had drowned after jumping in a nearby river to escape the melee.[175]

Andi M. Patongai, the father of Andi Sultan Iskandar, one of the victims, contradicted the government's claim:

[175]For a description of the incident, see Yayasan Lembaga Bantuan Hukum Indonesia, *Human Rights Report 1996 (Civil and Political Rights)* (Jakarta: Yayasan Lembaga Bantuan Hukum Indonesia, 1997), pp. 15-16.

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> Don't try to say [my son] drowned. If someone drowns, what are the signs? The stomach is swollen, water comes out. But my child's stomach wasn't swollen. Blood was coming out. There were stab wounds [*bekas sangkur*] on his neck. He was wounded all over, beaten all over... I believe my child died before his body was discarded [in the river].... That evening I took photos. But until now, they have not been developed. No one is brave enough. All of the photo shops are afraid.... [My child] could swim. But if one is [beaten and then] discarded, how can he swim?[176]

Mr. Patongai blamed the army "hunters":

> If ABRI had not entered the campus, this would never have happened. My child was studying on the second floor [of the main campus building].... [On the day he was killed], I had told him not to go to the campus because there had been demonstrations [the day before]. But he said, "I have an exam." That night, he didn't show up. We looked for him, but I was forbidden from entering the campus by the security forces. [The campus was] already emptied out. That Thursday, his younger sibling found him at the offices of *Fajar* [a daily newspaper].... You don't know the feelings of a father whose child has left him. If my child had died naturally, I could understand. But this is not natural. Where do I go to complain? Who do I blame? I only ask one thing. A little justice!.... If ABRI had not entered

[176]Yayasan Lembaga Bantuan Hukum Indonesia, *1996: Tahun Kekerasan, Potret Pelangggaran HAM di Indonesia* (Jakarta: Yayasan Lembaga Bantuan Hukum Indonesia, 1997), pp. 43-44 (quoting an interview originally published in *Suara Independen*, no. 10/II, May 1996).

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> the campus, my child would not be dead.... Who ordered the armored personnel carriers (*panser*) on campus?[177]

[177] Ibid.

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In 1998, the record of the security forces in policing rallies was mixed. On the one hand, literally hundreds of protests involving a thousand or more angry students took place between mid-March and mid-May, and, in many cases, security forces refrained from responding with unnecessary violence. In many other cases, however, after using nonlethal means such as water cannons and tear gas to disperse the crowds, scores or hundreds of security forces charged the students, indiscriminately beating demonstrators and bystanders alike with police batons.[178] One example of the indiscriminate use of force was described by Jakarta-based writer Seno Gumira Ajidarma, whose son, Timor Angin, was seriously wounded in a clash in Yogyakarta on April 3. According to Seno, Timor Angin, nineteen years old and a student at an art academy in Yogyakarta, was at the time staying at his grandparents' home in Bulaksumur, a residential neighborhood located just across from the entrance to the Gadja Mada University campus.[179] Timor Angin had gone to watch the protest and was caught unprepared when security forces stormed the protesters. He was apprehended, beaten repeatedly and dragged by his heels across a long stretch of pavement, suffering serious head and facial injuries along the way. Timor Angin was hospitalized for eight days at a local hospital after the clash.

On two occasions in May 1998, security forces used lethal force. On May 8, Mozes Gatotkaca, a forty-year-old graduate of the Yogyakarta Industrial Academy, suffered a cracked skull and was pronounced dead on arrival at a local hospital after having been beaten during a police charge on a demonstration outside the Sanata Dharma University in Yogyakarta. On May 12, four students were shot dead when security forces opened fire on demonstrators at Trisakti University in Jakarta.

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[178]See LBH Surabaya, "Siaran Pers No. 090/SK/LBH/V/1998 Tentang Tindakan Represif Aparat Keamanan Terhadap Aksi Damai Mahasiswa" (copy on file at Human Rights Watch).

[179]"Mengapa Anak Saya Diinjak-injak?," *Indonesia Daily News Online*, April 8, 1998.

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During the Soeharto era, student activists also were subjected to torture. As prior reports have documented, students undergoing interrogation were beaten, slapped, burned with cigarettes, submerged in water, and given electric shocks to the genitals.[180] During the 1998 protest movement, there were a number of reports of torture. According to a report by the Indonesian Legal Aid Foundation (Yayasan Lembaga Bantuan Hukum Indonesia or YLBHI), students detained after a clash at the University of Lampung on March 19 were interrogated without the benefit of lawyers or due process, families of the detainees were not notified of the arrests, and five students were tortured at the time of arrest and during interrogations.[181] According to an Indonesian press account, five street artists and one shoe-shine man who had participated in a rally at Gadja Mada University were arrested after the rally and held by police (Polisi Resor Kota Yogyakarta) for eight days.[182] Upon

[180]See Human Rights Watch/Asia, *Injustice, Persecution, Eviction,* pp. 10-12; Human Rights Watch/Asia, "Tough International Response," p. 7; Amnesty International, "The PRD Prisoners: A Summary of Amnesty International's Concerns," October 1997, AI Index 21/56/97, pp. 6-7 (on-line version); Amnesty International, "Indonesia: Hendrik Dikson Sirait, aged 24, student activist," *Urgent Action Alert*, August 16, 1996, AI Index ASA 21/61/96.

[181]"Laporan Akhir Peristiwa Universitas Lampung," *Indonesia Daily News Online*, March 24, 1998.

[182]"Dituduh Demonstran Bayaran, Pengamen Gugat Polisi," *AJInews*, April 14, 1998.

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release, one of the detainees, Ferdinandus Suhardono, reported that the six had been beaten repeatedly during interrogations, two of them so badly that they required stitches upon release. Suhardono said that police were trying to force the men to confess that students had paid them to attend the demonstration, even though all had attended on their own volition. He said that he and the other detainees were eventually released to a social services agency for supervision.[183]

[183]Ibid.

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One of the most significant developments in 1998 was the forced disappearance of some two dozen activists and organizers, about half of whom were students. After repeated denials by military authorities of any knowledge of or involvement in the "disappearances," armed forced Commander-in-Chief Wiranto said on June 30 that he had received evidence that military personnel had been involved in at least some of the abductions.[184] Pius Lustrilanang and Desmond Junaidi Mahesa, two of the first activists to be released, were sufficiently traumatized by their experience to keep silent for more than a week after their release. Both Pius and Desmond subsequently gave detailed accounts of their abductions and what they had endured, including torture with electric shocks, during their ordeals.[185] At the time this report was prepared, the whereabouts of twelve of the activists remained unknown.[186]

[184]See "Bebaskan Aktivis yang Masih Diculik," *Kompas Online*, July 1, 1998.

[185]See "Pius Lustrilanang: Saya Ingin Semua Ini Diakhiri," *Kompas Online*, April 29, 1998; "Desmond Diperiksa Empat Jendral," *Kompas Online*, May 26, 1998.

[186]Kasus Penculikan Aktivis: Puspom ABRI Telah Memeriksa 40 Orang, *Kompas Online*, July 3, 1998.

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X. RESTRICTIONS ON ACADEMIC INQUIRY AND EXPRESSION

Ideological pressures, censorship, and pervasive militarization under the New Order created a climate hostile to intellectual innovation and vigorous debate in Indonesian universities. Just as important aspects of student intellectual life were driven underground by restrictions on student political activity and expression, critical inquiry by faculty on a wide range of social and political subjects was stymied by the campus controls. Although conditions improved significantly in the 1990s, open academic inquiry and expression continued to be constrained up to the time of Soeharto's resignation by onerous state research permit requirements as well as blacklists, limitations on academic debate, and periodic government interference with the rights of academics as citizens to express their ideas and views in public fora.[187]

Permits

Under regulations established by the New Order government, all field research in Indonesia requires prior government authorization. Indonesian social scientists must obtain permission to conduct field studies not only from university

[187]Academics also suffered a major legislative setback in 1996-97 when, over widespread and vociferous opposition from social scientists and other researchers, the government enacted a vaguely worded law giving the Central Statistics Agency (Biro Pusat Statistik or BPS) broad power to oversee all social science research conducted in the country. Human Rights Watch interview with Daniel Dhakidae, Jakarta, September 16, 1997.

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administrators, but also from the local office of the social and political directorate of the Home Ministry ("Sospol") where the university is located and the local Sospol office where they wish to conduct research. Sospol has wide discretion to forbid research and maintains a blacklist, periodically updated with information from civilian and military intelligence agencies, of individuals who are to be closely monitored because they have been deemed to pose a threat to public order.

