

5. Indonesia: When civil society, government and islamists collide

Ade Armando

In early March 2018, the Indonesian police announced they had uncovered a clandestine fake news operation called the Muslim Cyber Army (MCA). This organization was said to have been designed to corrupt the political process and destabilize the government of Indonesia (Lamb, 2018). In a simultaneous action, the police arrested 14 members of the syndicate who lived in separate regions of Indonesia. MCA is a network of dozens of Facebook groups, which routinely produce various posts, photos and memes about Indonesia, which are then also distributed through chat apps like Whatsapp and Telegram. Those arrested claimed that they operate MCA to defend Islam in Indonesia, and there were no masterminds and donors behind them.

These active members of the MCA network were arrested for allegedly violating the Information and Electronic Transaction Act UU ITE (Undang-undang Informasi dan Transaksi Elektronik). This Act prohibits Indonesians from using the internet for spreading hate speech, blasphemy and defamation. The police revealed how MCA continuously produces contemptuous content against the President and the Government, hoaxes about the revival of communism, hate speech to inflame religious and ethnic schisms while supporting radical Islamist leaders and groups in Indonesia. Some of the content can be considered very rude according to Indonesian standards, such as equating the President and his family with animals. According to the police, the MCA team also has cyber troops – including fake accounts,

Ade Armando is a lecturer and researcher in the Department of Communications, University of Indonesia and also communication director of Saiful Mujani research and Consulting.

buzzers and bot machines – which are capable of attacking Facebook accounts of any public figures they deem to be threatening Islam.

The police claimed that the aims of the MCA are political. The MCA is part of the larger movement of Islamist groups, which regard President Jokowi's government as a threat to Islam. The government's decisive action is not only aimed at MCA since, in 2017–2018, police also prosecuted a number of social media activists, based on views they had published on Facebook or Twitter. In 2017, a famous cleric, Rizieq Shihab, was even forced to flee abroad due to several police charges, including an alleged involvement in an obscene Whatsapp chat with his girlfriend.

This chapter addresses a central dilemma faced by Indonesia, a country that in the last 20 years has sought to promote democratization, part of which includes a guaranteed protection of free expression. Pro-democracy supporters now face the dilemma of reassessing the strength of their resolve when it comes to protecting the rights of citizens.

Furthermore, the focus is on the government's strong measures regarding the utilization of social media by the so-called Islamists. The main concern, according to some, is the Islamists. Woodward argues that these measures target “those parties which advocate implementation of sharia either through legislation or persuasion” (Woodward, 2008), or according to Berman (2003) those who “believe that Islam should guide social and political as well as personal life”.

Islamist groups are at the center of attention for two major reasons. First, they are among the groups whose members most benefit from the liberalization of the flow of information in Indonesia, a process, which started following the beginning of the reform era (the post-New Order era).¹ Secondly, they are among the most active users of the new communication and information technology, precisely to promote the type of political campaign, which raises doubts about the importance of freedom of expression in Indonesia.

The birth of freedom of expression

The era of press freedom in Indonesia did not begin until after the fall of Suharto's government in 1998. During President Suharto's period in office (1967-1998), his regime suppressed the rights of the people and the media to voice their true aspirations. Bitterly, people learned that

without the freedom of speech, Suharto gradually developed into a corrupt authoritarian ruler. At the height of his “glory”, President Suharto was named the most corrupt president in the world by Transparency International (Denny, 2004).

Against this background, and in the era of *reformasi* (Reformation) after Suharto’s fall, civil society groups began to pressure the new parliament and government to open a space in society for press freedom and freedom of expression. At that time, there was a very optimistic belief that Indonesia should follow the example of advanced democracies; that is, countries which allow people to speak openly in a free marketplace of ideas. In this tradition, the belief is that the government’s role in the information flow is kept to a minimum. According to this paradigm, the dominant discourse among lawmakers is that, given democratic conditions, individuals should be allowed to speak freely. This will constitute a self-correction process that protects the public interest; conversely, restricting public speaking space only brings detrimental effects to society as a whole (Hidayat, 2000).

This spirit is strongly reflected in the amendments to the Indonesian Constitution. There are a number of articles within this amendment, which explicitly guarantee freedom of expression, referring to Article 19 and Article 29 of the Universal Declaration of Human Rights, 1948. Article 28F, The Amendment of the Constitution, states: “Every person shall have the right to communicate and obtain information to develop his/her personal and social environment, and shall have the right to seek, obtain, possess, store, process and convey information using all available channels”. Article 28J (2) of the Amendment of the Constitution states:

In exercising their rights and freedoms, everyone shall be subject to the restrictions laid down by law with the sole intent of ensuring the recognition and respect for the rights and freedom of others and of satisfying just demands in accordance with moral judgment, religious values, security, and public order in a democratic society.

