

PERSPECTIVE

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Indonesia's 'Social Opposition' Remains Weak but Hopeful

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Workers protest against the omnibus law on job creation, in Banda Aceh on 17 November 2021. Photo: CHAIDEER MAHYUDDIN/AFP.

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EXECUTIVE SUMMARY

- Over a period of 40 years, NGOs and other activist organisations have emerged as social opposition to a political establishment largely embodied in parliamentary political parties.
- This social opposition, often still referred to as “civil society”, has developed around opposition to policies in different sectors. This has created the impression that such opposition is rather segmented, instead of being a united force.
- It can be characterised as a social opposition as it does not present itself as an alternative choice to form a government.
- During 2022, there have been more attempts by activists to coalesce in order to present more effective criticism. These have included attempts at forming political parties. The Workers Party (Partai Buruh, PB) has now succeeded in registering to stand for elections in 2024.
- As of the end of 2022, the social opposition has not grown in its capacity to mobilise as a serious alternative force. All of its campaigns for the repeal or amendment of policies and laws have failed.

CIVIL SOCIETY IN INDONESIA

The term civil society has been present in social science literature for over 100 years, and became widely used in the 1980s to refer to institutions and networks that mediated or represented citizens vis-à-vis the state. Theoretical discussion of the relationship between the state and civil society was rife at that time. It has since then, and certainly in Indonesia, taken on a more concrete meaning instead of evolving as an analytical or theoretical concept. It has come to refer to all nongovernmental organisations (NGOs), trade unions, social movements, grassroots organisations, online networks and communities, and faith groups that form a specific political community.

The emergence and development of this understanding of civil society have a history very specific to Indonesia. Since 1965, but especially from the 1970s onwards, “civil society” has been increasingly used to describe NGOs that were voices of dissent under a very authoritarian government and political format. These NGOs espoused ideas and values that were excluded from representation in the very managed political party system that evolved during the New Order period. Discussion of this phenomenon was significant during the 1980s, which also saw the publication of a series of writings by the Australian academic Philip Eldridge culminating in the work *Non-government Organizations and Democratic Participation in Indonesia*, published by Oxford University Press in 1995.¹

During the 1970s and 1980s, there were perhaps two vanguard NGO organisations that emerged as flagships of dissent. The first was the Indonesian Legal Aid Foundation (Yayasan Lembaga Bantuan Hukum Indonesia or YLBHI) that pioneered the idea of “structural human rights” and which was a prominent voice of dissent throughout the period. In 1985, the Indonesian NGO Forum on Development (INFID)² was formed on the initiative of prominent figures from this emerging civil society sector. These included K.H. Abdurrahman Wahid (Gus Dur), briefly president of Indonesia in 1999-2001, Asmara Nababan (a Human Rights activist), KH Ghaffar Rahman (from the Nahdhatul Ulama), Adnan Buyung Nasution (a founder of the YLBHI), Prof. DR. M Dawam Rahardjo (active in a dissident think tank), Fauzi Abdullah (a labour activist) Kartjono (active in the village development NGO Bina Desa), and Zoemrotin KS (a women’s rights activist). INFID still exists and is active today.

The key legacy from this earlier period is that what was called *masyarakat sipil* in the 1980s actually referred to the organisations and networks that were excluded from the formal political system, especially the electoral system, and which voiced a range of dissident perspectives – from moderate to radical. Furthermore, during the 1990s, as a movement developed aimed at dislodging the New Order regime, a wing of civil society developed which supported popular mobilisations, from labour strikes to mass street protests, as their fundamental strategy. Moderate and radical often came to be equated with a lobbying strategy, as compared to a mobilising strategy.³

Civil society does not merely refer to societal organisations that are apart from the state. In the Indonesian context, they are organisations coming out of a 40-year history of policy dissent expressed from outside or at the margins of the formal system, and which came into being due

to the narrow ideological base of the institutions, mainly the political parties, operating within the formal political system established during a 32-year long period of tight authoritarian rule.

