

# Democracy in Crisis: Civic Freedom in Contemporary Indonesia

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**Abstract--Civic freedom is the principle of modern democracies. A report from The Economist Intelligence Unit (EIU) in 2018 explained that the civil liberties index in Indonesia had a very sharp decline. This has caused the quality of democracy in Indonesia to decline. Therefore, the purpose of this paper is to explain why civic freedom in Indonesia is in crisis? This study uses a qualitative method with the theory-driven approach. The data is obtained from books, scientific journals, and mass media. Analysis of data in this study from data reduction, to data organization and data interpretation. Civic freedom in Indonesia are currently experiencing a crisis caused by (1) "silencing" of freedom of expression; (2) Restrictions and violations of the freedom of association and assembly; and (3) discriminatory actions and violence that occur in the implementation of freedom of religion or belief. The conclusion is that threats and violations of civic freedom have made democracy in Indonesia is in a crisis and increasingly away from the practice of consolidation democracy.**

**Keywords-- democracy, crisis, civic freedom, Indonesia**

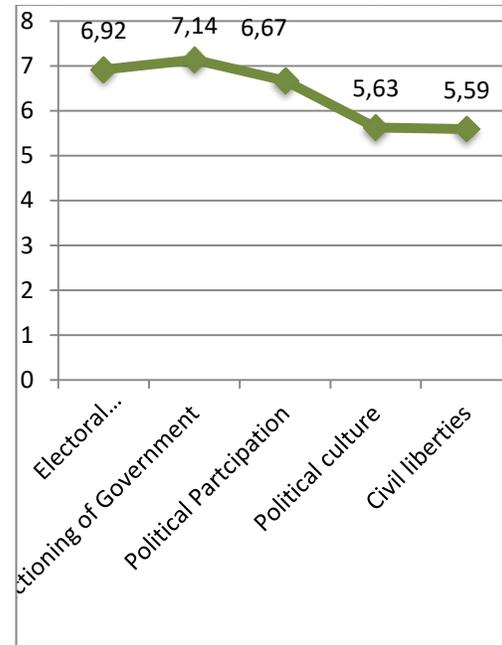
## I. INTRODUCTION

Democracy in Indonesia experienced rapid development after the change in the political system after the reform. One of the fundamental changes in the life of democracy in Indonesia after reform is the strengthening of human rights. The main pillar of the human rights system is freedom, equality, and solidarity adopted from the Universal Declaration on Human Rights [1]. The protection of these human rights is the essence of democracy.

Research on democracy in Indonesia has been carried out by many scholars with various perspectives and focus studies. The focus of the first study is to discuss Islam and democracy carried out by Barton [2], Buehler [3], and Hamayotsu [4]. Second, focus on the development of civil society examined by Mietzner [5], Antlöv, Brinkerhoff & Rapp [6], and Wahyuningroem [7]. Third, explore general elections, parties and democracy in Indonesia which were reviewed by Aspinall [8], Mietzner [9], and Mujani & Liddle [10]. Finally, discussing democracy and the implementation of human rights in Indonesia as examined by Hikmah [11], Khairazi [12], and Hadiprayitno [13]. Meanwhile, what distinguishes this research from previous research is trying to elaborate and explore the quality of democracy in Indonesia which is experiencing degradation, especially in the implementation of civil rights and freedoms. Civil liberties are fundamental rights that must be protected and fulfilled so that the quality of democracy can be maintained.

A report from The Economist Intelligence Unit (EIU) explains that the index of civil liberties in Indonesia has decreased, which affects the quality of democracy in Indonesia [14]. Democracy index in Indonesia in 2017 according to The EIU is explained in the following figure 1:

FIGURE 1. INDONESIAN DEMOCRACY INDEX 2017



Source: The Economist Intelligence Unit (EIU)

Based on the picture above it can be explained that the category of civil liberties received a low rating of 5.59 compared to other categories of democracy. The EIU further conveyed that Indonesia was the worst-performing country in 2017, falling by 20 places in the global rankings from 48th to 68th position after its score declined from 6.97 to 6.39. Based on these conditions, The EIU classifies Indonesia into flawed democracy.

Departing from this empirical phenomenon, this study aims to explain why civil liberties in Indonesia experience a crisis. This study is important because democracy and democratization to date continue to take place in Indonesia, so an evaluation of the quality of democracy is needed so that it becomes a learning model in the future.

## II. METHOD

This study uses qualitative research methods. A qualitative method according to Creswell is an approach to exploring and understanding the meaning of individuals or groups as a social or human problem [15]. Furthermore, this study also uses a theory-driven approach, using several theories to sustain the investigation and analysis of the proposed topic. Meta-analysis was used in this study by using various relevant sources such as books, scientific journals, mass media, and online media. Meta-analysis according to Timulak [16] aims to provide a more comprehensive description of a phenomenon and an assessment of the influence of the method of investigation on findings is discussed. After the data is collected and reduced, qualitative analysis with a theory-driven approach will be conducted to further interpret the research focus.