The amendment of the Constitution was perceived as a very significant change from the original 1945 Constitution, which provided minimal defense of civil and political rights. Furthermore, based on the Amendment to the Constitution, Indonesia then introduced a

number of laws, which guarantee freedom of the press and expression. One of the most important acts of legislation was the Press Law (1999). In that law, lawmakers remove from government the authority to close down media establishments or censor media content, as well as abolishing requirements for press licenses, eliminating governmental authority to limit the number of media firms which can operate in the Indonesian market, eliminating governmental authority to limit the number of pages and the percentage of advertisements, and eliminating the obligation that journalists become members of a single union of journalists headed by a government-sanctioned figure. This Act even contains threats against any party, which hampers the work of journalists. The birth of the Act has not only contributed greatly to print media in Indonesia, which has grown rapidly since 1999, but has simultaneously contributed to strengthening the role of the media as a watchdog throughout Indonesia over corrupt governments, parliaments and judiciary institutions (Steele, 2018).

Another important law is the Broadcasting Act (2002) which removes from existence government television and radio stations. These were subsequently transformed into public broadcasters. This law also no longer delegates power of control to the government, but to the “supposedly” independent body, named the Indonesian Broadcasting Commission (Armando, 2006).

In another development, Indonesia’s Constitutional Court in 2006 even declared a decision that decriminalized insults against the president and vice president. In July 2007, the same court declared unconstitutional Articles of the Penal Code, which criminalized “public expression of feelings of hostility, hatred, or contempt toward the government” (Freedom House, 2008).

Of course, it should be noted that the Indonesian press freedom was not in the path toward what was coined by Karle Nordenstreng as ultra-libertarian version of Media Freedom where there is an absence of state control (Nordenstreng, 2013). For example, in response to the flow of pornography, Indonesia passed the Pornography Act in 2008 (Sen, 2012). However, this law does not prohibit all types of pornography circulating in Indonesia. Total nudity, violent sex and child pornography were forbidden; but the media distribution of photos of women wearing bikinis or swimsuits in sexy positions, as well as non-excessive

sex scenes are still permitted in certain places. Similarly, the Film Law – although recognizing the presence of censorship agencies – no longer prohibits filmmakers from entering politically and culturally sensitive areas. Briefly, it can be said that restrictions on the flow of information have remained in place, but not to an extent, which repressed the rights of citizens to voice opinions, exercise control over the government or express their artistic aspirations.

All these developments initially made Indonesia appear as an example of a successful democratic country seen to be applying the principle of freedom of expression. Beginning in 2002, Freedom House has included a special section on Indonesian Press Freedom in its annual report. In its first report on Indonesia, Freedom House wrote: “the private press, freed from Suharto-era controls, reports aggressively on government policies, corruption and other formerly taboo subjects” (Freedom House, 2002). Other Institution, *Reporters Without Borders* (RSF) in 2002 published their first World Press Freedom Index (RSF, 2002) and gave Indonesia the highest ranking in comparison with other Southeast Asian Countries. Indonesia ranked 57th, above Thailand (66th), Philippines (89th), Malaysia (110th), and Brunei (111th).

Then an important development took place. All this new freedom of expression was utilized not only by civil society whose various bodies consistently fight for democracy, but also by religious groups whose ideology is completely contrary to democracy; that is, the Islamist groups which for decades were marginalized by the Sukarno and Suharto governments. However, in the reform era these groups suddenly had room to express their aspirations openly in society. Furthermore, not only did they gain the freedom to speak, they also had new communication and information technologies, which have allowed them to spread their Islamist ideas to a wider audience, and at an unprecedented scale. Thus, the dilemma of freedom of expression surfaced.

The Islamists

Understanding Islamists in Indonesia cannot be understood without taking into account the long history of Islam and its ties to politics in the country. Indonesia has the largest Muslim population in the world. About 87 per cent of the Indonesian population (appr. 260 million) are Muslim. Nevertheless, Indonesia remains a politically secular country.

Islam is an important factor, but its teachings have never been a single or major reference in Indonesian politics.

