



'I Stand Against Dual Function of the Indonesian Military,' says a placard carried by a protester in front of the State Palace in Jakarta last Thursday, Feb. 28. (Antara Photo/Puspa Perwitasari)
BY : FAROUK ARNAZ

Jakarta. The police detained activist and university lecturer Robertus Robet on Thursday (07/03) and charged him with defaming the Indonesian military, or TNI, during a human rights protest in Jakarta—a case that revives memories of repression during Suharto's Orde Baru military dictatorship.

Robet, a former student activist during the 1998 Reformasi movement, was accused of defaming the Indonesian military during a speech at Kamisan, a human rights protest held every Thursday in front of the State Palace, last week.

In his speech Robet warned against the prospect of bringing back military men into civilian roles as proposed by several aides of President Joko "Jokowi" Widodo in the past few months.

Civil liberty advocates have been raging against the plan. Robet's attorney Yati Andriyani said in a statement on Thursday that a return of the military's "dwifungsi" (dual function)—when ABRI, as the TNI was called under Suharto, held government offices and had representations in the parliament, as well as played no small part in repressing civil liberty—is something to be feared.

At the beginning of his speech, Robet sang a parody of the ABRI anthem, a song that was popular with student activists during Reformasi.

Later, a video clip showing him singing the song but with the rest of his speech cut out, was circulated on social media.

Robet released a video of his own to explain the background to his action but it did not stop the police from knocking on his door early this morning to bring him to the National Police headquarters in Central Jakarta for questioning.

Police have since charged Robet with propagating hate, a crime punishable by up to two years in jail under the country's draconian electronic information and transaction (ITE) law.

He has also been charged with defaming a government institution, punishable by up to 1.5 years in jail under the 1946 Criminal Code.

Amnesty International Indonesia, which names Robet as one of its co-founders, said the case was another example of deteriorating freedom of speech under President Jokowi's administration.

"The police should be protecting Robet's right to express his opinion, to criticize the TNI in a peaceful way, rather than arresting him and charging him with a crime," Usman Hamid,

Amnesty International Indonesia's executive director, said in a statement on Thursday.

"The police must release Robet immediately and unconditionally, and protect Robet and his family from all threats," Usman said.

Police spokesman Brig. Gen Dedi Prasetyo said Robet would be allowed to leave after he was questioned—even if he faces criminal charges—because the charges likely to be put against him carry jail time of less than two years.

Robet's legal representative Yati said the police had acted in violation of a 2006 Constitutional Court ruling which decreed that defaming a government institution was no longer a punishable crime.

Robet's arrest is the latest in a long list of questionable applications of the ITE law.

The draconian law was issued under the administration of President Susilo Bambang Yudhoyono—an ex-army general, originally to provide legal basis for electronic transactions.

But the government at the time included in the law controversial clauses on defamation, hate speech and pornography—a loophole that has since been used mostly by people in positions of authority to silence their opponents.

Last year, primary school teacher Baiq Nuril was sent to jail for sharing a recording of verbal sexual abuse by the headmaster of her school.

The headmaster walked away scot-free because Indonesian law has yet to recognize verbal sexual abuse as a crime.

Baiq is now waiting in jail while she appeals for the Supreme Court to overturn her sentence.

Politicians from opposition parties have also felt the brunt of the law. Rock star-cum-politician Ahmad Dhani is facing a trial for calling his political opponents "idiots" on social media. Dhani is a long-time supporter of presidential nominee Prabowo Subianto.

Prabowo's running mate Sandiaga Uno has called for a revision of the law and promised to make it a priority if he and Prabowo are elected for office in April.

"The government and the House of Representatives must seize this momentum to revise the 'rubber' articles in the ITE law, which have been used to often to silence critics," Amnesty's Usman said.