The Existence of Indonesian National Research and Innovation Agency: The Academic Freedom's Perspective

Muhamad Dzadit Taqwa[*], M. Irfan Dwi Putra[**], Muhamad Ali Muharam[***]

DOI: https://doi.org/10.22304/pjih.v9n1.a6

Submitted: March 16, 2022 | Accepted: April 26, 2022

Abstract

Recently, Indonesia has taken a policy to merge all the research institutions, which were classified as non-ministerial institutions, into the National Research and Innovation Agency (BRIN –*Badan Riset dan Inovasi Nasional*). The BRIN is expected to (1) reduce the research costs for the research institutions; and (2) integrate and harmonize these institutions. On the other hand, the policy has drawn constitutional law scholars' attention. Many of them who concern that BRIN intervenes academic freedom in Indonesia. The main factor that causes the concern is the subordinate relationship between the President and the BRIN that restrain researchers from their academic activities. This study aims to reveal the potential problem in the light of academic freedom. This study is of position to argue that the existence of the BRIN will not become an issue if it does not disrupt the essential aspects of academic freedom. However, the necessity and the urgency of its existence still draws questions.

Keywords: academic freedom, the limitations, the subordinate relationship.

A. Introduction

Based on the second paragraph in the Preamble of the 1945 Constitution, an ideal Indonesia has five characteristics. Three of them are united, just, and prosperous.[1] Education is a main way to realize these three characters.[2] *To educate* [text: *mencerdaskan*] means to perfect the development of a human's mind capability (to think and understand).[3] From the state's perspective, the presence of the Ministry

[*] Lecturer of the Faculty of Law, Universitas Indonesia, Jl. Prof. Mr. Djokosoetono Depok, S.H. (Universitas Indonesia), LL.M. (Melbourne University), m.dzadit@ui.ac.id.

[**] Undergraduate Law Student of the Faculty of Law, Universitas Indonesia, Jl. Prof. Mr. Djokosoetono Depok, m.irfan12@ui.ac.id.

[***] Undergraduate Law Student of the Faculty of Law, Universitas Indonesia, Jl. Prof. Mr. Djokosoetono Depok, muhamad.ali12@ui.ac.id.

[1] We called it an ideal state because when the constitution was formed, Indonesia was still in its early days. Because of that, the terms of just and prosperous are still unexplained. Paragraph 2 of the Preamble of the 1945 Constitution of the Republic of Indonesia.

[2] Paragraph 4 of the Preamble of the 1945 Constitution of the Republic of Indonesia, "*Subsequent thereto, to form a government of the state of Indonesia which shall protect all the people of Indonesia and all the independence and all the land that has been struggled for, and to improve public welfare, to educate the life of the people and to participate toward the establishment of a world order based on freedom …*".

[3] Kementerian Pendidikan dan Kebudayaan Indonesia. "KBBI Daring: Cerdas". https://kbbi.kemdikbud.go.id/entri/cerdas (accessed on March 22, 2022).

of Education, Culture, Research, and Technology is crucial to ensure that the state carry out education systematically.[4]

In addition to the ministry, other institutions are also involved in the efforts of education. They are, among others, the research and innovation institutions. The Indonesian Institute of Sciences (LIPI –*Lembaga Ilmu Pengetahuan Indonesia*) is an institution which functions to research in terms of providing knowledge and novelty to the society.[5] There is also the Agency for the Assessment and Application of Technology (BPPT –*Badan Pengkajian dan Penerapan Teknologi*) that focuses on the concrete outcomes of education: the technological innovations that can bring social welfare.[6]

However, on September 1, 2021, the government officially merged these agencies into the National Research and Innovation Agency (BRIN –*Badan Riset dan Inovasi Nasional*), which had been established previously in 2019.[7] As a relatively new body, the BRIN is still an unsettled constitutional debate. The government aims to use the budget efficiently and effectively and to integrate the direction of research and innovation in Indonesia. On the other hand, its functions are, deemed by many scholars, to potentially interfere the academic freedom of the researchers from the merged bodies.

This study raises a question whether the BRIN is really a threat to academic freedom. Unfortunately, there is no comprehensive article that discusses the BRIN. It is a research gap. To answer the question, the concept of the BRIN is explored descriptively. Afterward, as a tool for analysis, the concept of academic freedom is elaborated. Based on the two explorations, the existence of the BRIN in the light of academic freedom is expected to be appeared.

B. *The National Research and Innovation Agency (BRIN – Badan Riset dan Inovasi Nasional)*

1. The Definition of Research and Innovation

The BRIN covers research and innovation. Research is a systematic, critical, and scientific study of a problem to increase knowledge and understanding, to obtain new facts, or to interpret realities and ideas better.[8] There are three main elements

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4 Article 17 of the 1945 Constitution of the Republic of Indonesia.

5 Article 1-3 of the Presidential Decree Number 1 of 1986 on the Indonesian Institute of Sciences and Article 55-57 of the Presidential Decree Number 103 of 2001 on the Position, Duties, Functions, Competencies, Organizational Structures and Work Procedures of Non-Department Government Institution.

6 Article 1-3 of the Presidential Decree Number 117 of 1998 on the Agency for the Assessment and Application of Technology and Article 58-60 of the Presidential Decree Number 103 of 2001. See also Considering section (a) of the Law Number 11 of 2019 on National System of Science and Technology Indonesia.

7 The government officially integrated BPPT with three other LPNKs (LIPI, BATAN and LAPAN) into BRIN as of September 1, 2021, following the signing of the Presidential Regulation Number 78 of 2021. The four were later merged into the BRIN under the name Research Organization or OR (*Organisasi Riset*). Article 39-41 and 65 of the Presidential Regulation Number 78 of 2021 on the National Research and Innovation Agency.