Social scientists interviewed by Human Rights Watch emphasized that although denial of permits is rare, the effect of the permit process is to subject all proposals to government scrutiny. Researchers report that they sometimes ignore the permit requirements, but officials can and do order research stopped when they learn that researchers have not complied with the permit requirements.[188] The permit procedures are labyrinthine. As one Indonesian researcher described his experience:

> At the time I intended to conduct research in East Java . . . but I lived in Central Java. First I had to make a request to my department for a letter of introduction for the research permit, then request a letter of introduction for the East Java office of Kopertis [Koordinator Perguruan Tinggi Swasta or Private Higher Education Coordinating Agency, the government agency which has jurisdiction over private universities]. With these letters, I then could prepare an application to the West Java Sospol office. Once I had the West Java Sospol permission, I sought approval from the East Java Sospol office, but had to go

[188]Human Rights Watch interview with Faisal Basri, New York, June 23, 1998. Dr. Basri described the following experience. He was conducting research in Medan, North Sumatra without a permit, and his research included interviewing the directors of a particular printing house. As Dr. Basri put it, he had the "bad luck" of learning too late that the printing house was owned by a local Sospol official. The official reported Dr. Basri's failure to obtain a permit and he was forced temporarily to abandon the research.

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> first to the National Planning Board. Only after I had a recommendation from the National Planning Board would the East Java Sospol office issue a permit. It did not end there. I also had to give notice of my proposed research to each district in which I was to conduct research via the regional Sospol offices (Sospol Dati II).[189]

[189]Akadun, "Deregulasi Izin Penelitian," *Surabaya Post*, October 25, 1996.

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This convoluted process invites corruption, with unscrupulous government officials demanding bribes in exchange for letters necessary to obtain permits.[190]

[190]Human Rights Watch interview with Faisal Basri, New York, June 23, 1998; see also Akadun, "Deregulasi," *Surabaya Post*, October 25, 1996. One scholar interviewed by Human Rights Watch also emphasized that nearly all research is government funded and project oriented, and expressed concern that political pressures combined with economic pressures lead to what he called "academic corruption" on the part of researchers themselves. Interview with Ariel Heryanto, Singapore, September 11, 1997. An official at the Jakarta offices of a large international donor agency, who frequently commissions social science research in Indonesia and spoke with Human Rights Watch on condition of anonymity, said that, although the quality of research he has seen in recent years has improved, research continues to be marred by "problems of factual honesty, analytical rigor, and presentational accuracy. The government pays for the research and it is difficult for professors, as government employees, to express independent opinions." Human Rights Watch interview,

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This practice is particularly likely to occur where researchers are seeking expedited approval of a permit request.[191] More importantly, however, the requirement of prior government authorization, together with censorship and pressures from the security apparatus described above, steers academics away from controversial subjects, and, under Soeharto, left a wide range of subjects effectively off-limits to independent research. Such topics included not only the business holdings of the president's family and conditions in provinces such as Aceh, East Timor and Irian Jaya where there have been widespread human rights abuses by military authorities, but also other "sensitive" subjects such as ethnic conflict, land and labor rights issues, alleged government coercion of voters during elections, local political

Jakarta, September 20, 1997. See also open letter from Arief Budiman to Mr. Hans-Eberhard Kopp, World Bank, February 20, 1995 (copy on file at Human Rights Watch) (noting the failure of social science researchers to gauge properly the extent of opposition among farmers and peasants to the World Bank-funded Kedung Ombo dam project, which required the forced relocation of many local inhabitants, and stating: "In many instances, research is used only to justify what the government wants to do. . . Consequently, knowing that the findings will not be taken seriously, many academic researchers do not conduct their research as they ought to do. This is, I think, common knowledge among Indonesian academic researchers.").

[191]Human Rights Watch interview with Faisal Basri, New York, June 23, 1998.

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controversies, and the political role of the military under the "Dual Function" doctrine.[192]

[192]This list is based on Human Rights Watch interviews in September and October 1997 with the following Indonesian academics: Arbi Sanit, George J. Aditjondro, Mochtar Mas'oed, Ong Hok Ham, Baltazar Kehi, Ashadi Siregar, and Th. Sumartana.

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The permit system also makes it very easy for the government to intervene to stop research, as it did prior to the national elections in May 1997, when all permits for "research activities or field studies that involve the public" and could lead to "public unease" were suspended for a period of three months.[193] Permits can also be suspended when the president visits the province where research is being carried out, and during and after important national events, such as meetings of the upper chamber of parliament or when Indonesia plays host to important international visitors.[194]

The permit process for foreign scholars is even more onerous. The process, which often takes from six months to a year, requires a series of letters of introduction and permissions from LIPI, the State Intelligence Coordinating Body (Badan Koordinasi Intelijen Negara or Bakin), Sospol, and national police headquarters. While few researchers are denied research access permanently, many are told that the topics they have chosen are "too sensitive" or "too political" and they are asked to resubmit their proposals with a different research focus.[195]

Blacklists and Other Restrictions

Military and police authorities had broad power to regulate all public gatherings under the New Order. As described elsewhere, public seminars, meetings and conferences required advance permission from local police authorities, and from national police headquarters in Jakarta if the gathering was national in character.[196] Such gatherings were routinely broken up by the authorities.[197] In principle, academic seminars and meetings organized by university authorities were exempted from the permit requirement. In practice, campus activities were subject to a wide range of restrictions. Such restrictions included government screening of speakers invited to participate in campus

[193]"Dilarang, Kegiatan Muktamar, Kongres, Sampai Seminar," *Kompas Online*, February 4, 1997.

[194]Human Rights Watch interview with Faisal Basri, New York, June 23, 1998.

[195]Ibid.

[196]See Hairus Salim HS and Angger Jati Wijaya, eds., *Demokrasi dalam Pasungan: Politik Perizinan di Indonesia* (Yogyakarta: Forum LSM/LPSM DIY, 1996).

[197]See Human Rights Watch/Asia, "Press Closures in Indonesia One Year Later," *A Human Rights Watch Short Report*, vol.7, no. 9, July 1995, pp. 2-4.

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seminars, police and intelligence agency interrogation and, on occasion, arrest of academics for critical remarks made at seminars, and the intimidation of academics for articles in the press or public commentary deemed hostile to the government. Examples of these abuses include:

- Blacklists. Military and civilian intelligence agencies in Indonesia maintain lists of individuals deemed to pose a threat to public order. Although the scope of restrictions varies from case to case, critical writers, activists and dissidents were often banned from appearing in public, including appearing as speakers at campus seminars. Speakers banned from campuses at different times in the 1990s included the writers Pramoedya Ananta Toer, Rendra, and Emha Ainun Najib, human rights advocates such as Abdul Hakim Nusantara, Adnan Buyung Nasution, and Roekmini K. Astoeti, and critical scholars such as Arief Budiman and George J. Aditjondro. Use of blacklists directly undermines the ability of the university to serve as an open forum for the exchange of ideas.

- Cancellation of Seminars. Until the end of 1995, students organizing campus seminars had to request advance permission from local and sometimes national police authorities.[198] New regulations announced on December 29, 1995 gave more authority and discretion to rectors, but seminars on controversial topics continued to be subject to censorship.[199] Although cancellations of on-campus seminars by military authorities were not common in Java in the 1990s, there continued to be significant violations of academic freedom in areas subject to close military control. In April 1997, for example, a seminar jointly organized by the law faculty and the student senate at Cenderawasih University in Jayapura, Irian Jaya

[198]"Dari Polisi ke Rektor," *Gatra*, January 6, 1996; George Junus Aditjondro, "A Test Case in Repressing Academic Freedom in Indonesia" (paper on file at Human Rights Watch, dated October 34, 1994), pp. 1-2.

[199]Ibid.; see also ELSAM, "Dari Jiwa yang Melayang hingga Isi Pikiran yang Diawasi: Penilaian atas Penegakan Hak Asasi Manusia Tahun 1996" (copy on file at Human Rights Watch) (describing campus seminars cancelled by rectors in 1996 because the program included controversial speakers or political subjects); Indonesian Legal Aid Foundation, "Indonesian Human Rights Forum," *Newsletter on Development and Human Rights in Indonesia*, July-December 1995, no. 9, p. 28 (listing campus seminars dispersed or cancelled by rectors in 1995 because of the reputations of the invited speakers).

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on the customary law of indigenous peoples was canceled by local military authorities. According to one law professor involved in the planning, although the seminar organizers had received all necessary approvals from the university administration and had sent out invitations to students and to a number of tribal leaders who had been asked to participate in the seminar, military officials said that security concerns prevented the seminar from going forward.[200] The professor commented: "The army apparently was afraid that the invited tribal leaders would be better informed after such a seminar and would return to their villages armed with such knowledge."[201]

- Interrogation of academics for remarks made at academic meetings. In October 1994, Dr. George Aditjondro, a lecturer at Satya Wacana University who had been a fervent critic of government policy in East Timor, was interrogated by Yogyakarta police for remarks he allegedly had made during a seminar at the Indonesian Islamic University (Universitas Islam Indonesia or UII) in Yogyakarta in August of that year.[202] In the lecture, he reportedly had made a joke about Soeharto and three men considered his cronies in a discussion of presidential succession. On April 26, 1995, he was publicly accused by prosecutors of having criminally insulted the government in his remarks. When the accusations

[200]Human Rights Watch interview with [name withheld], Abepura, September 27, 1997.