On the other hand, efforts to make Islam the basis of the state have existed since the birth of Indonesia, when Islamic groups tried to include the article “the obligation to implement Islamic law for every Muslim” in the preamble of the 1945 Constitution (Hosen, 2005). However, the initiative was thwarted because most of the founders of the country at that time believed that the choice of being a pluralist country is far more important than being a country dedicated to a particular religion.

The presence of movements, which seek to establish an Islamic state, is a repetitive feature of Indonesian history. Although the idea of Islamism failed to be included in the Indonesian Constitution, the ideals of establishing an Islamic state have never disappeared. During several periods in Indonesian history these efforts even involved armed and violent acts, although they were always defeated by the central government. Moreover, it should be noted that it was this aspiration of the establishment of an Islamic state, which encouraged the birth of Islamic groups capable of carrying out a number of terror attacks in various cities in Indonesia throughout the first ten years of reform. Nevertheless, what has been more prominent is the effort to build the power of political Islam in a non-violent way. Throughout the history of Indonesia, various Islamic political parties have been present on stage to fight for parliamentary seats. However, except in the first elections (1955), Islamic political parties never gained a dominant vote. To some extent, this reflects the importance of Islam’s position in the lives of Indonesian citizens: the people of Indonesia may be known to be devoted enough to perform ritual worship, but not enthusiastic about the discourse that religion should regulate all aspects of human life.

In the New Order (1967–1998), the Suharto government firmly denied Islamists a space to develop their political agenda, except in the last years of his rule as he sought to build new alliances (Liddle, 1996). The concept of an Islamic state, in the eyes of the Suharto government, was just as bad as the concept of a communist state. At times, wearing the hijab in schools and workplaces was prohibited. Suharto controlled Islamist groups in various ways: co-optation, infiltration, reorganization and, if necessary, armed action. In the first general election during the

New Order (1971), there were four Islamic parties. However, in 1973, the government forced them to merge into one single Islamic party: PPP (United Development Party).

The space for political Islam opened somewhat after the fall of Suharto, and Indonesia underwent democratization in the reform era. During the New Order period there were only three political parties fighting in Indonesia, however, since 1999, the number of political parties, which participated in the elections, was always more than ten. As already explained, the Islamic political parties have always suffered absolute defeat by the presence of secular parties, but this does not mean that political Islam faded away. As has been argued by Tanuwidjaja (2010), Islam has penetrated the dominant nationalist and secular based parties such that the Islamic parties were not the lone channel for Islamic aspirations. The fact that almost all parties have accommodated religious aspirations and shied away from criticizing controversial religious issues shows the strength of religious influence in Indonesian politics today.

The development of these Islamists, by some observers, is referred to as the “conservative turn” (Van Bruinessen, 2011). Indonesian Islam, which was once celebrated by the West as a tolerant society gradually had to give some space for a conservative line of interpretation, which embraces a type of exclusive Islam. This Islamism seems to be driven by disenfranchised Muslims who share the ideological roots with the Islamic State of Indonesia (NII) founded in 1949 (Rakhmani, 2016). In general, the aim of these groups is to build an Islamic state based on Islamic law. They believe they must fight for the enforcement of Islamic doctrines as commanded by Allah through the Qur’an and the Prophet Muhammad. In the Islamist perspective, Allah sent the Qur’an as a complete guide to how to organize life in all regions: politics, social, economic and cultural. Therefore, for them it is the obligation of every Muslim on earth to fight for the teachings of Islam as contained in the Qur’an and Sunnah of the Prophet. This does not mean that the struggle must resort to violence, but these groups may still dream of Islamizing the whole world, including Indonesia.

In the eyes of these Islamists, while Islam is no longer seen as the enemy of the state, Indonesia continues to be under the influence of the “infidels”. In their view, the world has been plunged into a modern-era

crusade, where the oppression of Muslims is not being accomplished through militaristic means but is instead by cultural, economic, political and educational means.

The growth of these Islamists was also supported by external forces. Since the 1990s, Indonesia has been the focus of a Wahhabistic campaign from Saudi Arabia (Varagus, 2017). This campaign seeks to purify Indonesians' interpretations of Islam to be in line with conservative views in Saudi Arabia. The Saudis' funding had been channeled for the development of religious schools, scholarships for students seeking to enter educational institutions in Saudi Arabia, distribution of religious books and other printed material, the building of mosques, hospitals, orphanages, and also financial aid to religious leaders (von der Mehden, 2014).