8 Kementerian Pendidikan dan Kebudayaan Indonesia. "KBBI Daring: Riset". https://kbbi.kemdikbud.go.id/entri/riset (accessed on March 2, 2022).

in research: (1) a study; (2) the method used are systematic, critical, and scientific; and (3) have a purpose.

Referring to the first element, research is an activity of careful examination by collecting, processing, analyzing, and presenting data.[9] This element is in line with the origin of the word *study* in English. The origin of the word comes from the French *recherche*, which means a thorough search process.[10] In this activity, there is a precautionary aspect in the form of the method used to conduct research, as the second element. Research must be done systematically, critically, and scientifically. Systematic means that each stage of research is connected to one another to obtain data. In addition, the process is also carried out critically, which means there is the sharpness of analysis in questioning an existing reality and not simply accepting data without testing and proving.[11]

The third element, namely purpose covers two objectives of a research. The first is for scientific (cognitive) interests, such as understanding realities, obtaining new facts, and/or interpreting both realities and facts better.[12] In the second context, research can be done for practical needs in respect of how the results of the research can have economic value.[13] This latter context is related to innovation activities.

Innovation is a discovery or invention of something that is different from the others already existing or previously known.[14] It is derived from the Latin *innovatus*, which means *to renew* (update)*, restore* or *to shift* (change).[15] In this context, there is an assumption that the orientation of innovation is to create a new value or to add a value to an existing reality or idea. Pure scientific orientation cannot be categorized as an innovation activity because pure science does not necessarily have economic value.

2. Research and Innovation Issues in Indonesia: *Raison d'etre* of the BRIN

The President understands that improving science and technology is one of the main ways, if not the only one, towards civilized and prosperous Indonesian.[16] The presence of the state is necessary. Therefore, the government establishes a national system of science and technology (Sisnas Iptek –*Sistem Nasional Ilmu*

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9 Kementerian Pendidikan dan Kebudayaan Indonesia. "KBBI Daring: Penelitian." https://kbbi.kemdikbud.go.id/entri/penelitian (accessed on March 2, 2022).

10 Online Etymology Dictionary. "Online Etymology Dictionary: research." https://www.etymonline.com/word/research (accessed on March 2, 2022).

11 James Harold Fox, "Criteria of Good Research", *The Phi Delta Kappan* 39, No. 6 (1958): 285.

12 James Harold Fox.

13 A. M. Clogston, "Applied Research: Key to Innovation," *Science* 235, No. 4784 (1987): 12.

14 Kementerian Pendidikan dan Kebudayaan Indonesia. "KBBI Daring: Inovasi." https://kbbi.kemdikbud.go.id/entri/inovasi (accessed on March 2, 2022).

15 Online Etymology Dictionary. "Online Etymology Dictionary: innovate (n.)". https://www.etymonline.com/word/innovate (accessed on March 2, 2022).

16 Considering section (a) of Law Number 11 of 2019 on National System of Science and Technology.

Pengetahuan dan Teknologi) that integrates various research institutions. In 2019, the president passed the Presidential Decree Number 74 of 2019 on BRIN. It is later updated with the Presidential Decree Number 95 of 2019, which puts the Law Number 11 of 2019 on the National System of Science and Technology as the legal basis of the Observing Section.[17]

Based on the Explanation Section of the Law Number 11 of 2019 on the National System of Science and Technology, the application of the Law Number 18 of 2002 on National System for Research, Development, and Application of Science and Technology had not significantly contributed to the national economic development. However, the Law Number 11 of 2019 does not provide further elaboration about this insignificant contribution. Thus, this paper delves further into the aspect of quantity and quality of Indonesian research condition. Large quantities are not necessarily having great qualities, while small quantities also need to be questioned whether they really have quality.

In quantity, the number of publications in Indonesian international scientific journals is relatively large, from 21,549 documents in 2017 to 50,145 documents by 2020. This number is higher than Malaysia (39,116 documents) and Singapore (27,909 documents) in 2020.[18] In quality, however, based on *impact factor*[19] and H-index,[20] Indonesian publications are not better than Malaysia and Singapore. Indonesian H-index scored 258, while Malaysia scored 373, and Singapore scored 646. In the other words, although the quantity of documents produced by Indonesia is greater, the impact value is not as impactful as Malaysian and Singaporean.

There are also patent issues. Based on data from the World Intellectual Property Organization (WIPO), Indonesia had negative growth in patent registrations from 2019 to 2020 by recording a negative growth of -28.9%.[21] The number of patents produced and protected in Indonesia from 2015 to 2020 was

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17 Observing section of the Presidential Regulation Number 95 of 2019 on the Amendment of the Presidential Decree Number 74 of 2019 on the National Research and Innovation Agency.

18 Scimago Journal and County Ranks. "Country Rankings by Asiatic Region". https://www.scimagojr.com/countryrank.php?year=2020&region=Asiatic%20Region&order=it&ord=desc (accessed on February 8, 2022).

19 The impact factor is the calculation of the frequency of a journal quoted by other journals within a certain time. Impact factor will provide quality data about the quality of scientific journals by providing an absolute comparison of a scientific journal. The greater the number of impact factors, the journal has made a scientific contribution and influence on other journals, thus giving great prestige to the journal. See Eugen Garfield, "Journal Impact Factor: A Brief Review," *Canadian Association Medical Journal* 161, No. 8 (1999): 978.