[201]Ibid.

[202]This case previously was reported in Human Rights Watch/Asia, "Press Closures in Indonesia," p. 3; see also George Junus Aditjondro, "A Test Case," p. 6; Forum-Asia, *Stability and Unity*, p. 149.

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were made, Dr. Aditjondro was in Perth as a guest lecturer at Murdoch University. Thereafter, Dr. Aditjondro remained in "voluntary exile." The case of Sri Bintang Pamungkas, described in chapter 6 above, who was sentenced to thirty-four months in prison for remarks made during a lecture to Indonesian students at the Berlin Technical University, showed the Soeharto's government's willingness to apply its repressive policies even to overseas speech.

- Harassment. In 1996, University of Indonesia political scientist Arbi Sanit published an article critical of the government's role in the removal of Megawati Sukarnoputri as head of the opposition Indonesian Democratic Party. Shortly after the article appeared, he was told by his dean that a military official (from Bakorstanas) had visited the campus, seeking to speak with Dr. Sanit on the subject of his "off-campus activities."[203] In an interview with Human Rights Watch, University of Indonesia economist Faisal Basri confirmed that such harassment was routine under Soeharto.[204] Dr. Basri said that when he wrote for the national press on such issues as Indonesia's national car project and the clove monopoly, both of which are controlled by Soeharto's children, he learned through campus administrators that the Minister of Education and Culture had called to express disapproval. Dr. Basri emphasized, however, that his dean had defended his right as a citizen to express his views and that there were no campus repercussions from the telephone warning.

- Foreign scholars were also subject to intimidation. On June 12, 1995, Indonesian police broke up an off-campus seminar on democracy and detained seven people, including an American professor who was the sole speaker at the meeting. Umam Wirano of the Yayasan Indonesia Baru (New Indonesia Foundation), which organized the seminar, told Reuter's that the police broke up the meeting because it was held without a permit. The police took seven people, including the speaker, Robert Hefner, for questioning, before releasing them early the following day. Hefner, vice-director of the Institute for the Study of Economic Culture at Boston University, was in Indonesia at the invitation of the government-funded

[203]Human Rights Watch interview with Arbi Sanit, Jakarta, September 18, 1997.

[204]Human Rights Watch interview, New York, June 23, 1998.

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> National Institute of Sciences (Lembaga Ilmu Pengetahuan Indonesia or LIPI) to address a seminar on Islam and modernization. Witnesses said Hefner and some of the organizers were taken to the Central Jakarta police station by intelligence police officers who had been present during the seminar. They were then interrogated at the police station from 11:00 P.M. until 5:00 A.M. the next day. Hefner and the others were released after an official from the U.S. Embassy came to the police station.[205]

As the above cases suggest, campus intervention by civilian and military authorities was most often aimed not at academic speech per se, but at the ability of academics to share their views, ideas, and research results openly with the public. The persistence of such controls until the end of the Soeharto era and the new attitude being taken by the new government are both exemplified in the case described below.

[205]This case previously was reported in Human Rights Watch/Asia, " Press Closures in Indonesia," pp. 3-4.

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On February 21, 1995, scholars from the National Institute of Sciences (LIPI) were invited to the presidential palace and formally instructed by Soeharto to conduct research into the existing "social role" of the military and to evaluate the political election system. The president's public call for research into these formerly taboo subjects received considerable attention in the press and other public media, and the president's approval gave the researchers access to military and civilian leaders throughout Indonesia. As one professor not involved in the project commented, such research "could not have been carried out by anyone other than a LIPI research team, a government scientific body directly under the control of the president."[206]

The LIPI researchers conducted detailed interviews with approximately 140 government, military, and community leaders in roughly half of Indonesia's provinces, and found significant opposition to the continuing intrusive political role of the military and to government manipulation of the election system. In draft reports setting forth their findings, they recommended a gradual withdrawal of the military from political affairs, a ten year transition to a direct (rather than proportional) election system, and an end to the government's "monoloyalty" doctrine, whereby civil servants are expected to give loyal support to the ruling party. The State Secretary's office, apparently displeased with the results, declared the reports official state secrets.[207] After the researchers conducted additional research on the same subjects in 1996 and went public with the results in early 1997, the government sternly forbade them from holding additional seminars, publishing results or publicly discussing any LIPI research into political subjects without prior government approval.

Despite the ban, however, copies of the draft report circulated widely in academic and political circles in 1997. In 1998, when the same subjects—laws governing elections and political parties, the government's monoloyalty doctrine,

[206]Arief Budiman, "Kondisi Ilmu Sosial di Indonesia," *Kompas Online*, March 31, 1997.

[207]Ikrar Nusa Bhakti, "Polemik Sekitar Masa Depan Peran Sosial Politik ABRI," *Tempo Interaktif*, no. 53/01, March 1997.

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the military's dual function—emerged at the forefront of the agenda of the pro-reform movement, the drafts gained renewed currency. After Soeharto's resignation, a number of LIPI researchers openly submitted a blueprint for reform to the government. As this report was being prepared, their proposal was under consideration by the government and was freely available to all interested parties.

Although the intellectual climate has now changed, the limitations on academic inquiry and expression set forth above are still in place, and military and civilian authorities continue to have broad discretionary powers over field research and the ability of academics to share their ideas and views with the public. In order that the ideas and findings of all Indonesian researchers receive a fair hearing and are judged solely on the basis of academic merit, these barriers to autonomous academic inquiry and debate must be removed.

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XI. CONCLUSION

The political reform movement that precipitated Soeharto's resignation has opened the door to a new political future for Indonesia. Students and faculty were at the forefront of the movement, and many paid a high price for their commitment. Hundreds of students were wounded in clashes with the authorities between mid-March and mid-May. There can be no question, moreover, who will be remembered as the heros of 1998. When four students were shot dead by security forces during a rally at Trisakti University in Jakarta, they were immediately dubbed "Martyrs of Reform." After the fall of Soeharto, newspapers came out with "Victory of Reform" editions, a major boulevard in Ujung Pandang on the island of Sulawesi was renamed "Reform Boulevard," commemorating the student rallies and marches that were held there, and a street in Yogyakarta was renamed "Mozes Gatotkaca Street" in memory of a bystander who was beaten to death by security forces during a student demonstration. If the promise of reform is to be fulfilled and lasting changes made, however, the ideological and institutional barriers to citizen autonomy and political participation erected during Soeharto's thirty-two-year rule must be systematically dismantled.

As described in this report, students and faculty were among those most directly harmed by the suffocating ideological controls, constraints on inquiry and expression, and denial of citizens' basic freedoms that characterized the New Order government. Such far-reaching and often institutionally embedded policies and practices will not be easy to eradicate. Some of the barriers have important roots in the national trauma of 1965-67; others date from the late 1970s, when broad institutional controls were imposed on the universities in direct response to student protest movements. All of the restrictions were enforced and in important respects implemented by an entrenched military with a doctrinal mandate to "supervise" the citizenry and intervene in social and political affairs in the name of "national stability." In this respect, the New Order government's treatment of the academic community was not exceptional. Many of the controls described in this report applied not only to members of the academic community but to all Indonesians; others, although specifically directed against the academic community, were the manifestation on campus of comparable controls applied elsewhere. The impact on academic life, however, was especially pernicious because of the fundamental incompatibility between such controls and the spirit of critical inquiry at the heart of the academic mission.

At the time this report was being prepared for publication, only two months had elapsed since Soeharto's resignation. The intellectual and political climate was more open than it had been in over two decades, and the success of the

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reform movement had prompted wide-ranging public discussion of the problems facing the country, including a severe economic crisis which was continuing to impose hardship throughout Indonesian society. Such open discussion and debate was a hopeful sign for Indonesia's future.

Human Rights Watch believes that to secure the gains won by the reform movement and avoid the imposition of any new orthodoxy, Indonesians must confront the Soeharto legacy head on. Each of the institutional controls and abusive practices inherited from the Soeharto era, including those detailed in this report, must be examined one by one to determine whether they truly serve the interests of all Indonesians or serve to protect those in power from accountability for their actions. Students and scholars are well-situated to contribute to and help inform and shape those discussions, but can do so effectively only if their right to state their ideas and views is respected. Members of the academic community played an important role in opening the door to reform because they spoke their minds notwithstanding the obstacles in their path. The country needs more of the same if reform is to achieve lasting results and if academic freedom is to be placed on a secure foundation.