## III. RESULT AND DISCUSSION

Mill in Held explained that in a democracy it is very necessary to protect individual freedom [17]. The intended freedom is freedom of speech, criticism, discussion in the public sphere and freedom of association. Meanwhile, Diamond explained that the protection of individual and group freedoms must be carried out without discrimination and violence is a prerequisite of democracy [18]. Furthermore, Merkel put forward the concept of embedded democracy in which the partial regime of civil liberties. So, if civil liberties are not fulfilled, it will cause a crisis of democracy [19].

However, the fact is the implementation of civil rights and freedoms in Indonesia has experienced a crisis caused by several factors. First, "silencing" of freedom of expression. The challenges for democracy today cannot be separated from the influence of the media, especially social media. Social media has become a means of conveying and disseminating opinions. Freedom of expression and expression of opinion faced the challenges of the regime through the enactment of the ITE Law. Southeast Asia Freedom of Expression Network (SAFEnet) notes since it was first enacted in 2008 and until October 31, 2018, there have been around 381 convicted people. The ITE Law aims at reporting by parties who have power, including state and government officials and the victims are the public [20].

Furthermore, data from Freedom House on the 2017 Freedom of Internet Report which shows Indonesia's score of 47, which means that Indonesia's internet freedom is partly free. The 2017 scores are the worst for the past five years, namely 42 (2014), 42 (2015) and 44 (2016). The low score is due to the rise in violations of digital rights in the form of criminalization of internet users using the ITE Law [21].

Meanwhile, current regulations such as MD3 Law Article 122 letter I have the potential to threaten the freedom of the public to express and express opinions. MD3 Act has an impact on the decline of democracy in Indonesia because the parliament is anti-criticism and can criminalize its critics. The rejection of the enactment of the MD3 Law was carried out by NGOs and interest groups so that the Article was annulled by

the Constitutional Court because it contradicted the 1945 Constitution.

Second, restrictions and violations of the freedom of association and assembly. Freedom of association and association is a principle right that must be fulfilled in a democratic government. The Perppu on Social Organization is one of the threats to democracy in Indonesia. Amnesty International Indonesia explained that the enactment of the Regulation on Civil Society Organizations would be a tool of repression from the regime to curb freedom of association and assembly and would also cause conflict in the community [22]. The enactment of this Perppu has been carried out namely the dissolution of Hizbut-Tahrir Indonesia (HTI). The dissolution of this mass organization makes the democratic climate in Indonesia tend not to be conducive to the development of civil society. Civil society is also a vital instrument for containing the power of democratic governments, checking their potential abuses and violations of the law, and subjecting them to public scrutiny [23].

Third, discriminatory actions and violence that occur in the implementation of freedom of religion or belief. Freedom of religion and worship are basic rights that have been regulated in the constitution in Indonesia. However, the practice of exercising the rights and freedom of religion and worship still has various problems. Setara Institute reports that throughout 2016 208 incidents of violations of religious freedom have occurred. Of the 34 provinces in Indonesia, 24 of them are provinces that are not safe to carry out worship by their respective beliefs [24]. The report from the Setara Institute is also the same as the one submitted by Komnasham that complaints about cases of freedom of religion and belief (KKB) in Indonesia are quite high. Meanwhile, a report from the National Commission on Human Rights in 2017 showed that complaints against freedom of religion and belief totaled 50 complaints that were dominated by issues of restriction, prohibition, and destruction of places of worship and intimidation of religious groups [25].

Various problems in the implementation of civil liberties in Indonesia increasingly keep away from the consolidation of democracy. Consolidation of democracy according to Diamond is understood through three dimensions: deepening democratic structures to make them more liberal, accessible, accountable, and representative; strengthening the formal institutions of democracy, including parties, legislatures, and the judicial system; and improving performance regimes, both economically and politically (by maintaining order, safeguarding liberty, and combating corruption) [26]. In this regard, the state has not been able to guarantee the implementation of citizens' freedom. This can cause a crisis of legitimacy towards the government which ultimately contributes to the decline in the quality of democracy in Indonesia.

## IV. CONCLUSION

The exercise of civil liberties is fundamental in democratic governance. The government's failure to protect civil rights

and freedoms threatens democracy so that the quality of democracy in Indonesia decreases. Political authority in the exercise of freedom of expression, opinion, association, and assembly seems to dominate. Furthermore, acts of discrimination and violence continue to occur in the exercise of freedom of religion and belief. This shows that the state is not yet fully present in protecting the fundamental rights of its citizens. The practice of democracy in Indonesia is seen from the implementation of civil rights and freedoms which are more procedural than substantive so that the consolidation of democracy is very difficult to materialize and even lead to a crisis of democracy.

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