This is the fundamental starting point for understanding the phenomenon today.

CIVIL SOCIETY IN 2022

Indonesian political life no longer exists in the same authoritarian framework as during the New Order. This is despite the fact that the existing political parties, while reflecting a variety of cultural and political styles, remain very homogenous in terms of their outlook on economic development and political policies.⁴ The low level of systematic repression of dissent, especially dissent on policy questions, has weakened that wing of civil society that has argued since the 1990s, of the necessity for a mobilisation strategy. Mass mobilisation was defended by that wing in the 1990s as necessary to confront New Order repression. The more liberal atmosphere, despite the narrow ideological spectrum represented by all the dominant parties today, has provided more space to the lobby wing of civil society, who have access to members of parliament at many different levels. These organisations are now seen as less alienated from the state.

An example of this wing of civil society is the “Civil Society Coalition for Sustainable Development Goals,”⁵ which also receives aid from the European Union and sometimes works with the government, often through the Office of the Vice-President, maintains an engagement with this quite sizeable spectrum of organisations.⁶ INFID, which still brings together some of the oldest and most established NGOs, remains central to these lobby efforts.

The integration of these organisations into ongoing processes of dialogue with the government has meant that it is the activist, or mobilisational wing, of civil society that appears as an oppositional force. The dividing line between organisations that focus on lobbying government, and the parties and activist or campaign organisations is sometimes blurred, but in terms of general political discourse, the activist *masyarakat sipil* has become the active *social opposition* to the government and parliament – *opposing and critiquing policies and advocating changes, but not presenting itself as an alternative government.*

A feature of such a social opposition, not seeking to build a power base or a unifying outlook, is its sectoral fragmentation, with different organisations or segments concentrating on specific policy areas. Since the fall of Suharto in 1998, the key policy areas targeted by social opposition activity have been the environment and natural resources, land conflicts, corruption, human rights, women’s rights, migrant workers’ rights overseas, and labour rights.

Activist civil society groups have been carrying out ongoing campaigns in all these areas. In fact, there has been so much activity it is not possible to list them, especially given the sectoral fragmentation. Each area of activism is carried out by a range of organisations, including ad hoc action committees that crop up in response to specific issues, especially land conflicts.⁷ Land conflicts, usually over compensation for farmers being forcibly removed from their land

to make way for development projects, probably run into the thousands per year.⁸ There are a number of farmers' unions, sometimes local, who also become involved in these conflicts.⁹ These include the Indonesian Farmers Union (SPI),¹⁰ Indonesian Peasants Union (STI), Indonesian Farmers Alliance¹¹ and many others, especially at the local level. There has been no comprehensive survey of all these organisations and what they have been doing. However, in September, 2022, on National Farmers' Day, over a hundred such organisations, including student, labour and human rights organisations, were able to unite to present a manifesto calling for the end of land seizures and for agrarian reform, and several other demands related to food sovereignty and environmental damage.¹² This was done under the banner of the National Committee for Agrarian Renewal (KNPA).

The extent of the activities can also be seen in how these are reflected on social media.¹³ Surveys of social media often show that these channels are used to promote or report on *aksi* (street protest action) carried out by a wide range of activist groups.¹⁴

During 2022, trade unions have not been particularly active, despite only small increases to the minimum wage, although protests have continued against the Job Creation Law. One large segment of the trade union movement has been focused on establishing, and has now succeeded in achieving, electoral registration for a new Workers Party. This focus by that large segment, encompassing the two largest trade unions and several other organisations, has divided this sector into two factions which often campaign separately, even though there may sometimes be minor overlaps. Mobilisations might take place under the banner of the Workers party or under the banner of the Worker and Peoples Movement (Gebrak) which includes a majority of unions and organisations not associated with the Workers Party. The leading union in Gebrak is the Congress of Alliances of Indonesian Trade Unions (KASBI).¹⁵ Gebrak took to the streets to protest fuel price rises earlier in the year.¹⁶ Both the Workers Party and Gebrak have criticism of the Job Creation Law as a central focus. To be sure, during November and December 2022, the annual polemic around impending wage rise decisions also received attention.¹⁷

While single-issue campaigning is ongoing on a range of fronts, it has been responses to major government and parliament policy decisions that have elicited most visibility for the social opposition, especially at the national level, and using street protest actions as a key tactic.