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APPENDIX A

The Lima Declaration on Academic Freedom and Autonomy of Institutions of Higher Education

Preamble

The Sixty-Eighth General Assembly of WORLD UNIVERSITY SERVICE, meeting in Lima from 6 to 10 September 1988, the year of the 40th anniversary of the Universal Declaration of Human Rights,

Bearing in mind the extensive set of international standards in the field of human rights which the United Nations and other universal and regional organisations have established, in particular the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, and the UNESCO convention against Discrimination in Education,

Convinced that the universities and academic communities have an obligation to pursue the fulfillment of economic, social, cultural, civil and political rights of the people,

Emphasising the importance of the right to education for the enjoyment of all other human rights and the development of human persons and peoples,

Considering that the right to education can only be fully enjoyed in an atmosphere of academic freedom and autonomy of institutions of higher education,

Recognising the essential vulnerability of the academic community to political and economic pressures,

Affirming the following principles pertaining to education:

a) Every human being has the right to education.

b) Education shall be directed to the full development of the human personality and the sense of its dignity, and shall

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strengthen respect for human rights, fundamental freedoms and peace. Education shall enable all persons to participate effectively in the construction of a free and egalitarian society, and promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups. Education shall promote mutual understanding respect and equality between men and women. Education shall be a means to understand and contribute to the achievement of the major goals of contemporary society such as social equality, peace, equal development of all nations and the protection of the environment.

c) Every State should guarantee the right to education without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, economic condition, birth or other status. Every State should make available an adequate proportion of its national income to ensure in practice the full realisation of the right to education.

d) Education shall be an instrument of positive social change. As such, it should be relevant to the social, economic, political and cultural situation of any given country, contribute to the transformation of the status quo towards the full attainment of all rights and freedoms, and be subject to permanent evaluation.

Proclaims this Declaration:

Definitions

1. For the purposes of this Declaration

a) 'Academic freedom' means the freedom of members of the academic community, individually or collectively, in the pursuit, development and transmission of knowledge, through research, study, discussion, documentation, production, creation, teaching, lecturing and writing.

b) 'Academic community' covers all those persons teaching,

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studying, researching and working at an institution of higher education.

c) 'Autonomy' means the independence of institutions of higher education from the State and all other forces of society, to make decisions regarding its internal government, finance, administration, and to establish its policies of education, research, extension work and other related activities.

d) 'Institutions of higher education' comprise universities, other centers of post-secondary education and centers of research and culture associated with them.

2. The above mentioned definitions do not imply that the exercise of academic freedom and autonomy is not subject to limitations as established in the present Declaration.

Academic Freedom

3. Academic freedom is an essential pre-condition for those education, research, administrative and service functions with which universities and other institutions of higher education are entrusted. All members of the academic community have the right to fulfill their functions without discrimination of any kind and without fear of interference or repression from the State or any other source.

4. States are under an obligation to respect and to ensure to all members of the academic community, those civil, political, economic, social and cultural rights recognised in the United Nations Covenants on Human Rights. Every member of the academic community shall enjoy, in particular, freedom of thought, conscience, religion, expression, assembly and association as well as the right to liberty and security of person and liberty of movement.

5. Access to the academic community shall be equal for all members of society without any hindrance. On the basis of ability, every person has the right, without discrimination of any kind, to become part of

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the academic community, as a student teacher, researcher, worker or administrator. Temporary measures aimed at accelerating de facto equality for disadvantaged members of the academic community shall not be considered as discriminatory, provided that these measures are discontinued when the objectives of equality of opportunity and treatment have been achieved. All States and institutions of higher education shall guarantee a system of stable and secure employment for teachers and researchers. No member of the academic community shall be dismissed without a fair hearing before a democratically elected body of the academic community.

6. All members of the academic community with research functions have the right to carry out research work without any interference, subject to the universal principles and methods of scientific enquiry. They also have the right to communicate the conclusions of their research freely to others and to publish them without censorship.

7. All members of the academic community with teaching functions have the right to teach without any interference, subject to the accepted principles, standards and methods of teaching.

8. All members of the academic community shall enjoy the freedom to maintain contact with their counterparts in any part of the world as well as the freedom to pursue the development of their educational capacities.

9. All students of higher education shall enjoy freedom of study, including the right to choose the field of study from available courses and the right to receive official recognition of the knowledge and experience acquired. Institutions of higher education should aim to satisfy the professional needs and aspirations of the students. States should provide adequate resources for students in need to pursue their studies.

10. All institutions of higher education shall guarantee the participation of students in their governing bodies, individually or collectively, to express opinions on any national and international

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question.

11. States should take all appropriate measures to plan, organise and implement a higher education system without fees for all secondary education graduates and other people who might prove their ability to study effectively at that level.

12. All members of the academic community have the right to freedom of association with others, including the right to form and join trade unions for the protection of their interests. The unions of all sectors of the academic communities should participate in the formulation of their respective professional standards.

13. The exercise of the rights provided above carries with it special duties and responsibilities and may be subject to certain restrictions necessary for the protection of the rights of others. Teaching and research shall be conducted in full accordance with professional standards and shall respond to contemporary problems facing society.

Autonomy of Institutions of Higher Education

14. All institutions of higher education shall pursue the fulfillment of economic, social, cultural, civil and political rights of the people and shall strive to prevent the misuse of science and technology to the detriment of those rights.

15. All institutions of higher education shall address themselves to the contemporary problems facing society. To this end, the curricula of these institutions, as well as their activities shall respond to the needs of society at large. Institutions of higher education should be critical of conditions of political repression and violations of human rights within their own society.
16. All institutions of higher education shall provide solidarity to other such institutions and individual members of their academic communities when they are subject to persecution. Such solidarity may be moral or material, and should include refuge and employment or education for victims of persecution.

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17. All institutions of higher education should strive to prevent scientific and technological dependence and to promote equal partnership of all academic communities of the world in the pursuit and use of knowledge. They should encourage international academic cooperation which transcends regional, political and other barriers.

18. The proper enjoyment of academic freedom and the compliance with the responsibilities mentioned in the foregoing articles demand a high degree of autonomy of institutions of higher education. States are under an obligation not to interfere with the autonomy of institutions of higher education as well as to prevent interference by other forces of society.

19. The autonomy of institutions of higher education shall be exercised by democratic means of self-government, which includes the active participation of all members of the respective academic communities. All members of the academic community shall have the right and opportunity, without discrimination of any kind, to take part in the conduct of academic and administrative affairs. All governing bodies of institutions of higher education shall be freely elected and shall comprise members of the different sectors of the academic community. The autonomy should encompass decisions regarding administration and determination of policies of education, research, extension work, allocation of resources and other related activities.

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APPENDIX B
The Human Rights Watch Academic Freedom Committee

The Human Rights Watch Academic Freedom Committee aims to monitor, expose, and mobilize concerted action to challenge threats to academic freedom worldwide, and to foster greater scholarly and media attention to the critical role played by higher education in the development and preservation of civil society.

When teachers, researchers, or students are harassed or imprisoned for exercising their rights of free expression and inquiry, when their work or research is censored, when access to educational institutions is restricted on discriminatory grounds, or when universities and schools are closed for political reasons, the committee responds by publicizing the abuses in the media and in the academic community, sending protest letters to appropriate government officials, and uniting concerned organizations in coordinated campaigns for effective international action.

The Human Rights Watch Academic Freedom Committee is composed of twenty-eight university presidents and scholars. Its co-chairs are Jonathan Fanton of the New School for Social Research, Hanna Holborn Gray of the University of Chicago, Vartan Gregorian of the Carnegie Corporation, and Charles Young of the University of California at Los Angeles. Its membership currently includes:

Johnetta Cole, President Emerita, Spelman College;
Joel Conarroe, President, John Simon Guggenheim Memorial Foundation;
Lord Ralf Dahrendorf, Warden, St. Antony's College, Oxford;
Ariel Dorfman, Research Professor, Duke University;
Thomas Ehrlich, Professor, Stanford University Law School;
James O. Freedman, President, Dartmouth College;
John Kenneth Galbraith, Professor Emeritus, Harvard University;
Bernard Harleston, Professor, Harvard Graduate School of Education;
Alice Stone Ilchman, President, Sarah Lawrence College;
Stanley N. Katz, Professor, Princeton University;
Nannerl O. Keohane, President, Duke University;
James T. Laney, President, Emory University;
Paul LeClerc, President, The New York Public Library;
Fang Lizhi, Professor, University of Arizona;
Walter E. Massey, President, Morehouse College;
Krzysztof Michalski, Professor, Institute for Human Sciences, Vienna;
Joseph A. O'Hare, President, Fordham University;
L. Jay Oliva, President, New York University;

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Yuri Orlov, Senior Scientist, Cornell University;
Frank H. T. Rhodes, President Emeritus, Cornell University;
Neil Rudenstine, President, Harvard University;
George Rupp, President, Columbia University;
Judith R. Shapiro, President, Barnard College;
Michael Sovern, Professor, Columbia University Law School;
Chang-Lin Tien, Chancellor Emeritus, University of California at Berkeley.