This development brought significant changes in the case of Islam in Indonesia. Since the beginning of the country's Reformation, without strict state supervision, in various parts of Indonesia, one can clearly find the presence of Islamization in cultural, social, and economic areas. The examples vary, from the growing Muslim fashion industry, hijab, halal foods, to the Islamic banks, Islamic schools, NGOs, and preachers who propagate the Islamist doctrines (Rakhmani, 2016).

However, while on the one hand, some of the developmental elements of the *Reformasi* era were very well adapted to modernization in Indonesia, this special Islamist trend undoubtedly has caused tensions in Indonesian society. Whereas the two, major traditional Muslim organizations – Nahdlatul Ulama (NU) and Muhammadiyah – are well known for their non-exclusive and tolerant orientation, these new Islamist groups were actually pushing the movement towards homogenization of the Islamic Ummah to pursue Islamization of Indonesia.

Inevitably, the spirit of Islamization was sometimes manifested in forms of intolerance, which invite violent responses (Fealy, 2004). Fealy wrote, "Of all the images generated by Indonesia after the downfall of Suharto in 1998, those of radical Islam have been perhaps the most vivid and enduring" (2004: 104).

After generations of peaceful co-existence, in the past decade members of the minority Islamic groups of the Ahmadiyya and Shi'a movements in Indonesia have experienced attacks in a number of regions. The same can be said about the Christians who in various places

were prohibited from building churches. Radical Muslim groups such as the Islamic Defenders Front (Front Pembela Islam, FPI) were not hesitant to use violence (or the threat of violence) to achieve their ideals. FPI gained its popularity by its thuggish-style acts, such as attacking restaurant, which continued to sell food during Ramadan, attacking those clubs selling alcohol, or attacking Islamic pluralist groups who defend the Ahmadiyah.

In the first 15 years of reform, this Islamist movement could thrive, encouraged by the government's soft stance, or its activities were even to a certain degree "facilitated" by the security forces. In 2011, WikiLeaks noted that FPI groups were actually established as an "attack dog" by the police to confront groups of thugs (Jakarta Globe, 2011). However, more importantly, President Susilo Bambang Yudhoyono (SBY) – a Javanese Muslim – who ruled for ten years (2004–2014) seemed to let the process of Islamization run, as long as these Islamists supported and defended the SBY government (Scott, 2016). As a result, although compared to Islamic countries in the Middle East and West Asia (such as Pakistan and Bangladesh), Islam in Indonesia still appears to be moderate in style. Inevitably, the symptoms of conservatism also appear to be gaining strength.

Under SBY, Islamists increasingly gained important positions in public office, in educational institutions, and religious establishments, both locally and nationally. The conservative Muslim leaders were increasingly influential at the grassroots level. Islamists preachers also took over the position of traditional Ulama of NU and Muhammadiyah in mosques throughout Indonesia. This has all been taking place as the Muslim middle class in Indonesia also begins to feel the spirit of a rebirth of Islam.

The Jokowi factor

It can be said that the political condition during the Reformation era has caused Islamists to have high expectations about the realization of Islamization of Indonesia, a dream they have harboured since the birth of Indonesia at the end of colonial period. Proponents of this struggle do not consider their ascendancy necessarily to come through Islamic political parties but rather to arise through the internalization of Islamic values in all strategic institutions in Indonesia.

Unfortunately for them, the scenario of Islamization of Indonesia suddenly came to a halt when in 2014, a simple businessman from Solo named Jokowi rose to seize the reins of the presidency. Unlike previous presidents, Jokowi is an ordinary citizen. He has a Javanese Muslim background and was supported by a nationalist party that has always been accused of being anti-Islam, the PDIP. He was popular because of his previous success as the leader of a small town called Solo. Jokowi is also known to live a simple and people-oriented life.

The presence of Jokowi threatened the whole scenario of Islamization in Indonesia. After his inauguration, Jokowi pursued a policy agenda that sought to distance Indonesia from the Islamists. In June 2014, in an official event held by Nahdlatul Ulama (NU), the largest Islamic organization in Indonesia, Jokowi said that his government would rely on an interpretation of Islam known as Islam Nusantara [Indonesian-style Islam]. In an interview with BBC, Jokowi said that Islam Nusantara would be a force to counter the spread of radical and militant Islam. “Islam Nusantara is a friendly Islam [...] inclusive and tolerant”, Jokowi said. Furthermore, he confirmed that Islam in Indonesia spreads “with a closeness to the local culture, not with an inflexible doctrine” (Affan, 2015).