20 According to Jorge Hirscher, H-index is "A scientist has index h if h of his or her Np papers have at least h citations each and the other (Np−h) papers have h citations each." H-index calculations are useful for providing an overview of the significance and impact of a scientist (or country in the context of ranking). A large H-index has implications for the number of journals that have been cited and published. For example, the number 9 on the H-index is interpreted as out of all publications of a scientist, so the top 9 journals have a number greater than equal to 9 as well. See Jorge E. Hirsch, "An Index to Quantify an Individual's Scientific Research Output", *Proceedings of the National Academy of Sciences* 102, No. 46 (2005): 16569–16572.

21 World Intellectual Property Organization, *World Intellectual Property Indicators 2021* (Geneva: World Intellectual Property Organization, 2015), 13.

18,686 patents.[22] On the other hand, Malaysia, at the same time, has 31,975 patents, while Singapore has 46,640 patents. In terms of quality, the Organization for Economic Cooperation and Development (OECD) observes the quality of each country's patents through the patent value index. It shows not only was Indonesia lagging in quantity but also patent application, research, and development in patent invention and impact.[23] Taking this into account, research and innovation in economic activities were not optimal so that they did not contribute to national development in terms of innovation.

The legislators identified four key factors causing research and innovation problems in Indonesia, which had been previously regulated by the Law Number 18 of 2002 on National System for Research, Development, and Application of Science and Technology. First, there was no clear coordination mechanism between research institutions regulated in the Law.[24] Second, the Law does not clearly regulate aspect of fostering for research institutions.[25] Third, there is disharmony between the Law and the state financial and planning system.[26] Fourth, there is no regulation on strategic matters related to research and innovation.[27] The concrete follow-ups of the factors are the enactment of the Law Number 11 of 2019 on the National System of Science and Technology and the formation of the BRIN by merging research and innovation institutions.

3. Positions and Functions of the BRIN

The BRIN is a non-ministerial government agency that is under and responsible to the President.[28] This relationship is subordinate, that the BRIN helps the president to realize his vision by carrying out its duties, which include research, development, study, and implementation as well as integrated inventions and innovations.[29]

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22 A report in 2020 of the Directorate General of Intellectual Property (DJKI) stated that protection of intellectual property in the form of patents reached 18,686. However, looking at other sources such as WIPO and OECD, both have some lacking data and tend to jump between year intervals. See DJKI, *Laporan Tahunan DJKI Tahun 2020* (Jakarta: Direktorat Jenderal Kekayaan Intelektual, 2020), 52.

23 The Patent Value Index consists of several quality indicators that show how capable the patent is to be considered quality which shows that Indonesia has not shown quality in its patents. Indicators such as citations in patent inventions, patent claims, breadth of patent coverage, and jurisdictional capability are benchmarks in the index. One of the indicators of this index is the *grant lag*, which is the interval between registration time and registered time which is correlated if the faster it is, the better the quality, and vice versa. Therefore, looking at the quantity of research regarding patent receipts, which has a downward trend in 2021 due to pending registrations, also gives an illustration that Indonesian patents are still not of high quality and compete with other countries. See Mariagrazia Squicciarini, Hélène Dernis, and Chiara Criscuolo, "How to Measure the Value of Patents", *Enquiries into Intellectual Property's Economic Impact*, OECD Working Papers No. 3 (2015): 94-95.

24 Academic Text of the Law Number 11 of 2019 on National System of Science and Technology, 4.

25 Academic Text of the Law Number 11 of 2019 on National System of Science and Technology.

26 Academic Text of the Law Number 11 of 2019 on National System of Science and Technology.

27 Academic Text of the Law Number 11 of 2019 on National System of Science and Technology.

28 Article 2 of the Presidential Regulation Number 78 of 2021.

29 Article 3 of the Presidential Regulation Number 78 of 2021.

The word *integrated* is embodied in various functions of the BRIN. In general, the BRIN has several functions: planning, implementing, and supervising. In the planning stage, BRIN determines policies, research directions, coordination capabilities and integration into the research process.[30] BRIN determines policies through several stages of preparation by establishing National Development Plans on an annual, medium, and long scale along with programs related to the tasks assigned by the President.[31] With integrated research and innovation policy at the center, it is being trusted to coordinate its research organizations more easily.[32]

The BRIN can conduct research from the basic stage of initial research to implementation. The Deputy of Research and Innovation Policy conducts it.[33] The BRIN also has the research organizations with the main task to conduct research. The research organizations have a direct responsibility to the head of the BRIN.[34] To date, BRIN has twelve research organizations specializing in the fields of nuclear energy, earth sciences and maritime, social sciences and humanities, life sciences and environment, agricultural and food, health, archaeological, language and literature, governance, economic and people's welfare, energy and manufacturing, nanotechnology and material engineering, electronic and informatic engineering, and aviation and space engineering.[35]

The BRIN also functions in the development of research infrastructure, namely providing the needs of researchers to conduct research and innovation. The Deputy for Research and Innovation Infrastructure and the Deputy for Research and Innovation Facilities builds all facilities of research and innovation.[36] The Deputy for Infrastructure Research and Innovation, for example, builds infrastructures such as research ships, research areas, and other infrastructures.[37] The Deputy for Research and Innovation Facilities, on the other hand, manages intellectual property rights such as scientific repositories, controlling scientific journals, and scientific multimedia.[38]

The BRIN also has a supervisory function. It has an inspectorate that carries out the internal control function. The Inspectorate has full control in the formulation of technical supervision policies as well as supervising performance and finances through audits and performance reports.[39]

4. The Structural Implications After the Merger

30 Article 4 of the Presidential Regulation Number 78 of 2021.
31 Article 4 section (b) of the Presidential Regulation Number 78 of 2021.
32 Article 65 of the Presidential Regulation Number 78 of 2021.
33 Article 19-20 of the Presidential Regulation Number 78 of 2021.
34 Article 39 of the Presidential Regulation Number 78 of 2021.
35 BRIN. "Finalisasi Penetapan 12 OR dan 85 PR". https://www.brin.go.id/finalisasi-penetapan-12-or-dan-85-pr/. (accessed on April 17, 2022).
36 Article 25-26 of the Presidential Regulation Number 78 of 2021.
37 Article 26 section (c) of the Presidential Regulation Number 78 of 2021.
38 Article 27-29 of the Presidential Regulation Number 78 of 2021.
39 Article 37-38 of the Presidential Regulation Number 78 of 2021.