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APPENDIX C
Human Rights Watch Academic Freedom Committee letter to Indonesian Minister of Research and Technology B.J. Habibie, February 13, 1998.

February 13, 1998

Dr. B. J. Habibie
State Minister of Research and Technology
Republic of Indonesia

Dear Minister Habibie:

We are writing this open letter on behalf of the Human Rights Watch Academic Freedom Committee to express our grave concern over the formal warning you recently sent to researchers at Indonesia's prestigious National Institute of Sciences (Lembaga Ilmu Pengetahuan Indonesia or LIPI).

On January 20, 1998, a group of nineteen LIPI researchers held a press conference and publicly issued a "Letter of Concern" calling for President Soeharto to step down, declaring that the Soeharto government no longer embodied the aspirations of the Indonesian people. On February 10, 1998, you issued a "Warning Letter" formally reprimanding the researchers for their statement and sharply warning them not to engage in such activity in the future.

Your warning letter sets forth four objections to the researchers' public expression of their views: 1) researchers should channel any ideas and recommendations relating to public problems via LIPI, their employer; 2) public expression of views directly via the mass media might cause unrest at a time when the country is facing a monetary crisis; 3) such expression of views constitutes a form of practical political activity inconsistent with the function of the experts and researchers who work at LIPI; and 4) it is not appropriate to use the LIPI building, a government facility, to put forward private views.

We agree that the researchers, as academic professionals and government employees, have a duty when expressing personal views to make clear to the public that they are speaking in their personal capacity and not on behalf of the institution. In the present case, however, there appears to have been no confusion. As emphasized by Soefjan Tsauri, director of LIPI, no action is being taken against the

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researchers by LIPI officials because the researchers made the statement in their capacity as private citizens.

We object in the strongest possible terms, however, to your assertion that, as scientists and civil servants, the researchers are in effect professionally obligated to refrain from expressing their personal views in any public forum, and to the clear implication in the letter that reprisals will be taken against them if they do so again in the future. We also note that although the warning is addressed to the LIPI researchers, the logic of your assertions appear to apply as well to the thousands of faculty members at public universities throughout Indonesia who, like the LIPI researchers, are civil servants dependent on government salaries.

The suggestion that independent expression of political views is inconsistent with the function of LIPI researchers as scientists and civil servants is, to us, perverse. It is contrary to the respect for individual autonomy and freedom of expression commanded by Article 19 of the Universal Declaration of Human Rights, and contrary to the spirit of academic freedom.

Science and expression of social conscience are not incompatible. Some of the most creative and productive scientists of the twentieth century are universally revered today not solely for their scientific insights but also because they dared to speak out publicly against what they saw as tyranny, abuse of power, and injustice, and because they actively participated in social movements calling for reform. Albert Einstein and Andrei Sakharov are two prominent examples.

Because we believe that retribution against the LIPI researchers for expression of their political views would violate the international norms given expression in the Universal Declaration of Human Rights and strike a blow to academic freedom, we respectfully urge that you withdraw your formal warning or modify the warning to comport with international standards. At a minimum, any modification should make clear that although researchers should take care when expressing personal views not to create the impression that they are speaking on behalf of the institution at which they are employed, the government stands fully behind their rights as citizens to freely express their views and to freely associate with those who share such views.

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Thank you for your attention to this important matter. We welcome a reply.

Sincerely yours,

/s/

Jonathan F. Fanton
Co-Chair, Human Rights Watch Academic Freedom Committee
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APPENDIX D
Chronology of Clashes between Student Protesters and Government Security Forces, March 11, 1998 - May 2, 1998

The chronology that follows is based on a sampling of on-line press reports, including reports published in both Jakarta-based and regional Indonesian newspapers, on-line descriptions of incidents published by independent Indonesian news agencies (including SiaR and AJInews), on-line student descriptions of demonstrations and clashes, and, where indicated, telephone interviews with student leaders and legal aid officials familiar with the events. The chronology includes only those clashes that resulted in serious injuries to students or security personnel, and does not include scores of less serious altercations that characterized many of the face-to-face confrontations between students and security personnel on campuses throughout the country. Although we have tried to include brief descriptions of each of the major clashes that have occurred during this period, the chronology is based largely on a limited set of secondary sources and is therefore necessarily incomplete.

March 11: Universitas Sebelas Maret (March 11 University) -- Surakarta

About ten students were injured, seven of whom were treated at a local hospital, when students clashed with police and troops at the entrance to the March 11 University campus in Surakarta. The demonstration began peacefully in the morning, with a march through campus, a large crowd of protesters carrying banners and posters and demanding immediate political and economic reform. The demonstrators then assembled at the campus gates where they were met by combined police (Polresta) and military (Korem) forces. After a mass prayer at noon, the students reassembled. During the subsequent confrontation, some of the students began throwing stones, chunks of asphalt, and other projectiles at security forces, and pushing and shoving broke out between students and police. Security forces responded by firing tear gas to disperse the crowd and beating demonstrators

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with rifle butts (*gagang senapan*) and police batons. The demonstration eventually dispersed at about 3:30.[208]

March 11: November 10 Institute of Technology -- Surabaya

[208]"Semprot Gas Air Mata, Bakar Ikan Asin," *Suara Merdeka Online*, March 12, 1998; "Ribuan Mahasiswa UGM Tuntut Kabinet yang Bersih," *Republika Online*, March 12, 1998; "Aksi mahasiswa di berbagai kota diwarnai bentrok dengan aparat," *SiaR*, March 13, 1998.

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Eleven students were injured, seven of whom were treated at a local hospital, and at least one mobile brigade officer was beaten when about 5,000 students clashed with local police and anti-riot mobile brigade police (Brimob) at a campus rally at the November 10 Institute of Technology in Surabaya (Institut Teknology Sepuluh Nopember or ITS). The protest began at 8 a.m. when students from ten universities gathered at the ITS canteen for an open forum. Speakers denounced the president and parliament. At about 9:40, the students (crowd estimates range from several hundred to several thousand) marched in rows to the traffic circle at the entrance to the campus, intending to march through city streets to the campus of Airlangga University (Surabaya's premier public university), three kilometers away. The students carried banners and posters carrying slogans such as: "Repeal the Five Political Laws," "Refuse to Bow Down, Demand Accountability," "You Drink the People's Blood," "Break Up the Parliamentary Farce." At the gates, the protesters' path was blocked by hundreds of police. Singing the national anthem, students attempted to push their way through the arrayed security personnel, but were beaten back. A number of attempts by student leaders and military officials to negotiate a settlement failed to resolve the impasse. For the next two hours, students and security personnel engaged in a series of tense confrontations and clashes. The students eventually dispersed at about noon after the students read a declaration rejecting the Indonesian parliament's re-election of Soeharto and calling on the parliament to convene an emergency session.[209]

March 16: National University -- Jakarta

[209]"Korban Bentrok Surabaya," *Tempo Interaktif*, March 14, 1998 (quoting data from the Surabaya legal aid office); "Ribuan Mahasiswa UGM Tuntut Kabinet yang Bersih," *Republika Online*, March 12, 1998; "Aksi Keprihatinan Mahsiswa Diwarnai Bentrokan," *Kompas Online*, March 12, 1998; "Aksi mahasiswa di berbagai kota diwarnai bentrok dengan aparat," *SiaR*, March 13, 1998.

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One journalist suffered minor injuries and a number of anti-riot mobile brigade police (Brimob) were injured when hit by stones during a confrontation between students and police and troops at the entrance to the National University in Jakarta. The clash occurred when a few hundred students, who had been protesting the Indonesian parliament's re-election of Soeharto and the make-up of his new cabinet, sought to march off-campus to a local public assembly hall *(balai rakyat*). At the campus gates, the students' path was blocked by about thirty mobile brigade police backed by troops (pasukan anti-huru-hara) from the Jakarta regional military command (Kodam Jaya). When students began to push forward and security personnel brandished batons, students began throwing stones, injuring a number of mobile brigade police.[210]

March 17: March 11 University -- Surakarta

Twenty-five students were treated at a local hospital, one with a broken leg, after students clashed with anti-riot police and troops outside the gates of the March 11 University (Universitas Sebelas Maret or UNS) in Surakarta. The protesters, who included students from a number of area universities, were coordinated by leaders of a student organization called the "UNS Student Family" (Keluarga Mahasiswa UNS). The protest began in the morning with a peaceful rally and open forum near the gates of the campus. Protesters denounced the parliamentary session which had reelected Soeharto to a seventh five-year term, called for price controls, and criticized the make-up of the new cabinet. When the protesters spilled out into the street in front of the campus, intending to march to the local public assembly hall (*balai kota*), a tense confrontation ensued between protesters and anti-riot police (Brimob) and troops (pasukan anti-huru-hara Korem). Security personnel, backed by two armored personnel vehicles equipped with tear gas launchers, formed a human wall blocking the students path. According to the Surakarta police chief, Colonel Riswahyono, the security forces moved in when student protesters threw stones at security personnel. In the ensuing clash, police

[210]"Students Clash as Indonesia Cabinet Sworn In," Reuter's, March 16, 1998; "Mahasiswa Bentrok dengan Brimob," *SiaR*, March 16, 1998.