Jokowi then appointed Lukman Hakim Saifuddin as the Minister of Religion, a man known for his pluralist positions who has taken steps to promote diversity and religious tolerance (Njoto-Feillard, 2015). For example, he authorized the recitation of *Al-Quran* in Javanese and other local languages.

Jokowi seems to be very confident in his steps due to the widespread support he enjoys. At the beginning of his administration (2014), he was plagued with problems, mostly stemming from internal and external political conflict. However, towards the end of 2017, he stood on increasingly solid ground. A survey conducted by Saiful Mujani Research and Consulting (SMRC) in September 2017, showed that Jokowi’s public support was increasing. If in October 2015, only 53 percent of Indonesians were satisfied with Jokowi’s performance, in September 2017, that figure has increased to 68 per cent (SMRC, 2017). In May 2018, Indo Barometer found the similar result. It showed that 65 per cent of Indonesians were satisfied with Jokowi’s performance (Rachman, 2018).

Jokowi's progress is bad news for those groups, which hope to establish an Islamic State; Jokowi's strength undercuts any hopes they might have had. The Islamists – who have been slowly consolidating forces in the first 15 years of reform – see that Indonesia under Jokowi is consolidating its reputation as a country, which values diversity and pluralism and rejects sectarianism and exclusivism.

With Jokowi's proven record of accomplishment of success in leading the government, the Islamists opted for a communication strategy directed at religious and ethnic sentiments to delegitimize him (Kapoor, 2018). Islamists painted the Jokowi administration as anti-Islam, and Jokowi himself as a leader under influence from the United States, as well as from Christians, Jews, Chinese, or even Communists. Some even labeled his government as the devil.

This propaganda has caused Jokowi and his government difficulties since he came to power. Since the beginning of his leadership, attacks against him have continued mainly from opposition groups and Islamists. In this war, the Islamist camps have used all possible social media platforms allowed to them by the freedom of expression granted by the constitution.

The Islamists and media

The use of modern media as the means for spreading the Islamists' agenda is a recent phenomenon in the Reformation. In the New Order, the government severely restricted the birth of Islamist print media. If there was a newspaper or Islamic magazine, its contents were tightly controlled so as not to endanger and contradict the spirit of Indonesian pluralism. Islamists groups no longer feel such restrictions after the New Order.

Once democratization began, Islamist groups immediately took advantage of this openness. With no requirement for state licenses, various groups easily developed print media specifically targeted at Muslim readers. Its content was often very exclusive, sectarian and hostile towards non-Islamic groups. The campaign for the establishment of the Islamic state became one of the issues raised by the Islamist media (Armando, 2011).

However, Islamist media still had to face another challenge. Partisan and sectarian Islamist media met difficulties in developing as a business

due to their inability to meet the conditions necessary to develop contemporary mass media: large funds, investments, good relationships with advertisers, high-level technology, as well as modern-disciplined organizations (Armando, 2011).

As a result, although some Islamist print media were able to reach a relatively large number of readers, their impact on public opinion was relatively insignificant. Consequently, the Islamist print media has never been perceived as an influential medium. Its physical quality and journalistic standards were low.

Fortunately, for the Islamists, technological developments enabled them to reach wider mass audiences in Indonesia. The Internet started to show its explosive rate of growth in Indonesia around 2001 (Lim 2003, 276). In a short period, Islamist websites emerged and continued to follow the tradition of sectarian Islamic print media. However, this time the media no longer faced the structural constraints faced by the print media. With limited funds and a simple organization, Islamist websites easily spread their ideas to the wider public who at the same time enjoyed an easier internet access either through internet cafes or through personal PCs. The Islamists also learned various techniques and ways to develop a variety of modern mass media, such as writing and producing popular novels, music recordings or even movies that contain modest Islamist messages (Weintraub, 2011). The most decisive stage, of course, was the advent of web 2.0 technology that enabled the growth of social media across Indonesia. Various data shows Indonesia to be a haven for social media. In 2011, Indonesia was listed as the second largest nation on Facebook, exceeded only by the United States; and as the third largest producer of Tweets in the world after Brazil and the United States (Lim, 2011). The Islamists were actively involved in this new communication traffic.