Before the BRIN was formed, the merged research institutions such as LIPI, LAPAN, and BPPT were included in Non-Ministerial Government Institutions (LPNK – *Lembaga Pemerintah Non-Kementerian*). the LPNK was regulated by Presidential Decree Number 103 of 2001 which had been amended several times. Pursuant to Article 1 paragraph (2) of Presidential Decree Number 103 of 2001, the LPNK was responsible to the President. Article 106 of the decree explained that in carrying out their duties, research institutions such as LIPI, LAPAN, and BPPT were coordinated by the Minister of Research and Technology. Thus, the accountability of these institutions was carried out indirectly through the Minister of Research and Technology.

Before being merged into BRIN, the LPNK research institutions already had a subordinate relationship to the President.[40] After the merger, that involves Twelve Research Organizations, this subordinate relationship has two layers. The research organizations are responsible to the Head of BRIN, while the Head of BRIN is responsible to the President.[41] Nevertheless, these research institutions are still under and responsible to the President or are not independent institutions because the LPNKs could not freely determine their research policies and visions.

The existence of BRIN also has implications on the personnel structure. Based on the BRIN Regulation Number 1 of 2021, BRIN has a Head, Deputy Head, Main Secretariat consisting of various bureau, Deputies, Main Inspectorate and Research Organizations.[42] Budget management is now the task of the Planning and Finance Bureau, which is under the Main Secretariat.[43] Then, the positions within the BRIN such as in the directorate, secretariat, deputy, inspectorate, and research organizations are filled by functional positions. The positions are based on expertise under their field.[44]

Regarding the status of employees, the BRIN's researchers are considered Government Employees. In this case, there are no significant implications regarding the transfer of employees from the LPNK as it is in line with Article 3 of the Regulation of Minister of State Apparatus Empowerment and Bureaucratic Reform Number 34 of 2018 on Functional Positions of Researchers.[45] Therefore, the transfer of the LPNK employees to the BRIN does not change the status of its employees who have been already Government Employees.

The problematic employee transfer also happens in several ministries that had a research structure incorporated into the BRIN. The government gives three options to employees who previously working for the structure: (1) enter the BRIN,

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40 Article 1 section (2) of the Presidential Decree Number 103 of 2001.
41 Article 10 and 59 of the Presidential Regulation Number 78 of 2021.
42 Article 8 of the BRIN Regulation Number 1 of 2021 on the Organizations and Work Procedures of BRIN.
43 Article 15 and 16 of the BRIN Regulation Number 1 of 2021 on the Organizations and Work Procedures of BRIN.
44 Article 44-47 of the Presidential Regulation Number 78 of 2021.
45 Article 65 section (2) of the Presidential Regulation Number 78 of 2021.

(2) move to another agency, or (3) continue working at the ministries they have been working for but not as researchers. Researchers still have a close relationship with the previous institution.[46] They feel that these options are still ambiguous, uncertain, and even uneasy. This decision raises another issue regarding the suitability of their chosen research organization or research Centre with their expertise.

Another case happens in Researchers at Eijkman Institute for Molecular Biology. They are also affected by the merger. In fact, Eijkman Institute for Molecular Biology is historically different from other research institutions managed by the government since the foundations. Most Eijkman's researchers are non-Government Employee. Of the approximately 120 researchers in Eijkman, only 30 of them are Government Employee.[47] Consequently, many Eijkman's researchers must be laid-off because of the merger. In addition, the echeloned-1 researchers must be levelled down by starting again their level.[48]

C. Academic Freedom

1. The Significance, Development, and Scope

Science is studied, developed, and shared in academic institutions for the common good. The essence of those processes is to look for the truth that can be proven scientifically. The truth in science is not absolute and dogmatic but constantly evolves and develops with discoveries. On the other hand, the truth in dogmatism mostly cannot accept critique and development.[49]

The truth of science must be objective and proven by scientific principles. To find the objective truth, the freedom of inquiry and criticality should be protected from any political interests that can interfere and disturb the truth. The freedom of inquiry and criticality are essential for academic institutions.[50] This freedom is often called academic freedom.

Academic freedom requires the freedom of the academic community to perform their duties in searching the truth without interference and repression, including the unwelcome truth for certain interest groups. Academic freedom is essential for academic institutions because science must be established by

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[46] Achmad Al Fiqri. "Gamang Peneliti Dalam 'Kawin Paksa' BRIN-Lembaga Riset". https://www.alinea.id/nasional/gamang-peneliti-dalam-kawin-paksa-brin-lembaga-riset-b2fd79AWK (accessed on February 2, 2022).

[47] Riyan Setiawan. "Dampak Peleburan Eijkman ke BRIN: Nasib Riset & Karyawan Non-PNS". https://tirto.id/dampak-peleburan-eijkman-ke-brin-nasib-riset-karyawan-non-pns-gndJ (accessed on February 12, 2022).

[48] Manda Firmansyah. "Amin Soebandrio Sebut LBM Eijkman Turun Kelas Pascapeleburan Ke BRIN". https://www.alinea.id/nasional/amin-soebandrio-eijkman-turun-kelas-pascapeleburan-ke-brin-b2fd09AMO (accessed on 16 April 2022).