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used tear gas to disperse the students and beat back demonstrators with police batons.[211]

March 18: Indonesian Cooperatives Institute -- Bandung

[211]"Bentrok di UNS, 25 Mahasiswa Luka-luka," *Kompas Online*, March 18, 1998; "Bentrok dengan Aparat, 21 Orang Masuk Rumah Sakit," *SiaR*, March 17, 1998.

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More than ten students were injured in a clash with security forces in front of the Indonesian Cooperatives Institute (Institut Kooperasi Indonesia) in Bandung. The demonstration began with a peaceful rally at about 10 a.m. When about one hundred student demonstrators moved toward the entrance to the campus, intending to take their march to the streets, their path was blocked by about 150 anti-riot police (personel anti-huru-hara kepolisian resor Sumedang). After negotiations failed to produce any results, students tried to push their way through the wall of anti-riot police, and the police responded by beating back the protestors with police batons. The rally dispersed at 12:30.[212]

March 19: Lampung University -- Lampung, Sumatra

At least seventy-two students were arrested and dozens were injured when several thousand students from a number of area universities, institutes, and high schools clashed with police and troops at the entrance to Lampung University on March 19.[213] According to a report by the Indonesian Legal Aid Foundation (Yayasan Lembaga Bantuan Hukum Indonesia or YLBHI), detainees were interrogated without the benefit of lawyers or due process, families of the detainees were not notified of the arrests, and five students were tortured at the time of arrest and during interrogations.

The protest at Lampung University, organized by an alliance of student groups from eight campuses called the Lampung Student and Youth Family (Keluarga Mahasiswa, Pemuda dan Pelajar Lampung), began with the singing of the national anthem at about 9:30 a.m. The demonstration continued with a series of open fora in which students demanded such things as immediate economic and political reform, removal of Soeharto as president, an end to the political role of the armed forces, repeal of the "five political laws" governing political parties and elections, immediate price controls and attention to the needs of newly unemployed workers, rejection of the Currency Board scheme proposed by Soeharto, and unity

[212]"Bentrokan di Bandung, Belasan Mahasiswa Luka Memar," *Kompas Online*, March 19, 1998.

[213]"Jangan Mengarah pada Gerakan Anarkis," *Kompas Online*, March 21, 1998.

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between students and the public. Students also carried posters and banners with slogans such as "Reform or Death" and "Three Demands: Political Reform, Bring Down Soeharto, Bring Down Prices."

The conflict occurred shortly after noon when students, seeking to march into the city, confronted a large contingent of security personnel near the campus entrance, including hundreds of local and regional police (Kepolisian Resor Kota Lampung; Kepolisian Daerah Lampung), and troops from the regional and district military commands (Korem and Kodim) backed by four large anti-riot trucks and twenty vehicles from the district military command. A number of students, blocked from leaving the campus, began to pelt the security personnel with stones, and security forces responded by throwing stones back at students. According to a student at the scene, the troop commander then fired two warning shots. A military spokesman confirmed that shots were fired, but says they were not fired by security forces. After the shots were fired, the military used tear gas and high pressure water cannons to disperse the students, and security forces then moved in, clubbing students with batons, dragging detained students to police vehicles, some by their hair.

The tense confrontation continued into the late afternoon, with demonstrators continuing to protest while negotiations were held between student leaders, military and police commanders and university officials. Students claimed that they detained a number of retired police officers who had come to negotiate with university staff and held them hostage until the authorities agreed to release the students who had been detained. Military sources denied the report, saying that the officers were on campus as part of the larger effort to resolve the conflict and had not been taken hostage.[214]

March 25: March 11 University -- Surakarta

[214]"Laporan Akhir Peristiwa Universitas Lampung," *Indonesia Daily News Online*, March 24, 1998; "Mahasiswa Lampung Bentrok dengan Aparat Intel," *SiaR*, March 20, 1998; "Minister of Education and Culture Orders Report on UNS Incident," *Kompas Online*, March 20, 1998; "Jangan Mengarah pada Gerakan Anarkis," *Kompas Online*, March 21, 1998.

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Two students were hospitalized and around fifty others, including ten security personnel, were treated for tear gas and other injuries when students clashed with riot police and troops at the UNS campus. The demonstration began peacefully at 9:30 a.m. with a rally and a march through campus. Students then held a long rally just outside the campus gates, police and troops forming a wall to prevent the students from proceeding any further. Students used raffia twine to demarcate the boundaries of the demonstration. Because the student boundary extended about ten meters past the campus entrance, security forces insisted that the students move back toward the campus. When the students refused to back away, security forces advanced. After some tense moments, an agreement was reached by student and police negotiators. Both the students and security personnel retreated and the demonstration continued. At about 2:30 p.m., however, the students again moved forward. The security forces then moved forward again and the two sides clashed. Students threw stones and security forces used tear gas and batons to beat back the students. The police chief (Kapolresta) later claimed that the demonstration had been infiltrated by students affiliated with the banned left-wing People's Democratic Party (Partai Rakyat Demokrasi or PRD) and its affiliate, the Indonesian Student Solidarity for Democracy (Solidaritas Mahasiswa Indonesia untuk Demokrasi or SMID). The student demonstration coordinator dismissed the allegation, saying "We are demonstrating because we are concerned with public suffering, and it is disappointing to find that, instead, we are accused of being PRD [members]."[215]

April 2-4: Gadja Mada University -- Yogyakarta

Over eighty students and at least six security personnel were injured when students clashed with hundreds of security forces during a coordinated series of protests at Gadja Mada University (Universitas Gadja Mada or UGM) in Yogyakarta, Central Java, on April 2, 3 and 4. At least twenty of those injured were hospitalized.

The protests began on April 2 with a rally organized by a student group called the Committee of the People's Struggle for Change (Komite Perjuangan Rakyat untuk Perubahan, KPRP). The KPRP was organized by, among others, a

[215]"Bentrokan Kembali Terjadi di UNS, 39 Luka-luka," *Suara Merdeka Online*, March 26, 1998. See also "Again, Clash between Students and Security Apparatus at 11 March University (UNS)," *Kompas Online*, March 26, 1998.

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number of leftist student members of SMID, known on campus as the "radical pro-democracy group." At the initiation of the organizers, participants in the action included not only UGM students, but street musicians, pedicab drivers, housewives, workers, and high school students. Students began to gather at about 9 a.m. at the social and political sciences faculty. Over the course of the next hour, the protesters marched across campus, visiting faculties of law, philosophy, psychology, and literature, holding open forums at each location, the crowd gathering in numbers along the way. Speakers called for price controls, political and economic reform, and the removal of Soeharto by a special session of parliament. An East Timorese student carrying a Freitlin flag also gave a speech at one open forum, as did a number of street musicians.

At about 10 a.m. the procession, estimated at about 2,000, gathered at a traffic circle in front of a broad boulevard leading out of campus, the protesters intending to take their protest to the local parliament located in the city center. The boulevard was blocked by an estimated 300-400 anti-riot police and military personnel, including local and regional police (Polres Sleman; Polda Yogyakarta), infantry (Yonif 403 Yogyakarta), air force troops (Paskhas AU Yogyakarta), troops from the district military command (Kodim Sleman), and elite special forces troops (Kopassus). After a two-hour, often tense standoff, during which time negotiations between protest leaders and police officials failed to reach a compromise, students moved en masse to penetrate the police barricades. As the students moved forward, some students allegedly began throwing stones at the troops. Security forces responded by throwing stones in return, using tear gas and a water cannon to disperse the protesters, and indiscriminately striking protesters with batons, kicking and punching fallen students, and pursuing fleeing students onto the campus grounds. In the fracas, a group of students overturned a minivan believed to belong to one of the members of the security apparatus. An estimated fifty-three students were wounded in the clash, at least seventeen of whom were treated at a local hospital.[216]

[216]See Yogyakarta Legal Aid Institute preliminary report, reprinted in "Rekapitulasi Aksi Anti Kekerasan di Yogyakarta," *SiaR*, April 8, 1998. This account was supplemented by telephone interviews on April 16 with Yogyakarta legal aid staff and one eyewitness to the clash. A number of students at the Sunan Kalidjaga Institute for Islamic Studies (Institut Agama Islam Negeri Yogyakarta or IAIN Yogyakarta) were also hurt, though none seriously, when security forces beat back several attempts by demonstrators to march to the local parliament. "Kekerasan Pecah di UGM dan IAIN Yogya," *Kompas Online*, April 3, 1998.