Through social media, the Islamist campaign has mobilized an interactive network involving millions of citizens who exchange information (Nisa, 2018; Slama, 2018; Imadudin, 2017). Islamist groups who have an in-depth understanding of Information Technology cleverly utilize the absence of a centralized structure in social media networks to spread their ideas by utilizing a kind of digital labor, which voluntarily retweets or reposts messages that seem natural to circulate in their communities. Just as ISIS conducts their campaign of terror through

their website, Twitter, blogs and Youtube, Islamists in Indonesia adapt the same pattern. Various virtual communities scattered throughout Indonesia are gradually building a base to campaign against the Indonesian secular democratic system. The spread of Smart phones further strengthens the intensity of communication between members of these virtual communities (Tapsell, 2018).

As explained above, in order to delegitimize the government, Islamists take full advantage of the freedom of expression and modern technology to spread black campaigns (Allard et al., 2018). The Islamists developed propaganda campaigns through social media and online media containing messages typical of the black propaganda, such as hoax, fake news, smears, fake history, defamation and disgusting memes. More fundamentally, the entire campaign contains content that can be categorized as hate speech: attacking and provoking acts of violence based on racial and religious sentiments.

These online Islamist media (with names like Voice of Islam, Voice of Al-Islam, Ar-Rahmah) have extensively published what they portray as lies, heresy, and conspiracy carried out by Christians, Ahmadis, Shiites, Chinese and Jews to dominate Indonesia. They describe Islam in Indonesia as facing serious threats from these groups. In some cases, media reporting combined with provocation through social media encouraged pressure on minority groups and even resulted in violent acts claiming lives (Utami, 2011). Various negative reports about the “threat of Christianization” in the Islamist media clearly has led to a series of cancellations of the construction of churches in many places in Java. The raid, which resulted in the deaths of three Ahmadiyah followers in Cikeusik, West Java, 2011, was preceded by a series of writings describing Ahmadiyah as an enemy of Muslims. Moreover, a speech by FPI leaders called on their followers to kill Ahmadis. The burning of a number of monasteries in Medan, Sumatra (2017) was also preceded by the spread of false news claiming a Chinese ethnic person insulted the mosque.

The importance of the Islamists online and in social media was becoming increasingly prominent during the Presidential election battle in 2014. At that time, Islamist groups joined the former President Suharto’s son-in-law, Prabowo, who was fighting against Jokowi (Bollier, 2014). Jokowi won the 2014 race, but it became the first important

experimental field for Islamist groups to utilize social media for their political purposes.

Jokowi has been described as a Chinese descendant with communist parents. There was also an accusation that Jokowi's mother is a fake mother. Furthermore, he is portrayed as a communist agent who will aid the Chinese government to take dominance over Indonesia by, among other ways, selling Indonesian assets to China. At one point of time, Jokowi was challenged to take a DNA test to prove that he does have a blood relationship with his parents. There was even a fake picture on Jokowi having sex with a female party leader, and a fake birth certificate that supposedly shows that Jokowi is of Chinese descent. Jokowi and his supporters have repeatedly denied all of these allegations. However, they continue to be widely distributed mainly through social media. The fake story of Jokowi being of Chinese descent can, even now be easily found in many Whatsapp Groups.

Jokowi did win the election. However, one of the lessons learned from that race is that black campaigns could become an effective tool to defeat one's contender. At the start of the presidential election campaign, the gap in support between Jokowi and Prabowo reached 30 per cent. Nevertheless, on D-day, that is Election Day, the range has narrowed to only six per cent. This increase of support toward Prabowo was clearly a result of, among others, the effectiveness of the Islamist campaign (for other similar cases of the spreading of fake news using social media in global context (see Meyer, 2018).

This pattern of black propaganda then continued and even grew intensity in the election of the Governor of Jakarta, 2016–2017 (Institute for Policy Analysis and Conflict, 2018) The Jakarta political stage at that time was very important for Indonesia. Jakarta is the trend-setting city in Indonesia, and for the first time in its history, one of the strong candidates running for the office of Governor was a Chinese-Christian – “a double minority”. Basuki Tjahaja Purnama (or 'Ahok'), who had been a vice Governor of DKI for two years, before Jokowi won the Presidential election in 2014. Ahok then became a Governor and clearly showed a very impressive record in leading Jakarta (Cochrane, 2017).

The election lasted two rounds. In the first round, Ahok had to face two rivals, Anies Baswedan and Agus Harimurti Yudhoyono (or AHY, son of the former President). After AHY was eliminated,

the contestation became very tight. At the end, Ahok was defeated by a wide margin. However, it can be said that he lost in a very cruel manner (Arifianto, 2017).