[49] Joan Wallach Scott, *Knowledge, Power, and Academic Freedom* (New York: Columbia University Press, 2019), 27.

[50] Jonathan R. Cole, *The Great American University: Its Rise to Preeminence, Its Indispensable National Role, Why It Must Be Protected* (New York: Public Affairs, 2010), 45.

objective truth, not subjective truth based on a particular interest. If science is disturbed by a particular interest outside science, it cannot be called objective truth anymore.

Historically, the interference towards academic freedom first occurred in the Socrates era. At his time, Socrates was sentenced to death due to the accusation that he influenced Athenian youth to think critically.[51] In the Middle Ages, universities in Europe became the places to study dogmatic theology. However, many scholars were more concerned with science rather than theology.[52] Academic freedom wildly evolved in the Age of Enlightenment when many scholars dared to oppose orthodoxy. They brutally challenged the Church's dogmas and came up with the idea of rationalism. Rationalism emphasizes logical and rational claims and refuses irrational claims based on tradition and dogma.[53]

Academic freedom became a concrete concept when the American Association of University Professors (AAUP) declared the General Declaration of Principles in 1915.[54] It contains principles for the American academic community to perform their duties. In the declaration, the AAUP stated three elements of academic freedom: (1) freedom of inquiry and research, (2) freedom of teaching within the university of college, and (3) freedom of extra-mural utterance and action.[55] Even though this declaration was made in the context of academic freedom in the universities, some of its elements such as freedom of inquiry, research, and even teaching are still relevant to the other types of academics.

Since then, the concept of academic freedom was adopted by the international community through the Universal Declaration of Human Rights,[56] General Comment Number 13 on International Covenant on Economic, Social and Cultural Rights,[57] and Lima Declaration on Academic Freedom and Autonomy of Institutions of Higher Education.[58] The documents, especially the last one, clearly stated principles and scopes of academic freedom as follows.[59]

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51 Akeel Bilgrami and Jonathan R. Cole, *Who's Afraid of Academic Freedom* (New York: Columbia University Press, 2015), 11.

52 Akeel Bilgrami, 12.

53 Franz Magnis-Suseno, *Filsafat Sebagai Ilmu Kritis* (Yogyakarta: PT Kanisius, 1992), 65.

54 Remi Adekoya, Eric Kauffman, and Thomas Simpson, *Academic freedom in the UK* (London: Policy Exchange, 2020), 18.

55 The declaration was issued in 1915 due to the controversy related to freedom of extra-mural utterance and action which previously caused some US scholars to be fired. American Association of University Professors, AAUP's 1915 Declaration of Principles (1915).

56 Though it's not clearly mentioned in the article, article 26 of UDHR becomes one of the legal basis when it comes to academic freedom. See Article 26 section (2) of the Universal Declaration of Human Rights.

57 UN Committee on Economic, Social and Cultural Rights (CESCR), General Comment Number 13: The Right to Education (Art. 13 of the Covenant), 8 December 1999, E/C.12/1999/10, Article 38.

58 Article 3-19 of Lima Declaration on Academic Freedom and Autonomy of Institutions of Higher Education 1988.

59 Article 3-19 of Lima Declaration on Academic Freedom and Autonomy of Institutions of Higher Education 1988.

1. All academic community members have the freedom to do their duties without fear of discrimination, interference, or repression from any party.
2. All academic community members have the freedom to research and publish the results without censorship as long as the research follows scientific principles.
3. No member of the academic community shall be dismissed due to their thoughts related to their fields.
4. All academic community members have the freedom of teaching without fear of interference, subject to the accepted principles, standards, and methods of teaching.
5. All academic community members have the freedom to express their thoughts related to their fields without fear of repression from any parties.
6. All academic community members have those freedoms under two conditions, follow scientific principles and respect others' rights.

Academic freedom is often confused with freedom of speech. It is not wrong, but not quite right. There are some fundamental differences between them. Freedom of speech has a broader scope because it is one of the fundamental human rights. On the other hand, academic freedom must be proven scientifically. In other words, both are distinguished by the quality of the claims.[60] Therefore, academic freedom is not freedom to baseless claims but claims that follow scientific methods and principles.

2. Limitations on Academic Freedom

The quality of the claims in academic freedom shows that not all claims can be considered equal and worth hearing.[61] It makes academic freedom limited by scientific principles as its first limitation. The limitation shall not be considered discriminatory. Instead, the specialty of academic freedom makes it different from the freedom of speech.[62] However, academic freedom is greatly influenced by many things, such as variations in state traditions and political cultures, variations in traditions specific to higher education, and variations in university-state and university-society relationships.[63]

In the United States, the academic freedom is influenced by the AAUP's 1915 Declaration. The declaration contains some limitations on the previous three fundamental principles called *academic responsibility*. The freedom of inquiry and research is limited by scientific principles and the rights of others. The academics

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60 Scott, 118.

61 Scott, 5.

62 This quality of claims is mostly related to someone's expertise in a particular field. For example, in a discussion about earthquakes, a claim from a seismologist will be more considered rather than a claim from a historian. It is due to the seismologist's expertise in earthquakes better than the historians.

63 Simon Marginson, "Academic Freedom: A Global Comparative Approach," *Frontiers of Education in China* 9, No. 1 (2014): 25.

must follow scientific rules during the research. They must respect others' rights such as the rights to life, to information, and of self-determination. The freedom of teaching inside the university or college is limited under an obligation that academic teacher must be objective during their teaching. They shall not indoctrinate the students with their own opinions but guide them to understand the issues and let them have their own final opinions.