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A larger demonstration was held the following day. This time the demonstration was coordinated by the League of Yogyakarta Muslim Students (Liga Mahasiswa Muslim Yogyakarta or LMMY), a coalition of students from a number of Muslim student groups. Like the first demonstration, the protest began at 9 a.m. with a march around campus and a series of speeches in a number of different locations. The students eventually gathered at the traffic circle at the entrance to the campus, and, at about 11:30, they were joined by students from the local teacher's training college who themselves had briefly clashed with security forces on their own campus earlier in the day.

After a break for the Friday noon prayer, the students again sought to march into the city, this time to bring their grievances to the palace of Sultan Hamengkubuwono X, but their path was again blocked by about 500 security personnel including mobile brigade police (Brimob Kompi 515 Gondowulung; Brimob Polda Jateng) and armed forces infantry (Batalyon Infanteri 403/Wirasada Pratista Kentungan). When negotiations again failed to produce a compromise, the standoff gave way to violence when tens of students began throwing rocks and at least two firecrackers at the security forces. Again the troops counterattacked with tear gas and a baton charge, this time sending in armored personnel carriers to disperse the students, pursuing fleeing students far into the campus, kicking over dozens of student motorcycles, ransacking the offices of the student cooperative and beating students who had taken refuge there, and destroying windows in the campus student center, possibly in retaliation for the student attack the previous day on the minivan. An estimated thirty-three protesters were injured in the clash, many with head wounds, and at least six police suffered injuries when hit by stones thrown by students.[217]

A third demonstration was held on April 4. This protest was organized by a group called the "UGM Student Family," a body formed by the university-recognized student senate and supported by a large number of UGM professors and lecturers. An estimated 25,000 students gathered for the rally to protest the violence of the previous two days. Although the rally was generally peaceful and students did not attempt to leave the campus grounds, two police intelligence agents were injured in mob attacks by angry students after the agents were spotted mingling with the crowd. One of the agents was seriously injured in the attack, notwithstanding the efforts of nationally prominent Muslim opposition leader Amien Rais, a speaker at the rally, who happened to be nearby and intervened to

[217]"UGM Makin Rusuh," *Kompas Online*, April 4, 1998.

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stop the beating. Students destroyed a tape recorder seized from one of the agents, but returned intact a revolver and walkie-talkie taken from the agents.[218]

April 3: State Teacher Training Institute -- Yogyakarta

Tens of students were injured in a clash between student demonstrators and police at the Yogyakarta Teacher Training Institute (Institut Keguruan dan Ilmu Pengetahuan or IKIP). The chairman of the IKIP student senate was seriously injured, requiring stitches on his scalp and ear, and many other students were beaten when security forces cracked down on demonstrators seeking to march to a public square in the northern section of the city.[219]

April 8: Airlangga University -- Surabaya

[218]"Rector UGM: Kekuatan Luar Jangan Masuk Kampus," *Kompas Online*, April 5, 1998; "Menyusul Aksi Unjuk Rasa di UGM, Dua Polisi Cedera Dihajar Massa, *Republika Online*, April 6, 1998.

[219]"UGM Makin Rusuh," *Kompas Online*, April 4, 1998.

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At least sixteen students were injured, nine requiring in-patient hospital care, when student demonstrators from thirteen universities in Surabaya clashed with security forces at the gates of the Airlangga University campus. At least two security officers also suffered injuries. The protest began about noon in front of the university library. The demonstrators then marched directly to the campus gates, intending to march through the city. At the gates, the marchers' path was blocked by riot control troops (pasukan Pengendalian Massa). Over the next hour and a half there were a number of skirmishes, with the crowd of students, numbering about one thousand, trying several times to break through the wall of troops. At 1:30, the security forces were reinforced by a truckload of mobile brigade police (pasukan Dakhura Brimob) in riot gear, and shortly thereafter, by an armored personnel carrier equipped with a water cannon which sprayed a foul-smelling, discolored liquid into the crowd. Students responded by throwing stones at the security forces and police and troops then moved in on the students, beating protesters with batons, kicking fallen students, and throwing stones back at the students. At 2:05, calm was restored and students held a rally and open forum before dispersing at 2:30.[220] On the same day, a number of student demonstrators at Dr. Soetomo University, also in Surabaya, were hurt in a clash with security forces when they sought to march to the Airlangga University campus to join the larger demonstration.[221]

April 13: General Soedirman University -- Purwokerto

[220]"Clash between Demonstrators and Security, 16 Students Injured," *Kompas Online*, April 9, 1998; "Students Clash in Indonesia Campus Protest," Reuter's, April 8, 1998; "Kronologi Demo di Unair," *Surabaya Post Online*, April 9, 1998.

[221]"Menerobos, Diseret, dan Dikeroyok," *Surabaya Post Online*, April 9, 1998.

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Ten students and three police officers were injured when student demonstrators and security forces clashed at the entrance to General Soedirman University in Purwokerto. The demonstration began at 9 a.m. and was coordinated by an organization formed by student senate leaders from five Purwokerto universities called the Purwokerto Student Action Front for Reform (Front Aksi Purwokerto untuk Reformasi or FM-MPR). The confrontation occurred when several hundred students, seeking to march to the local parliament, marched to the entrance of the campus, where they were met by police (Polres Banyumas), mobile brigade police (Brimob) and crowd control troops (pasukan Dalmas). After an initial attempt to penetrate the wall of security forces was beaten back, the students retreated briefly. After singing a protest song (*Maju Tak Gentar*), students again tried to force their way through police barricades, and a major clash began. For the next hour, students were beaten back with batons, and students threw stones at the security personnel. Calm was finally restored when the five student senate leaders read aloud a declaration. The students then returned to campus and continued the rally peacefully on campus grounds.[222]

April 16: General Soedirman University -- Purwokerto

Four security personnel and twenty-five students were injured during a second clash at General Soedirman University. One student was treated at a local hospital with a three centimeter gash on his head after having been hit with a police baton. The demonstration, coordinated again by student senate leaders in the FM-MPR group, began with a march through campus. The students then held a rally at the south entrance of the campus. A few skirmishes broke out between some of the students and riot police, who again had formed a human barricade at the gates to prevent the demonstrators from leaving the campus. When a group of representatives from one of the participating universities was addressing the crowd of some 1,000 students, stones were thrown at the speakers three times in quick succession. The students, believing that the stones had been thrown by security forces amassed at the gate, began throwing stones at security personnel. A violent

[222]"Students Chant 'Down with Soeharto,'" Reuter's, April 14, 1998; "Demo Lima PT Purwokerto, 13 Luka," *Republika Online*, April 14, 1998.

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clash between students and the security forces ensued. The commander of the security forces later denied that security personnel were responsible for the initial stone-throwing.[223]

April 16: Bandung Institute of Technology -- Bandung

[223]"Bentrok Lagi, 29 Luka," *Bernas Online*, April 17, 1998.

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Nine ITB students were injured when protesters tried to march off campus and faced police and troops (Divisi Siliwangi). The demonstration began in the morning with an open forum in which student speakers called for immediate opening of the political system. Roughly 5,000 students from ten area universities participated in the rally. Shortly after the midday prayer, the demonstrators, intending to march to the Padjadjaran University campus just over a kilometer away (students at Padjadjaran University had clashed briefly with security forces the previous day), began to march through the campus gates. About fifty meters out, they were met by anti-riot police (Dalmas Polda Jabar), backed by armed troops (petugas dari Zipur bersenjata). For almost an hour, student leaders and police officials negotiated without result. Students then began to push forward, forcing the security personnel to retreat a few meters. One of the soldiers' rifles then went off, apparently accidentally. Although security officials immediately informed the students that the rifle had gone off accidentally, the situation grew increasingly tense, with a number of skirmishes. After another half hour of tense confrontation, marked by periodic pushing and shoving between students and security personnel, violence broke out, with students throwing stones and other projectiles at security forces and security forces using batons to beat back the students. When the situation calmed, students retreated onto campus grounds and continued the demonstration into the late afternoon.[224]

April 17: March 11 University -- Surakarta

One hundred and three students were injured, many overcome by tear gas, during a clash with riot police and troops at the entrance to the Kentingan campus of March 11 University (UNS). At least five students were treated at a local hospital, one with serious head wounds. Seventeen security personnel were also injured, some of whom were treated at a nearby army hospital, and twenty nearby residents were overcome with tear gas. The protest at UNS began at about 10 am, with students from a number of area universities and a number of high school students participating in the rally. The students, carrying banners calling for price controls on basic commodities, a new president and a new cabinet, gathered at the campus gates with the intention of making a public march. When a large contingent of security forces, backed up by support vehicles and at least one armored personnel carrier, tried to force the students back onto campus, students responded by throwing stones. Police then sent at least ten tear gas canisters into the crowd and

[224]"Bentrokan di Bandung dan Malang," *Media Indonesia Online*, April 17, 1998.

