

[ADRN Issue Briefing]

Democratic Backsliding in Indonesia

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Overview of the State of Indonesian Democracy

Indonesia, which is currently entering the 24 years of the reform era, has experienced a recent democratic setback. This can be seen from the scores of Indonesia's democracy index published by the Indonesian Central Statistics Agency, the Freedom House, and the Economist Intelligence Unit (EIU).

The Indonesian Democracy Index (IDI) published by the Central Statistics Agency (BPS) showed a slight increase in the area of civil liberties. However, scores of political rights and democratic institutions showed a decline in 2020. The score of political rights had increased in 2019 to 70.71 from 65.79 of the previous year, but it decreased to 67.85 in 2020. The score of democratic institutions had increased in 2019 from the previous year but decreased to 75.66 in 2020 (BPS, 2020).

Additionally, the Freedom House's democracy index has reported the continuous fall of Indonesia's democratic performance over the last three years with a score of 62/100 in 2019, 61/100 in 2020, to 59/100 in 2021 (Freedom House, 2021). While categorizing Indonesian democracy as "partly free," the Freedom House assessed that Indonesia is still struggling to face the challenges of systemic corruption, discrimination and violence against minority groups, and politicized defamation and blasphemy. Accordingly, the Freedom House highlighted the issue of political rights and civil liberties as problematic in the state of Indonesian democracy.

The EIU ranked Indonesia 64th globally and 11th in the Asia and Australia region. This placement is based on scores on five assessment indicators, namely 7.92 for the electoral process and pluralism, 7.14 for government functions, 6.11 for political participation, 5.63 for democratic political culture, and 5.59 for civil liberties. Indonesia's democracy index score reached 7.03 in 2015. Unfortunately, this number has continued to decline in the last five years, scoring 6.97 in 2016 and decreasing again to 6.39 in 2017 and 2018. However, Indonesia's democracy score had slightly increased to 6.48 in 2019 before finally dropping again in 2020 to 6.3, placing Indonesia as a flawed democratic country (The Economist Intelligence Unit 2020, 10-29).

From the data above, three issues of democratic institutions, discrimination and violence against minority groups, and civil liberties are commonly observed throughout the different indices for causing the decline of Indonesian democracy. This paper focuses on three specific factors that contribute to this setback; the corruption of political officials and efforts to weaken the Corruption

Eradication Commission (Komisi Pemberantasan Korupsi; KPK), identity politics by political elites, and the overreaction of state officials in responding to freedom of expression.

Corruptions and Efforts to Weaken Anti-Corruption Measures

Eradication of corruption and the establishment of an independent anti-corruption institution is one of the reform agendas formulated more than 20 years ago but has not been fully successful until recently. Cases of corruption that ensnare political officials continue to occur, both at the national and regional levels. The minister of social affairs and the speaker of the House of Representatives (DPR) are the most vulnerable positions to being involved in corruption cases. Since 2003, the KPK has named 12 ministers as suspects from 3 different periods of government. (Kompas, 2020).

Among the 12 ministers charged for corruption, 3 of them served as ministers of social affairs. One of the ministers even embezzled social assistance funds amid the COVID-19 pandemic. The alleged ministers were caught in corruption cases on the grounds of abuse of power, procurement of goods through direct appointments, bribes and gratuities, and collecting funds through officials in their ministries. The sentences handed down to them varied from 1 to 10 years in prison (Kompas, 2020).

In the legislative sphere, 3 DPR speakers were entangled in corruption. Taufik Kurniawan (PAN faction) was caught in a corruption case as he received a cash reward of Rp 4.85 billion (more than US\$300 thousand) for managing the Special Allocation Fund (DAK) for Kebumen and Purbalingga regencies. Setya Novanto, from the Golkar Party faction, was caught in a corruption case for intervening in the budgeting process and procurement of goods and services in the e-KTP project which caused state losses of Rp. 2.3 trillion or more than US\$160 million. Azis Syamsuddin, the successor of Setya Novanto, also tripped over the DAK. He was caught in a corruption case related to the handling of the alleged corruption case of the DAK in the Central Lampung district (Tempo, 2021).

At the regional level, 429 local heads who were directly elected through elections were caught in corruption cases. Their abuse of power included accepting bribes, procuring goods and services, and infrastructure development, extending agreements and buying and selling official positions (Detik, 2021).

In addition to the rampant corruption cases of political officials, efforts to weaken the KPK through the revision of the KPK Law and the National Insight Test (TWK) also contributed to the decline in Indonesia's corruption perception index score. Since 2001, the score of the Indonesian corruption perceptions index has been consistently increasing. However, when the government revised the KPK Law in 2019, the corruption perception index score in 2020 decreased significantly from 40 (2019) to 37 (2020). It also caused Indonesia's ranking to drop from rank 85 (2019) to rank 102 (2020) out of 180 countries (Transparency International, 2021).

In addition to the revision of the KPK Law, the transfer of the status of KPK employees to civil servants (ASN) through the assessment for the national insight test (TWK) is also controversial because the TWK is not regulated in the law but is still included by the KPK leadership. This test led to the dismissal of 51 KPK employees who did not pass the test. Therefore, several academics and human rights and anti-corruption activists, concluded that the TWK was used as a tool by the KPK leadership to get rid of the employees based on subjectivity (Transparency International, 2021).