Over the last three years, these actions have been in response to a law weakening the Corruption Eradication Commission, the Job Creation (Omnibus) Law¹⁸ which weakened labour and environmental protections, and the new Criminal Code Law.¹⁹ There have been demonstrations almost every month against these laws, sometimes targeting more than one law simultaneously. Apart from Gebrak, another alliance often issuing protest statements is the Civil Society Coalition. This coalition took a leading role in asking critical questions about the deadly tragedy in Malang's football stadium in September.²⁰ There appear to be multiple variants of such a coalition, with a range of different organisations, participating in the issuance of press statements or delegations to meet officials. Such coalitions are also important for the more activism-oriented NGOs, who do not attempt to grow their own permanent membership base but who rely on joint actions with students and unions instead.

Student organisations and student-driven campaign coalitions have crucially partnered with the activist wing of the trade unions and with more activism-oriented NGOs. An alliance such as Gebrak, which is the leading coalition in spearheading frequent street protests, includes both students and workers. Outside of Jakarta, whether or not a Gebrak formation exists, local protest coalitions are also often spearheaded by students. Workers can only protest when off shift, while students have more flexibility. Some students' organisations which are close to political parties may also demonstrate on some issues, usually separately. These do not always coincide with direct support for civil society-initiated campaigns; however, they do help reproduce an atmosphere where street mobilisation is seen as legitimate.

PARTIES, ALLIANCES, AND DEFEATS

A fundamental aspect of civil society functioning as social opposition, resisting and demanding change to key laws and policies, is that, on the whole, it has met with almost total failure when it comes to the major controversies of the law weakening the KPK, the Job Creation Law and the RKHUP. Not a single amendment being demanded by the social opposition, let alone a repeal of any law, has been gained. On the wages front, there has been no return to the high wage increases of 2011-2013 of 40% and above. Indeed, the annual tripartite negotiation mechanism was abolished. And land conflicts have not decreased in numbers.

One partial victory has been the passing of a new law criminalising sexual violence, which feminist NGOs and organisations supported. This law, however, threatened neither commercial or power interests nor any major cultural taboos.²¹

The total ineffectiveness of the last years of social opposition, despite a quantitative growth in activity, has provided an environment that has both encouraged as well as constrained new political initiatives. The growth in the number and the profile of trade union confederations, as well as the joint activity of farmers and other organisations, have no doubt been a significant encouragement in the initiative to establish a Workers Party.²² The President of the Workers Party, and Chairperson of the All Indonesia Trade Union Confederation (KSPI), Said Iqbal stated explicitly at the time of the initial declaration forming the party in October 2021, that: "The crushing defeat of workers, farmers, fishermen, teachers, environmental activists, human rights activists with the passage of the Omnibus Law on Job Creation is one of the main factors why the workers' party has been revived".²³

Discussion of a Workers Party among trade unionists began more than ten years ago. Inspired by the example of the Workers Party in Brazil, Indonesians returning from working in Brazil were active in NGOs promoting the concept of a party that is initiated by trade unionists but draws in and represents the various sectoral organisations which, in Indonesia, are considered civil society. This discussion faded away for a few years before 2000, but was revived after the opportunity arose to make use of an already existing registered party.