The Islamists supported both Anies and AHY. From the very beginning, the Islamists launched a multiplatform campaign of hoaxes and hate speech based on religion and race. One of the main narratives was that Muslims should not commit the evil act (*haram*) of supporting an infidel (*kafir*) as a governor. The other popular campaign theme was the accusation that the Chinese and the Christians will dominate and exploit Jakarta using Ahok as their puppet. Muslim voters who openly voiced their support to Ahok had to face a potential on-line and off-line harassment and persecution. The situation deteriorated when Ahok, undeliberately, criticized people who manipulated the Al Qur'an verses for political purposes. His statement was widely distributed through social media, oftentimes with additional comment and manipulation that worsened his image. Ahok was then accused of blasphemy and reported to the police. Some of the radical groups threatened the government that if Ahok did not go to jail, they would kill him with their bare hands. Using social media and social networks, the anti-Ahok groups spread the campaign throughout Indonesia. A series of mass demonstrations took place in Jakarta and, at a smaller scale, in other cities (Institute for Policy Analysis and Conflict, 2018). The participants for the anti-Ahok demonstration in Jakarta came from many small cities. In some cases, their municipalities supported them.

As mentioned above, the end of the story was quite bitter. Ahok lost the election and furthermore was to be imprisoned for two years, up to 2019, due to the blasphemy case, in which hoaxes, smears, and hate speech were extensively used. For the Islamists, what took place in Jakarta encouraged them even more to combine social media and their religious social network to delegitimize President Jokowi. After Ahok, their next target was toppling the president or at least defeating him in the 2019 election (Arifianto, 2018). This did not happen, though.

Jokowi strikes back

What happened during the presidential election and that for the Jakarta governor then stimulated an important development regarding how the government dealt with freedom of expression. Attacks on Jokowi, the

government and the minorities (religious or ethnic) have become so excessive that at some point, the government finally took steps, which under normal conditions would be perceived as contrary to freedom of expression. One of the tools the government uses to suppress these forms of expression is the ITE Act (UU ITE), which was first launched in 2008 and revised in 2016.

The law that was originally intended to be a legal umbrella to protect consumers from a variety of harmful practices in electronic transactions actually became one of the legislative products most criticized by civil society activists. In just a few years, the law has turned into a tool that threatens the right of citizens to speak in the public sphere without fear. The law contains criminal penalties against those who are accused of spreading contempt, defamation, pornography and hate speech through online media.

The first to be affected by this Act were tens of thousands of websites containing pornography and gambling; these were blocked by the Ministry of Information. After that, the condition worsened when, due to the unclear definition of some terms such as contempt and defamation, dozens of citizens were also reported for violating the law. According to SafeNet data, if in 2008 there were only two people who were reported to the police for alleged violations of the ITE Act; by 2015, seven years later, that figure had increased to 44 people (SAFENET, 2016). The cases can be very diverse (Kwok 2015). A housewife criticized the management staff of the company where her husband once worked. A patient complained about the service she got at a private hospital. An anti-corruption activist accused of defaming a politician on BlackBerry Messenger spent 100 days in prison before he was freed by a court in South Sulawesi province. A famous stand-up comedian was also brought to court because, through his Facebook account, he questioned the promises of his apartment manager about public facilities. An out-of-town student was brought to the police because, through social media, she made sarcastic comments about the culture of a city where she studied. An author was reported to the police because he was accused of mocking religion by writing in his FB status: "God is not an Arab".

The occurrence of so many cases prompted a wave of protests against the ITE Law. The resistance from the civil society became so harsh that in 2016, the Jokowi government and the parliament agreed to revise

some of the clauses. However, it should be noted that the change in the revised Act did not really touch the substance of the issue but rather the length of imprisonment that could be imposed.

The rejection by the civil society toward this law might have continued if it were not for the issue of the Islamists. As said, the Jokowi government, which was strongly supported by the pro-democracy groups, started to use the ITE Act to limit the space of the Islamist campaign. Cyber-army networks such as the MCA were dismantled and its leaders arrested. The government asked the Facebook office of Jakarta to block several fan pages of prominent groups related to the Islamists, such as the FPI. A religious leader who accused the government of being infiltrated by Communist figures was jailed due to that statement in his Facebook account. Some citizens had to go to the police headquarters to answer accusations that they had used social media platforms to insult the President, to insult the Chinese or the Christians and spread fake news and hoaxes. Clearly, the Jokowi government sent a strong signal that they will not continue to tolerate the same type of propaganda used in the elections and aftermath.