Spread of Identity Politics

After the 1998 reform, Indonesia was lined up as a model of a tolerant country where democracy and religion could coexist. Unfortunately, recently the phenomenon of identity politics has strengthened. Discrimination and violence against minority groups did not stop during the COVID-19 pandemic and the public highlights 5 popular such cases. First, the mass organizations were forcibly disbanded and subjected to physical and verbal violence during a *midodareni* event (a traditional Javanese ethnic event before the wedding day), in Surakarta because it was deemed not in accordance with Islamic law. Second, the destruction of the Al Hidayah Musala (a place of worship for Muslims) in North Minahasa, where the majority of the population is Christian. Third, the officials sealed the tomb of the Karuhan Urang, a traditional leader in the Kuningan Regency, arguing that it did not have a building permit (IMB). Fourth, the authority did not allow the construction of the St. Joseph Parish Church in Karimun although it already had an IMB permit. Fifth, the Sukabumi Regency government sealed the doors of mosques belonging to Ahmadiyah congregations with the claim of avoiding the risk of another arson incident (2008) (Indonesia Indicator, 2020).

The rise of identity politics cannot be separated from the behaviors of political elites who tend to take advantage of this issue during local elections. Candidates and their supporters tend to take advantage of identity politics surrounding religious and ethnic differences to win the elections. Therefore, in almost every election the jargon “choose natives of the region” or “choose the same religion” appears. The campaign strategy of candidates focuses on the religious or ethnic background of themselves and their partners (Romli 2021, 141).

The identity politics-driven case that caught the public's attention the most was the Jakarta governor election in 2017 as a series of demonstrations colored this election. The protesters demanded that the candidate for deputy governor, Basuki Tjahaja Purnamato be punished because his speech in the Thousand Islands was considered blasphemy against Islam. Fondly called Ahok, he was a double minority, ethnic Chinese and Christian. The largest mass demonstration was known as the 212 Defending Islam Action (taken from the date of the demonstration on December 2, 2016) (Romli 2021, 142).

Even though Ahok was imprisoned, the 212 masses still hold demonstrations which are called the 212 Reunion, every December 2. Apart from commemorating their 'success' in imprisoning 'blasphemers', the supporters of the 212 Reunion also demanded the government to repatriate their leader, Rizieq Shihab, from Saudi Arabia. At the 212 Reunion in 2018, they called for not choosing a candidate who supported religious blasphemers in the next presidential election. In 2021 the Jokowi government did not permit them to have a reunion applying the social distance rule of the COVID-19 pandemic (Sindo, 2021).

Limiting Freedom of Expression

The government has not been able to provide a comfortable and safe space for the citizens to express their opinions in public spaces. According to the Advocacy Team for Democracy (TAUD), there were 12 cases of criminalization of activists throughout 2021, and 10 criminalization of activists from 2019

to 2020 (CNN Indonesia, 2021). There are 3 prominent cases that have caught the public's attention the most. These activists were charged with the hate speech article of the Law of Electronic Information and Transaction (ITE). The public knew that they were arrested because of their criticism on social media. One of them criticized the violence in Papua. The other wrote about the poor performance and the conflict of interest of a presidential staff member related to data management for COVID-19 victims (Tempo, 2019; Tirta, 2020). The third criticized the TNI at an offline discussion event (Media Indonesia, 2019).

Demonstrators were also met with violence when they held street protests addressing the revision of the KPK Law which went viral through the hashtag #ReformasiDikorupsi (Reform Corrupted) and against the Omnibus Law. The student demonstrators cast a vote of no confidence because the DPR approved the revision of the KPK Law without listening to the public's criticism. After #ReformasiDikorupsi trended on Twitter, the movement became a national action. Unfortunately, this led to a riot. Videos showing demonstrators being hit with blunt objects and being kicked circulated on social media. In Jakarta, at least 90 demonstrators were rushed to the Pertamina Central Hospital (RSPP) and KontraS, a human rights organization, noted that at least 5 young people died (Kompas, 2021).

Likewise with the demonstration against the Omnibus Law, according to the Advocacy Team for Democracy, there were at least 390 complaints about acts of violence by the authorities (Kompas, 2021). In addition, according to data from Amnesty International Indonesia, during the protest, there have been 43 incidents of violence by the state apparatus, 402 victims of violence by the state apparatus in 15 provinces, and 6,658 people were arrested including 18 journalists in 21 provinces (Amnesty International Indonesia, 2020). The Alliance of Independent Journalists (AJI) further cited that there were at least 56 cases of violence against journalists on duty during the demonstration (Amnesty International Indonesia, 2020).

Conclusion

This year, Indonesia is celebrating its 24th year of democratic reform. Although procedurally, Indonesia is considered successful in carrying out a peaceful transfer of power, many issues still need to be fixed by the government and its officials to save Indonesia from democratic setbacks.

There are three salient problems to account for the fall of Indonesia's democracy, namely weakening democratic institutions, discrimination and violence against minority groups, and infringement of civil rights. These problems are rooted in the behaviors of the political elites. Many public officials and politicians are corrupted and also have tried to weaken anti-corruption measures. Politicians also used identity politics for their political gain and are contributing to religious and ethnic conflicts. The Indonesian authority is also punishing activists who criticize the government or raise public issues. This trend is shrinking the civic space for freedom of expression.

Eradication of corruption and the establishment of an independent anti-corruption institution is one of the reform agendas that remains as homework for Indonesia. Conflicts between religious communities should be alleviated if the government is consistent in realizing freedom of religion and belief and does not ignore the issue of intolerance. Indonesia's constitution guarantees both religious freedom and freedom of expression. Therefore, the government should provide a comfortable and safe space for its citizens to express their political opinions freely. ■

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