

April 10, 1991

INDONESIA'S SALMAN RUSHDIE

On April 8, 1991, Arswendo Atmowiloto, a young newspaper editor in Jakarta was sentenced to five years in prison. His arrest, trial and conviction on charges of insulting a religion raise questions about the relationship between freedom of expression, religious sensitivity, and political manipulation in an overwhelmingly Muslim society. What constitutes "insulting a religion", an offense under the Indonesian Criminal Code? Who decides what causes offense? At what point does concern about social unrest impinge on freedom of the press?

The "Monitor Affair" described below did not just result in one man's arrest; it also gave a new boost to state censorship and a tightening of controls on publishers and the press.

Origins of the Monitor Affair

On September 2, 1990, *Monitor*, a Christian-owned tabloid weekly with a circulation of 700,000, announced that it was conducting a poll to find out which individuals, alive or dead, its readers most admired. Anyone who submitted an entry could share in a jackpot of Rp. 5 million (about US\$2600) which would be divided up among 100 winners. It was a public relations gimmick, designed to attract more readers, as *Monitor's* editor, Arswendo Atmowiloto, readily conceded. Over the next month and a half, some 33,000 readers responded, and on October 15, 1990, *Monitor* published the results under the headline, "Here They Are: 50 Leaders Admired by Our Readers." Of the fifty names, the top 11 were as follows:

1. President Suharto
2. Minister of Research and Technology B.J. Habibie
3. former President Sukarno
4. pop singer Iwan Fals
5. charismatic Muslim preacher Zainuddin Mz.
6. commander of the armed forces General Try Sutrisno
7. Saddam Hussein
8. Hardiyanti Indra Rukmana (Suharto's daughter)
9. Minister of Information Harmoko
10. Arswendo Atmowiloto, editor of *Monitor*
11. the Prophet Mohammed

The day after the issue hit the streets, religious leaders began to hear strong protests from their followers, who said that the poll treating the Prophet as equivalent to other mortals, let alone placing him 11th, was blasphemous. As the protests gathered momentum, the Ministry of Information, through its Press Guidance bureau, sent a strong warning to *Monitor's* publishers, saying among other things, "It is hoped that in the future, *Monitor* will be more careful about selecting the articles it prints and will heed this warning so that the government will not have to take steps which neither party desires."¹ The warning was issued October 18.

¹ *Tempo*, October 27, 1990

The next day, as criticism continued to mount, Arswendo Atmowiloto appeared on national television to apologize for printing the offensive poll. He was also summoned by Ministry of Information officials to whom he admitted his error of judgment. By Saturday, October 20, small groups of students were protesting outside the *Monitor* office, objecting to the poll and demanding that Arswendo be prosecuted. Newspapers were already beginning to refer to him as the Salman Rushdie of Indonesia, and the editor of the *Medan Pos* was quoted as saying, "He's even worse than Rushdie. At least with Rushdie, it was just his imagination, but *Monitor* did it with an opinion poll!"

On Monday, October 22, about 150 students joined forces to try and storm the *Monitor* office in Palmerah, Central Jakarta. They broke windows, threw stones and forced an entrance as police and soldiers stood by, apparently available to prevent violence but not the demonstration itself -- leading some to believe that it was sanctioned either by Suharto himself or key figures in the army. Seven students, however, were taken to the Central Police Station and Arswendo himself was detained there later that afternoon. His detention officially began on October 26.²

On October 23, Indonesia's Press Council, an advisory body composed of senior editors and publishers, met to discuss revoking *Monitor's* publishing permit. The Council unanimously recommended revocation, and *Monitor's* permit was cancelled. Members of the Council told reporters later that such cancellation was the only measure which could stop the growing popular unrest. A demonstration in Bandung that morning had attracted some 3,000 people representing 73 organizations, and a 2.5 meter paper statue of Arswendo was burned in effigy. In succeeding days, student demonstrations broke out in Yogyakarta, Medan, and Ujung Pandang, some calling for the death penalty for Arswendo. President Suharto himself got involved, telling one Muslim leader that Arswendo's action constituted incitement of intergroup conflict.³

Vehemence in demanding punishment for Arswendo became a measure of one's piety, and the whole affair seemed made to order for those wishing to begin to tap popular support for the upcoming 1992 parliamentary elections. Arswendo became quickly transformed from a brash young editor who made an ill-advised move into a convenient political target.