On 14 November, the newly formed Workers Party achieved final registration to stand candidates in 2024.²⁴

The Workers Party has emerged out of a segment of Civil Society.²⁵ The initial groups included the Confederation of Indonesian Prosperous Trade Unions (KSBSI), Labour House Indonesia established by the Federation of Indonesian Metal Workers' Unions (FSPMI) and the Confederation of Indonesian Trade Unions (KSPI), and the Indonesian People's Organisation initiated by the Confederation of All Indonesian Trade Unions (KSPSI). Also among the initiators were the Indonesian Farmers' Union (SPI), the Confederation of United Indonesian Trade Unions (KPBI), the Federation of Mining Energy Chemical Workers' Unions, the Federation of Pharmaceutical and Health Trade Unions, the Private Educators and Honorary Personnel Forum and the Indonesian Women's Movement.²⁶ Their 13 platform points show they are attempting to appeal across the civil society spectrum. They include employment guarantees, a living wage and safe working conditions, rejection of labour hire and contract employment, anti-corruption as well as a wide range of social guarantees, including for women and young people, as well as indigenous peoples and the disabled. It also covers the strengthening of small business and cooperatives.

As stated earlier, most of the social opposition organised in coalitions such as Gebrak have not joined the Labour Party. Some are still sceptical of it, especially as long as its primary platform documents holds no critiques of the records of the existing parties.²⁷ Two of the main union confederations involved, the KSPSI and KSPI, have in the past campaigned for the existing parties, PDIP and Gerindra, respectively. Another new party that was appealing to the social opposition, based on a faction of the Peoples Democratic Party (PRD) that played a leading role in the anti-Suharto movement, has failed to pass the verification process to stand candidates in the coming election.²⁸ The Indonesian Green Party²⁹ has not tried to register to stand candidates. The only party whose platform is clearly aimed to appeal to the social opposition which can participate in the 2024 elections is the Workers Party, yet its attitude to the other parties now in parliament is not yet clear. It passed verification on 14 December,³⁰ and will now be closely watched by the social opposition to see if it positions itself as opposition to the existing parties or as a "ginger group" ally.

The formation of the Workers Party has not been the only political development flowing from civil society dissent. The other main response has been the increasing frequency of statements and press conferences, some of which have been mentioned above. However, the reality is that actual mobilisations, including street protests, during 2022 have been smaller than those in 2021, although they have persisted despite not snowballing in size.

The trade union movement suffered a major defeat in 2014-15 when the Widodo government abolished the annual tripartite negotiations on minimum wage increases, stopping the sizeable wage increases of 2012-2013.³¹ Between 2019 and 2022, the social opposition has had no wins on any of its demands for amendments or repeal of legislation, such as that weakening the Anti-Corruption Law, the Job Creation Law or the proposed Revised Criminal Code. The most convincing analysis of the reasons for these defeats is that this social opposition has neither been able to increase the size of its protest mobilisations nor gained representation in the electoral party system. For the labour sector of civil society, this may be connected to its abandonment of a mobilising strategy and it opting instead for an electoral one. For civil society apart from the labour sector, the NGO structures which are not based on spreading permanent grassroots membership, means that it has no solid campaigning base. It relies on joint actions with labour and students. The Workers Party's successful registration, reflecting a significant

consolidation of union and other NGO structures nationally, will certainly raise hopes among some of the critical sectors of society. However, it is not clear yet whether it can attract the level of support either from among unions or other civil society sectors to guarantee that it will make an impact. It may be that the social opposition – the critical civil society – has simply not grown enough to shift the balance in electoral politics, at least for now. The significance of the presence of the Workers Party, whose rhetoric has been oppositional so far, will be tested out over the next 12 months.

ENDNOTES

¹ Philip Eldridge, *Non-government Organizations and Democratic Participation in Indonesia*, Oxford University Press, 1995 .

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³ Max Lane, *Unfinished Nation: Indonesia Before and After Suharto*, Verso, 2008

⁴ Max Lane, “Understanding Indonesia’s Democracy: Class, Cliques and Politics After the 2019 Elections”, Hui Yew-Foong and Made Supraitam (eds), *The Jokowi-Prabowo Elections 2.0*, ISEAS – Yusof Ishak Institute, 2022

⁵ <https://www.sdg2030indonesia.org/page/7-koalisi-cso>

⁶ <https://www.wapresri.go.id/buka-seminar-nasional-koalisi-masyarakat-sipil-perkuat-akuntabilitas-layanan-publik-untuk-pengentasan-kemiskinan/>

⁷ <https://www.walhi.or.id/walhi-desak-kementerian-atr-bpn-redistribusi-tanah-di-24-lokasi-konflik-agraria>

⁸ <https://www.cnnindonesia.com/nasional/20220630132705-12-815534/sepanjang-2021-2022-ada-434-mafia-tanah-sulsel-3-ditargetkan-selesai> This media report tells of over 400 cases that the police have become involved in.