However, the limitation on the third principle, which is the freedom of extra-mural utterance and action, is still debatable among the academic community. The declaration explains that academic teachers are obligated to avoid hasty, unverified, or exaggerated statements and refrain from intemperate or sensational modes of expression. Contrarily, the declaration also explains that academic teachers shall not be limited to expressing their opinion outside the university though it is not within their expertise.[64] Although the Declaration protects the freedom of extra-mural utterance and action, many cases violate the freedom. For example, the firing of many scholars was happened during the McCarthy era in the 1950s.[65] Another in 2014, Steven Salaita, a UIAC professor who was fired because of his tweet about Israel's operation in Gaza in 2014.[66]

In the Middle East and North Africa (MENA), the limitations on academic freedom depend on the authorities. Before the Arab Spring in 2011, some Arab states had slight limitations on academic freedom. Instead of spreading democracy in the MENA, Arab Spring 2011 became a disaster for academic freedom.[67] Following the 2013 Egyptian *coup d'etat*, many students were arrested due to protests to the Government of Egypt. The state control on the universities became increasingly tighter after that. Another example was happened in Turkey. Hundreds of Turkey scholars were fired under an accusation for being affiliated with the Gulen movement.[68] The only Arab state with a relatively high level of academic freedom is Tunisia. The protection of academic freedom is mentioned in Tunisia's constitution. The poor condition of academic freedom in MENA put the region at the lowest list based on the Academic Freedom Index 2020.[69]

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64 The limitation on the third principle is still debatable among US scholars. Finkin and Post said it is unreasonable to classify the third freedom as academic freedom and protect it. Both believe that the last principle is just the scholars' freedom as civilians which is unrelated to academic expertise and institution affiliation. See Matthew Finkin and Robert Post, *For the Common Good: Principles of Academic Freedom* (New Haven, Yale University Press, 2009), 127.

65 During this era, hundreds of scholars were interrogated due to their political views. Many of them were dismissed from their office for being labelled as communists by the government.

66 Scott, 69.

67 It is related to the political conflicts which are still happening in the MENA region. The conflicts give a big impact on how powerful the states are to interfere academic domain with their political interests and restrict the critical voices towards the governments.

68 Ilyas Saliba, "Academic Freedom in The MENA Region: Universities Under Siege," *European Institute of the Mediterranean (Ed.), Meditteranean Handbook* (2018): 313-316.

69 Katrina Kinzelbach, (et.al.), *Free Universities: Putting the Academic Freedom Index into Action* (Berlin: Global Public Policy Institute, 2021), 24.

Academic freedom also depends on authorities in post-Confucian states such as China, Japan, Korea, and Singapore.[70] Unlike the Western traditions that develop the science for its own sake, the science development in post-Confucian traditions aims to provide advantages to state and society.[71] It brings consequences to the power of authority's interference in the academic domain, including in research activity. During the Park Chung-hee regime in Korea, the authority incredibly controlled science development. Some scholars even called Park Chung-hee a *one-man think tank*.[72] In Singapore, the authority decides the topic to be studied and not to be, specifically on the controversial topic related to the government policy. Researchers occasionally even face defamation lawsuits and informal pressure by the city-state's single-party system.[73]

In international conventions or declarations on academic freedom, there are no clear limitations on academic freedom. This is a manifestation of the norm that science has no boundaries and must be pursued where the truth leads. Therefore, the freedom to pursue it cannot be limited. However, academic freedom can be limited if it violates others' rights.

Academic freedom is said to violate others' rights if it harms people, materially and immaterially. Some academic rights violations may happen in research that harms human subjects, unconsent research, and research that violates someone's privacy. The violations happened several times in the past, for example, in Germany during the World War II. Numerous scientists and doctors under the Third Reich conducted evil medical experiments on war prisoners in concentration camps. For them, the inmates were no different from Guinea pigs. They injected the inmates on purpose with some deadliest viruses for military purposes. Many inmates were dead due to the experiments.[74]

In the freedom of research, the researchers are limited by three golden rules of research ethics: respect of persons, beneficence, and justice. The first rule refers to

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[70] It is related to the strong relationship between the states, society, and academic institutions in post-Confucian countries which is greatly influenced by Confucianism. Some Confucian doctrines teach about obedience to the ruler and teaching about the society-government relation to creating harmony.

[71] Qiang Zha and Wenqin Shen, "The Paradox of Academic Freedom in the Chinese Context," *History of Education Quarterly* 58, No. 3 (2018): 449.

[72] In the early 1990s, democratization took place in Korea, changed the society and several independent research institutions were established. Nevertheless, the government still had significant control over the state-owned research institutions. See Juan Felipe Lopez Aymes, "Formation and Evolution of the Knowledge Regime and the Development Process in Korea," *University of Hawai'i Press* 38 (2014): 99.

[73] N. V. Varghese and Santayana Mandal, *ed., Teaching Learning and New Technologies in Higher Education* (Singapore: Springer Nature Singapore Pte Ltd, 2020), 36.