On November 14, Arswendo's detention was formally extended, and he remained in custody in the Central Jakarta Police Station. On January 23, 1991, he went on trial in Central Jakarta District Court, charged with violating Article 156a of the Indonesian Criminal Code:

Anyone who publicly and deliberately expresses a feeling or undertakes an act of enmity, abuse or insult towards a religion followed in Indonesia is to be imprisoned for no more than five years.

The prosecution demanded a sentence of five years, and his conviction in April was a virtual certainty.

Ramifications of the Monitor Affair

The public reaction to the *Monitor* poll led to stricter censorship, first of publications thought to be offensive to Muslim sensibilities and then against any publication which could be considered to cause "ethnic, religious, racial or intergroup" hostility, the Indonesian acronym for which is SARA (*suku, agama, ras, antar golongan*). The new crackdown came at a time when political discussion in Jakarta centered around two key issues, openness and presidential succession, and the *Monitor* affair touched on both.

² "Asap Kemarahan Yang Masih Mengepul," *Editor*, November 3, 1990, p.12

³ *Ibid*, p.15

For more than a year, "openness" or *keterbukaan* had not only been discussed to a fare-thee-well, it had also been practiced. Throughout much of 1989 and 1990, the press was noticeably more outspoken than it had been in the past. There were more public demonstrations on social and political issues and more discussions on previously taboo subjects, such as life after Suharto. In his national day speech on August 17, 1990, President Suharto called the exchange of ideas the life's blood of democracy; and with great fanfare several days later, the Coordinating Minister for Politics and Security announced the end of press censorship. (No one believed him.)⁴

The push for "openness" was widely believed to be coming in part from elements of the army who saw a slightly more open political system as allowing more room for maneuver as the post-Suharto era drew closer, and it was never clear how comfortable Suharto himself was with the concept. Certainly satire about the president or discussion of corruption in his family remained off-limits.⁵ With the *Monitor* affair and its aftermath, however, "openness", in the words of one commentator, was shown to be a sham, bestowed by an authoritarian government and just as easily taken back.⁶

The second issue, presidential succession, also colored the *Monitor* affair because of the growing recognition of the need for anyone who wants to succeed Suharto to build a mass political base -- and for that Indonesia's Muslims are key. National parliamentary elections are scheduled for 1992 with a presidential election the following year. Suharto is expected to run in the latter, but for the first time, he may have opposition. Even if he does not, it will probably be his final term. The power struggle, though muted, is well underway, and so is the rumor mill. When students sacked the *Monitor* office on October 22, rumors flew thick and fast that they had been put up to it by others -- some said the army, others said the President, and the rationale given in both cases was to establish solid support with the Muslim public.⁷ Whatever the validity of those explanations, the *Monitor* affair seemed to set the government on a new course of accommodating the interests of the faithful. That course suffered a setback with Indonesia's lukewarm support for the coalition in the Gulf War but was strengthened by its February 17, 1991 decision to allow girls to wear the *jilbab*, or Muslim headscarf, in state schools.

⁴ Reuter, August 27, 1990

⁵ The first indication that "openness" had come to an end was the banning of the satirical play, *Sukeksi* (Succession) by Nano Riantiarno on October 8, 1990. Then Steven Erlanger of the *New York Times* was blacklisted after his article on Suharto family business interests appeared in the November 12, 1990 issue of the *International Herald Tribune*.

⁶ comment by Arief Budiman in "Keterbukaan, Kedmerdekaan, dan Kemacetan", *Editor*, November 17, 1990.

⁷ Indonesia's population is about 87 percent Muslim, but its rulers have always been wary of organized Islam. The tolerance demonstrated by authorities to the students trying to sack the *Monitor* office was therefore remarkable and evidence for some that the political winds had shifted.