⁹ <https://www.kompas.tv/article/297142/ini-ancaman-serikat-petani-untuk-desak-dprd-bentuk-satgas-reforma-agraria>

¹⁰ [https://spi.or.id/;](https://spi.or.id/)

¹¹ <https://api.or.id/category/daulat-pangan/>

¹² <https://igj.or.id/pernyataan-sikap-komite-nasional-pembaruan-agraria/>

¹³ Arianto, B. (2022). Melacak Gerakan Masyarakat Sipil Melalui Tagar #ReformasiDikorupsi di Twitter. *Jurnal ILMU KOMUNIKASI*, 19(1), 51–68. Retrieved from <https://ojs.uajy.ac.id/index.php/jik/article/view/3994>

¹⁴ *Ibid.* p 61.

¹⁵ <https://kasbi.or.id/tag/mositidakpercaya/> This KASBI site also carries reports of statements and actions by GE BRAK.

¹⁶ <https://www.cnnindonesia.com/nasional/20220909113936-20-845587/massa-gabungan-buruh-dan-mahasiswa-gebrak-demo-bbm-pekan-depan>

¹⁷ <https://www.kompas.id/baca/ekonomi/2022/11/23/buruh-dan-pengusaha-belum-sepakat-soal-kenaikan-upah-minimum>

¹⁸ Max Lane, “Widodo’s Employment Creation Law, 2020: What Its Journey Tells Us about Indonesian Politics”. *Trends in Southeast Asia*, ISEAS – Yusof Ishak Institute, Issue 13, 2021.

¹⁹ <https://www.cnnindonesia.com/nasional/20220913135412-20-847174/demo-bbm-di-dekat-istana-massa-buruh-juga-desak-uu-ciptaker-dicabut> There have been many demonstrations throughout 2022 against the draft revised Criminal Code. In fact, these demonstrations go back to 2019.

²⁰ <https://www.cnnindonesia.com/nasional/20221010051517-12-858323/koalisi-masyarakat-sipil-ungkap-12-temuan-awal-tragedi-kanjuruhan>

- ²¹ <https://fulcrum.sg/a-victory-for-the-social-opposition-upping-protection-for-victims-of-sexual-violence/>
- ²² For a history on the development of union politics between 2010 and 2018 see: Max Lane, *An Introduction to the Politics of Indonesian Unions*, ISEAS – Yusof Ishak Institute, 2019.
- ²³ <https://www.merdeka.com/politik/11-organisasi-akan-deklarasikan-ulang-partai-buruh-siap-bertarung-di-pemilu-2024.html>
- ²⁴ <https://www.menpan.go.id/site/berita-terkini/berita-daerah/kpu-tetapkan-17-parpol-peserta-pemilu-2024>
- ²⁵ <https://partaiburuh.or.id/sejarah>
- ²⁶ Ibid
- ²⁷ Max Lane, <https://fulcrum.sg/indonesias-new-workers-party-ambiguity-in-labour-politics/>
- ²⁸ <https://nasional.kompas.com/read/2022/11/19/14172171/tak-lolos-verifikasi-kpu-partai-prima-tuding-ada-faktor-politik-jegal>
- ²⁹ <https://www.hijau.org/>
- ³⁰ <https://www.menpan.go.id/site/berita-terkini/berita-daerah/kpu-tetapkan-17-parpol-peserta-pemilu-2024>.
- ³¹ Max Lane, *An Introduction to the Politics of Indonesian Unions*, ISEAS – Yusof Ishak Institute, 2019.

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