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one student responded by throwing a Molotov cocktail in the direction of the police. Because of heavy winds, tear gas blew back in the direction of the security forces and into a nearby residential neighborhood. Twenty-five riot shields reportedly were cracked or broken in the clash.[225]

April 21: Bandung Islamic University -- Bandung

[225]"Unjuk Rasa di UNS Kembali Panas," *Republika Online*, April 18, 1998; "Mahasiswa - Aparat Terlibat Bentrokan," *Pikiran Rakyat Online*, April 18, 1998.

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Seven students and six security personnel were injured in a clash between security forces and about 1,000 demonstrators.[226]

April 22: Padjadjaran University -- Jatinangor, Bandung

Twenty-four students and ten security personnel were injured when students from six Bandung universities clashed with security forces at the entrance to the Padjadjaran University campus.[227]

April 23: Udayana University -- Denpasar, Bali

At least twelve students were injured when about 1,000 students clashed with security personnel near the entrance to the university. Soni Qodri, head of the Bali Legal Aid Institute, was also injured in the clash.[228]

April 23: Medan Institute of Technology -- Medan, Sumatra

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[226]"Tujuh Mahasiswa Cedera, Enam Aparat Terluka," *Kompas Online*, April 22, 1998.

[227]"Clash Again Highlights Student Action in Bandung," *Kompas Online*, April 23, 1998.

[228]"Student protests continue, violence mars several," *Jakarta Post*, April 24, 1998.

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One student was shot and five other students were wounded in a clash with security forces at the campus entrance.[229]

April 25: University of North Sumatra -- Medan, Sumatra

Nine students were injured, three shot with rubber bullets, during a clash between thousands of students and security forces.[230]

April 25: Mataram University -- Mataram, Lombok

[229]"Usut Tuntas Penembak Mahasiswa ITM," *Waspada Online*, April 25, 1998.

[230]"Sema Mengadu Ke Komnas HAM," *Waspada Online*, April 27, 1998; "Ribuan Mahasiswa USU Dan UISU Unjukrasa," *Waspada Online*, April 26,1998.

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At least ten students were injured when more than 1,000 students clashed with security forces at the campus gates.[231]

April 25: Jambi University -- Jambi, Sumatra

Two students were injured, one wounded with a rubber bullet, during a clash between about 1,500 students and security forces. The students were seeking to leave the campus and join students from the Jambi Institute for Islamic Studies (Institut Agama Islam Negeri or IAIN) who were holding a rally at the local parliament building.[232]

April 25: Unisma -- Malang, East Java

Thirty-seven students and security personnel were injured, eight students requiring hospital care, after a clash between students and security forces.[233]

April 27: Mataram University -- Lombok

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[231]"Indonesian student fight police at anti-government rally," *Associated Press*, April 25, 1998.

[232]"Unjuk Rasa Mahasiswa Berlanjut Dimana-mana," *Kompas Online*, April 26, 1998.

[233]"Lautan Jilbab 'Pindah' ke Semarang," *Bernas Online*, April 26, 1998.

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Six students were injured and hundreds were overcome by tear gas during a clash between students and security forces. The clash occurred as students were seeking to march from the campus to the local hospital where students injured in a clash with security forces on April 25 were being treated.[234]

April 29: Sahid University -- Jakarta

Four students were injured, one of whom, a female student, required six stitches on her forehead, after a clash between students and security forces.[235]

April 29: University of North Sumatra (Universitas Sumatra Utara or USU) -- Medan

[234]"Enam Mahasiswa Luka-luka," *Kompas Online*, April 29, 1998.

[235]"Aparat Halangi Mahasiswa Turun ke Jalan," *Jawa Pos Online*, April 30, 1998.

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Tens of students from a number of universities and secondary schools were injured as about 4,000 students clashed with security forces on a city street near the USU campus. Police used tear gas and rubber bullets. Hundreds of shots were fired. The students, reportedly joined by many non-students, threw smoke bombs at security forces, and burned two police motorcycles. A number of shop windows were also reported broken. Authorities closed the school for one week following the clash.[236]

April 30: National Institute of Technology -- Malang, East Java

Ten students were injured when students clashed with security forces on the street in front of the campus.[237]

April 30: Diponegoro University -- Semarang, Central Java

One student was knocked out after being hit by security forces and several other students were injured during a clash at the campus gates.[238]

April 30: Syarif Hidayatullah Institute for Islamic Studies (IAIN) -- Jakarta

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[236]"Mahasiswa Lima PT Turjal: Belasan Mahasiswa Luka dan Dua Sepeda Motor Petugas Dibakar," *Waspada Online*, April 30, 1998.

[237]"Ali Sadikin Muncul di Tengah Mahasiswa," *Jawa Pos Online*, May 1, 1998.

[238]"Ribuan Mahasiswa Berbagai Daerah Kembali Unjukrasa," *Waspada Online*, May 1, 1998.

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Four security officers were treated for head wounds when security forces clashed with hundreds of students seeking to leave the grounds of the institute.[239]

May 1: Nommensen University and Islamic University of North Sumatra (Universitas Islam Sumatra Utara or UISU) -- Medan

[239]"Students Continue Protests, Some Violence Reported," *Jakarta Post*, May 2, 1998.

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In separate clashes at Nommensen University and UISU, tens of students from several universities and at least one lecturer were injured during violent clashes with security forces. The protests began with peaceful campus rallies in the morning, but turned violent when students sought to march through the city. Security forces used tear gas and rubber bullets to disperse the crowds. Students threw improvised Molotov bombs as well as stones at security forces, and burned tires on the street.[240]

May 2: students from various universities -- Medan

Dozens of students and security personnel were injured in clashes at the gates of several campuses in Medan, some shot with rubber bullets. Some of the worst violence occurred near Nommensen University, where students joined a large crowd of non-students. The crowd attacked a showroom where Indonesia's "national car" was on display, a political target because one of President Soeharto's sons was awarded the production contract for the controversial project. Demonstrators then dragged the car onto the street and burned it. The crowd also burned a pick-up truck and smashed the windows of several shops, a bank, and a Kentucky Fried Chicken outlet near the campus.[241]

May 2: Matraman Indonesian and Foreign Languages Institute (ABA-ABI) -- Jakarta

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[240]"Aksi Unjuk Rasa Berlanjut: Mahasiswa dan Masyarakat Bentrok Dengan Petugas," *Waspada Online*, May 2, 1998; "Medan Students Again Clash with the Security Service," *Kompas Online*, May 2, 1998.

[241]"Aksi Makin Deras Korban Jatuh Lagi," *Bernas Online*, May 3, 1998; "Campuses Quiet after Massive Student Protests," *Tempo Interaktif*, May 4, 1998.

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Four students were injured and many others were overcome by tear gas in a clash with mobile brigade police.[242]

May 2: Yarsi University -- Jakarta

[242]"Bentrokan Warnai Aksi Mahasiswa," *Kompas Online*, May 3, 1998.

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Three security officers were injured in a clash with students at Yarsi University.[243]

May 2: Rawamangunan Teacher Training Institute (IKIP) -- Jakarta

At least thirty-three students required hospital care, six of whom had been hit by rubber bullets, and twenty-eight security personnel were wounded after a clash between security forces and about 2,000 students.[244]

May 2: students from various universities -- Jember, East Java

Two students were injured, one knocked unconscious when hit by a security officer with the butt of an M-16 rifle, when security forces intervened to prevent students belonging to a group called Unified Jember Student Action group (Kesatuan Aksi Mahasiswa Jember) from marching to the local parliament building.[245]

May 2: National Institute of Technology; Merdeka University -- Malang

Students from six universities clashed with security forces in separate incidents at Merdeka University and the National Institute of Technology. Fifty-two students and at least forty-nine security personnel were reported injured in the clashes. Students at ITN reported after the clash that security forces fired live ammunition at the protesters, that classroom walls and the rector's office were damaged by bullet holes, and that shell casings were found on campus grounds. At least one student was grazed by a bullet.[246]

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[243]Ibid.

[244]Ibid.

[245]"Aksi di Sejumlah Kota Turun ke Jalan dan Bentrok," *Jawa Pos Online*, May 3, 1998.

[246] "Laporan Sementara Demonstrasi di ITN, UNMUH dan UNIBRAW, Sabtu 2 Mei 1998," *Indonesia Daily News Online*, May 4, 1998; "Aksi di Sejumlah Kota Turun ke Jalan dan Bentrok," *Jawa Pos Online*, May 3, 1998.

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