The most elaborate and most Machiavellian explanation circulating in Jakarta for why Suharto would be seeking Muslim support is as follows. Suharto's ultimate objective, as it always has been, is to control organized Islam and prevent it from becoming a political force. He has been worried in particular about the growth of the conservative Muslim organization, Nadhatul Ulama, with its 35 million members across the country and a new source of capital with its recent venture into banking, in partnership with one of Indonesia's richest entrepreneurs. The best way to control independent Muslim organizations is to strengthen the official Islamic bureaucracy through the Ministry of Religion. He managed to extend the sway of Islamic courts for this purpose last year; now he wants the Ministry to have sole responsibility over the collection of alms, or *zakat*. He has to maneuver carefully to avoid opposition both from the independent organizations as well as from the army, and he needs periodically to demonstrate what an uncontrollable force Muslim activists could be if the government does *not* take charge. Hence, fanning the flames of the *Monitor* affair served a useful political purpose.

The first casualty of the crackdown was the entertainment magazine, *Senang*, owned by the same Catholic group (Kelompok Kompas Gramedia) which published *Monitor*. On September 23, before the *Monitor* poll results were published, *Senang* published a letter to the editor from a reader who said he had dreamed of Mohammed, and the magazine's artist had sketched a turbaned, faceless figure which was printed alongside the letter to illustrate the dream. There were no major repercussions before the *Monitor* affair exploded, but afterwards, police announced they were hunting for the author of the letter, and a spokesman for the publishers announced on November 5, 1990 that they were **voluntarily** turning in *Senang's* publishing permit. This was self-censorship with a vengeance.

Three days later, on November 8, Jakarta police banned the public reading of two poems by the poet and dramatist W.S. Rendra, on the grounds that the poems would give rise to public unrest and "SARA." Both poems had the word "Rangkasbitung" in their titles, an allusion to a Javanese village in a famous Dutch novel where the Dutch colonial administrators joined forces with the traditional aristocracy to make life miserable for the poor.⁸ When asked by reporters what was in the poems that constituted the danger, a police officer answered that because they both discussed Rangkasbitung with its historical connotations, they underscored the gap between rich and poor. This could give rise to intergroup hostility.⁹

Then, in mid-November 1990 as the *Monitor* affair was still simmering, four copies of an old Dover paperback, *Painting in Islam*, were discovered at a high school for the arts in Yogyakarta. The book by Sir Thomas A. Arnold, originally published by Oxford University in 1928 and reprinted by Dover in 1965, contained reproductions of early Persian miniatures which depicted the Prophet. (Such portraiture was outlawed by Islamic jurists after Mohammed's death for fear it might give rise to idolatry.) The books had been in the high school library since 1974, but they were confiscated by the local prosecutor's office and sent to the Attorney General in Jakarta.

On November 16, local papers in Yogyakarta reported that another book entitled *Teenage Sex: Issues and Types* was under investigation by the prosecutor's office for titillating pictures and a text which was potentially ruinous to the morals of a younger generation. From the standpoint of local officials, the lesson from the *Monitor* affair was that it was clearly more advantageous to anticipate negative Muslim reaction than to be confronted with an angry mob.

On the same day, the Attorney General in Jakarta issued a statement which did not bode well for freedom of expression. He said that books and other published material which could disturb public order were now in general circulation and that this was the result of failure to observe a 1964 law requiring printers to send a sample copy of any publication to the district prosecutor's office at least 48 hours before the scheduled release date. That law would now be enforced. Second, he urged the public to turn in any books, pamphlets, brochures or other printed materials that might disturb public order to the police or local prosecutor. And finally, he noted that such materials would be reviewed by a special "clearing house" within the Attorney General's office headed by the Deputy Attorney General for Intelligence with members of the national intelligence agencies BAIS and BAKIN and the Ministries of Religion, Education and Culture, and Interior taking part.¹⁰

On February 21, 1991, as Arswendo's trial was in progress, *Painting in Islam* was formally banned by the Attorney General, together with five other books. Four of the six were said to touch on "SARA" issues while two others

⁸ The novel is *Max Havelaar*, first published in 1860.