[74] Similar experiments were also conducted by the Japanese in China during World War II. In Harbin, the Japanese established Unit 731 which aimed to conduct research on humans. The inmates were used by Japanese researchers as Guinea pigs. They were injected with various viruses and diseases to test their immunity. Unfortunately, in the last World War II, the Japanese soldiers destroyed numerous evidence, so the Japanese researchers' madness was not well-known rather than Nazi experiments. See Paul Weindling, *Victims and Survivors of Nazi Human Experiments: Science and Suffering in the Holocaust* (London: Bloomsbury Publishing, 2014), 62. See also: Jenny Chan, *Marutas of Unit 731: Human Experimentation of the Forgotten Asian Auschwitz* (San Francisco: Pacific Atrocites Education, 2020), 56.

the obligation of the researchers to respect the rights of the involved people in research, such as the right of privacy, informed consent from the research subject, and the right to access information related to the research. The second rule refers to the benefits and drawbacks of the research. Research shall not harm the participants, causes minimal drawbacks as much as possible, and brings benefits to the participants and society. The third rule refers to the fair treatment of the participants. One cannot benefit while the other is harmed.[75]

3. The State and Science

The 1950 *Universities of the World* Conference held by UNESCO in Nice, France, declares a principle that science must be pursued for its own sake, and research must be conducted and followed where the truth leads.[76] This principle originated from Greek academic tradition a thousand years ago. Within this principle, science development shall not interfere with any certain interests outside science. Following the principle, academic freedom wants no interference from any party.

According to this principle, the state shall not interfere academic freedom. This freedom can only be limited by scientific principles and limitations related to human rights. The state cannot dictate the academic community in respect of which opinion is accepted and which one is not or restricts critical voices about state policy. Instead, the state must protect freedom as its commitment to academic freedom. It is how democracies should work.[77]

However, the principle is often violated by the states. The states are powerful in controlling academic activity in various academic institutions, especially those funded by states. Even though states have funded the academic institutions to run their activities, the commitment to protect academic freedom is non-negotiable. The academic institutions must be independent and autonomous to develop objective science and free from other interests.

The funding often puts the state academic institutions in a dilemma on academic freedom—for example, NASA, the US space agency funded by the state. Researchers in NASA cannot freely conduct their research. They are researchers, but at the same time, they are funded by the state, so they must obey the funder. The government, as its funder, has the power to reject research related to a certain topic by cutting or refusing to fund the research. For example, in 2018, Trump nominated a climate change denier politician to be NASA Administrator.[78] It is the

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75 The Belmort Report 1979 on Ethical Principles and Guidelines for the Protection of Human Subjects of Research.

76 Judith Butler, "Academic Freedom and the Critical Task of the University," *Globalizations* 14, No. 6 (2017): 858.

77 Judith Butler, 859.

78 Henry Reichman, (et.al.), "National Security, the Assault on Science, and Academic Freedom," *Bulletin of the American Association of University Professors* (2018): 31.

evident of state's power to interfere academic freedom in institutions funded by the state.

4. Normative Status Quo in Indonesia

Although Indonesia has no similar declaration such as the AAUP's 1915 Declaration in the United States, academic freedom in Indonesia is still protected by the law. In the 1945 Constitution of the Republic of Indonesia, academic freedom is not explicitly stated in articles related to human rights. However, academic freedom contains other freedoms like freedom of speech, freedom to express written and oral opinions, and freedom to express views and thoughts. They are mentioned in Article 28E section (2) and (3) of the Constitution.[79] Even though freedom of speech and academic freedom are different, academic freedom is freedom of speech based on scientific principles. In academic activity, the pursuit of the truth is conducted by expressing thoughts, opinions, and views through discussion or written expression. Therefore, academic freedom includes freedom of speech and expression.

Academic freedom is explicitly protected by the law in Article 8 and 9 of the Law Number 12 of 2012 on Higher Education. The articles explain that higher education and science development shall be based on academic freedom, and the rector or chancellor must facilitate and protect the freedom.[80] In addition, academic freedom is protected by the Law Number 11 of 2019 on National System of Science and Technology in the state research institution. Article 18 emphasizes that the central government ensures independence and scientific freedom in science research and development.[81]

Nevertheless, the reality does not always match the law on protecting academic freedom. Numerous academic freedom violation cases occur in society though the constitution and laws protect it. The case is not only about the interference by certain interests on academic freedom in higher education, but also cases that violate academic freedom by filing a lawsuit.[82]

D. The Existence of BRIN: Urgency and Issues of Academic Freedom

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79 Article 28 and 28E section (2) and (3) of the 1945 Constitution of the Republic of Indonesia.

80 Article 8 and 9 of the Law Number 12 of 2012 on Higher Education.

81 Article 18 of the Law Number 11 of 2019.

82 Based on the Campus Academic Freedom Research Report issued by Lokataru in 2019, there were some cases related to academic freedom violations in the university. For example, case on The Center for Law and Human Rights Studies (HRLS), a research center in Faculty of Law Universitas Airlangga. HRLS are often intimidated due to their activity which for some people are considered controversial. In mid-2019, their building was destroyed for being accused of "communist space". In the same report, academic freedom violations also happened in the research context. A lecturer of the Faculty of Law Universitas Airlangga was also limited in choosing a research topic. If the research topic were considered controversial, getting research permission from the authority will be difficult or even will be rejected. In other words, the limitation not only comes from the state but also the institution. See Lovina Soenmi, Cornelia Natasya A., and Delpedro Marhaen Rismansyah, *Diberangus di Kampus Laporan Riset Kebebasan Akademik Kampus 2019* (Jakarta: Lokataru Foundation, 2019), 15.

1. Its Existential Urgency

As explained in the first section, the parameter of good research and innovation is the quantity, measured by the amount; and the quality, measured by the impact. Quantity cannot be the only parameter without the good impact of research and innovation. A large quantity is even possibly the result of similar research and innovation. The problem is this reality happens in Indonesia. It indicates that the state budget is not optimally absorbed to create more impactful research and innovations. Eventually, the president who provides the budget is certainly concerned with re-ensure that the state budget allocation must produce good research and innovation both in quantity and quality.