On October 2017, the government issued an emergency decree on mass organizations that gives the Minister of Law and Human Rights the authority to disband any organization it deems opposed to the basic principles of Indonesia (also known as Pancasila) and the Indonesian republic (Institute for Policy Analysis and Conflict, 2018). By using this law, the Indonesian government closed down Hizbut Tahrir Indonesia, an Islamist organization that openly declares that its mission is to establish a caliphate and implement sharia law in Indonesia.

To some, these hard measures taken by Jokowi seems to represent his weakening commitment toward the protection of freedom of expression. A report in Southeast Asia Globe carried the title: "Jokowi takes authoritarian turn as Indonesian election looms." (Tisnadibrata, September 4, 2017).

Fortunately for Jokowi, the majority of the pro-democracy networks do not share the same pessimistic view. Although they did not openly support the harsh measures taken by the government, they also did not reject them.

One of the most interesting cases was related to Rizieq Shihab, a very prominent Islamist leader of FPI who was reported to the police

for several different incidents. The cases were as follows: exchanging obscene WA chats and pictures with his girlfriend (Emont, 2017), claiming that the new series of Indonesian currency Rupiah banknotes featured symbols that are associated with communism (Chan & Soeriatmadja, 2017), religious blasphemy by stating that “if God has a Son, who is the midwife?” (Topsfield & Amalia, 2016), and even insulting the state ideology Pancasila (Arshad, 2017). In all of these events, the pro-democracy forces chose not to take any stand. The reason is clear: they believe that these Islamists groups, which are intolerant and reject democracy should not be defended in the name of democracy.

The crossroads

In the Introduction chapter of *Freedom of Expression Revisited*, Carlsson wrote:

Advances in technology and changes in the political and social context in which the digital technologies operate give rise, however, to a number of dilemmas, and these in turn demand new approaches and strategies to ensure the full and proper application of these fundamental freedoms. A number of challenges have to be taken into account if we are to succeed in resolving complex issues of freedom of expression, not least those involving freedom of the press, in ways that prevent the erosion of these freedoms and, ultimately, the erosion of human rights. (2013: 7)

The Indonesian case fits perfectly as an illustration of the dilemma expressed by Carlsson. Since the end of the New Order (1999), Indonesia has gone through serious political changes, including introducing the free flow of information; these changes have brought Indonesia into the group of most democratic countries in Asia. Needless to say, Indonesian civil society today maintains a strong belief in the importance of freedom of expression. Constitutional protection of freedom of expression is also in place. However, the development of the last 20 years since the fall of the New Order government has also opened a series of new questions: Can we still believe that the free market of ideas will in itself produce the best final result for the society? Can the self-corrective mechanism be relied upon? How far can the state intervene in this process?

This series of questions has come to the fore because of the presence of groups that take advantage of freedom of expression for pursuing objectives that are considered to be contrary to, and intolerant of, democracy, or which can divide society that is actually still in the process of consolidating democracy. In addition, these groups actively use the latest communication technologies, which enable them to reach a very broad audience efficiently; an audience with a wide variety of educational and cultural backgrounds.

Concern about the power of communication to divide Indonesia cannot be over-emphasized. Inter-ethnic or inter-religious conflicts in Indonesia are still ongoing in recent years, sometimes with hundreds of victims. Religious sentiments, as seen in the 2014 presidential election and the 2016–2017 Jakarta governor election, can be used to mobilize the masses to take actions that sometimes threaten human rights.

The civil society is facing a dilemma of democracy and freedom of expression. At this point, the civil society seems to allow the government to take decisive action even to imprison people due to their expressions of ideas that are considered to be against democracy and threatening human rights. The question is this: if the government is authorized to intervene in what can and can not be said by the citizens through the media, does not that provide opportunities for the return of authoritarian governments? Or can we define quite specific areas that may be open or not for government intervention? And if so, what kind of intervention is possible?

Of course, there is no completely satisfactory answer to this set of questions. Hopefully, Indonesia will be able to find its best way without having to abandon the path of democracy which has been fought for and followed during the past 20 years. However, the Indonesian case provides an example of the difficulties facing a new democracy wishing to keep its commitment to freedom of expression while at the same time keeping that freedom from threatening democracy.

Note

1. In general, the periodization of Indonesian political history can be categorized as: revolution (1945–1949), Old Order under President Sukarno (1950–1966), New Order under President Suharto (1966–1998), and the Reformation or Post-1998.

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