⁹ "Surat Merah Jambon untuk Rendra," *Tempo*, November 17, 1990, p.22

¹⁰ "Printers Must Turn Over Copies of Books to the Attorney General," *Kompas*, November 17, 1990. See also *Kedaulatan Rakyat*, November 16, 1990.

were offensive to the "followers of a certain religion."¹¹

The *Monitor* affair did not just mean more overt censorship. It also marked a decline in the willingness of the Indonesian press to discuss restrictions on itself. When the demonstrations erupted and *Monitor* was closed down, it was front-page news across every major newspaper and news magazine in the country. Journalists and editors had no hesitation about differing with religious and political leaders who strongly supported the government's action. To the extent they had a common stance, it was "punish Arswendo, but don't ban the paper." Many questioned the need for a publishing permit in the first place, and used the affair for lively, pointed discussions in their own publications about freedom of expression and the dangers of succumbing to public pressure.

Two weeks later, when Rendra was banned from reading the two poems in public, the press was less interested. In part, it was because newspapers per se were not involved, in part because Rendra was widely dismissed as a publicity hound. Nevertheless, the leading news weekly, *Tempo*, published the two banned poems in full in its November 17 issue; its major competitor, *Editor*, made the ban a cover story; and the major dailies covered the story, albeit not on the front page. (*Kompas*, the daily with the largest circulation in the country, is owned by the same group which published *Monitor* and *Senang*.) *Tempo* immediately received a warning by telephone from the Ministry of Information; it was followed up a month later with a more serious warning in writing. The Ministry also rang the editor of a relatively new Jakarta newspaper, *Media Indonesia*, and reportedly told him to sack the reporter who had covered the Rendra banning. The reporter was suspended.

Perhaps understandably, these warnings from the Ministry were not widely covered.

The Trial of Arswendo

With these developments as a backdrop, it was politically impossible for any Indonesian court, packed with judges who are tied to the executive branch, to acquit Arswendo. The verdict was a foregone conclusion. The only reason Arswendo is in prison was popular outrage which the government said endangered public order; it would have been inconsistent to deliberately court such outrage again by letting him go. The only question was how the prosecution would play it.

What it did was to try and establish that Arswendo had been warned against printing the poll results and was therefore fully conscious of the effect it would have. Most of the evidence came from the interrogation depositions of witnesses who had been intensively questioned by police in October and November, and at least one of them, Arswendo's nephew who was deputy editor, retracted his deposition in court. Arswendo may be to Rushdie as *Midnight's Children* is to the *National Enquirer*, but like him, Arswendo seemed genuinely unaware of the depth of the sentiment he would arouse.

The issue of insulting Islam *per se* was tricky, because the prosecution had to avoid leaving the impression that Muslim leaders had more authority than the state to judge when such insults took place. Nevertheless, two "expert witnesses", both of them Muslim scholars, were called to testify. Both said that insulting the Prophet was the same as insulting the religion, and when asked by the defense if repentance made a difference, they said it would depend on whether the insults had been deliberate or unintentional -- thereby neatly handing the argument back to the prosecution.

¹¹ The books included one obscure text, *Datafareso Wamahao*, written in a local dialect, which reportedly contained false information about Catholicism; a book apparently inspired by Javanese mysticism called *Serat Darmogandul dan Sulak Gatoloco tentang Islam*; and three comparing Islam and Christianity: *Sin and Redemption in Islam and Christianity*; *Christ in the Gospel and the Quran*; and *Looking for Refuge*.

More important from the government's perspective is the forum the trial provided for a discussion on the role of the press. Here the chill is clearly in the air. National security and public order must take precedence over all else; editors must review all articles prior to publication for their "social implications"; and "responsibility" is the watchword of the hour.

Conclusion

If there had not been a public outcry after the poll, Arswendo would be free. This fact underscores the danger when public order becomes any government's paramount goal. If the potential to cause social unrest becomes a criterion for restricting free expression, then any manifestation of unrest can be used after the fact to make such expression a crime. Not only that: such unrest can be deliberately manipulated as a pretext for scoring political points.

Arswendo Atmowiloto is not everyone's image of the persecuted writer. He was not trying to probe the limits of freedom of expression when he got arrested; he was trying to attract public attention and make a buck. But he should not be in prison for the next five years, and his paper should not have been banned. The ultimate loser in the *Monitor* affair is freedom of expression in Indonesia.

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News From Asia Watch is a publication of Asia Watch, an independent organization created in 1985 to monitor and promote internationally recognized human rights in Asia. The Chair is Jack Greenberg, the Vice Chair is Orville Schell, and the Executive Director is Sidney Jones.

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