There are several problems which cause it. The first one is related to the personal aspect. The quality of a product is determined by the quality of its creator(s): having same fund, two creators with different qualities will create two products with different qualities as well. Apart from the quality, not everyone has the same productivity. There is a creator who can create two products within a month, while the others create four products.

The same with personal aspect, in the state context, there are also institutional aspects. First, the institution must build a good work environment that supports the productivity and quality of employees. It can be a quality improvement program, work culture, and interpersonal cooperation. One of the institutional problems in the Law Number 11 of 2019 on the National System of Science and Technology is the lack of coordination between the state research institutions. It caused double-funding and the research and innovation directions are not in line.

The issue covers the possibility of the merge of the research and innovation institutions into the BRIN be able to increase the effectiveness and efficiency of the state budget in the form of quality and quantity. To date, there is no proof that the institutions being merged become the turning point in increasing quality and quantity research and innovation in Indonesia. It is because the cooperation problem does not necessarily increase the quality and quantity of research and innovation products in Indonesia. The reason is that the integration basically focuses on the problem of asynchronous research of each institution, although the synchronization will imply increasing quantity and quality. Moreover, if it is about double funding, will merging the research and innovation under one agency be the solution? With the coordination function under the authority of the ministry, this problem will find the solution without merging them under one agency.

However, because the merging has already been done, another useful aspect to see is how BRIN will accomplish its mission while still holding on to the academic freedom principles. The protection of academic freedom is one of the key factors to measure how successful the BRIN is in increasing the research and innovation product quality and quantity in Indonesia.

2. The BRIN and Academic Freedom

Based on the previous explanation, the existence of an institution—in this context is BRIN—can be deemed violating academic freedom when the employee or the researcher conducts research parsimoniously and is confined to publishing the result. This parsimonious condition is indicated by some cases. For example, the researchers are restricted to conducting research and revealing what is scientifically right (negative activity) or they are required to conduct research but contrary to what is right or what they want (positive activity). Will the BRIN's existence cause that? To answer this question, there are some aspects that need to be analyzed.

a. Individual Aspect: Is the BRIN Researcher an Academic?

The first aspect that needs to be answered is whether the BRIN researchers are academics so that although they work in a state-owned institution, they are still subjected to academic principles. The answer to this question has been explicitly explained in the previous sections. The answer is simply by knowing the researchers' activities and the normative aspects.

The BRIN researchers' activities are academic activities. They conduct research, discuss, develop, and publicize science to society; the object of their activity is science. They are inherently holding on to academic freedom principles to get the best result on their works. For example, the most important principle in academic activity is to pursue the truth using scientific methods. This principle determines whether the research is successful or not. If a researcher ignores this principle, he/she will fail as a researcher because the result will be false or unscientific.

On the other hand, there are two aspects in normative context: (1) researchers as the Government Employee; and (2) researchers as academics. The state duty given to the BRIN researchers is the researcher's functional position in which their object of study is science. On the one hand, they are the government employee and state employees but on the other hand, they are academics and scientists so they are still subjected to academic ethical codes, which is to uphold the truth.[83] These two aspects must be seen synergically not adversarial. Researchers are people of science who serve and give benefits to society and the state by developing science for common good. Although the researchers' status as government employees gives the implication on their subordinate position under the President, the President is also subjected to the law on the subordinate relation. This subordinate relation must be in line with the academic principles, which become the scientific success parameter of the BRIN researchers.

b. Researchers' Subordinating Relation to the President

[83] Article 6 of Ministerial of Research, Technology, and Higher Education Regulation Number 54 of 2016.

As stated in the previous section, the subordinate relationship between research institutions and the president has existed before these institutions are merged into the BRIN. This relationship implies that the President, normatively determines the vision of these research institutions both before and after being merged into the BRIN.[84] In addition, the BRIN is unable to determine its way to achieve the vision. The process to achieve the vision, which is embodied in BRIN's mission, must also be in line with the president to ensure that the path taken is following what has been determined.[85]

The subordinate relationship has two possible outcomes: either becoming a problem or not. The first outcome can occur when the relationship makes the researchers not free in doing their academic activities. This outcome can be potentially caused by the authority of the BRIN in supervising and controlling research as stipulated in Article 4(f) of the Presidential Regulation Number 78 of 2021 on the BRIN. The scope and limits of this supervision and control are not definitive in nature. In fact, in the same article, letter n, it is stated that the BRIN is given other functions by the President without any further explanations regarding what are the other functions referred to.

Historically, there were several examples of the potential. For example, in research negative activities, during the New Order era, the lack of discretion occurred to LIPI researchers who did not make research results as desired by the President, related to the withdrawal of the military from political affairs. As a result, these researchers were prohibited from holding follow-up seminars and publishing their research results.

Another example of positive activity was when the government of Nazi Germany during World War II asked its researchers to create poison gas. One of those who felt the discomfort was Albert Einstein, like Max Planck, who objected to being part of the team.[86] However, it was undeniable that there were also scientists who did not refuse the request and were eager to be involved in it like dr. Joseph Mengele.[87]

On the other hand, this subordinate relationship potentially cannot become a problem. The first thing that needs to be ensured is that the researchers still have the freedom to carry out academic activities. They can seek the truth and publish

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84 BRIN's vision is a Research and Innovation Agency that is reliable, professional, innovative, and has integrity in serving the President and Vice President to realize the President and Vice President's Vision and Mission: An Advanced Indonesia that is Sovereign, Independent, and Has Personality based on Mutual Cooperation.

85 The missions of BRIN are: The National Research and Innovation Agency carries out the Missions of the President and Vice President: 1) Improving the Quality of Indonesian People; 2) Improvement of Productive, Independent, and Competitive Economic Structure; 3) Equitable and Fair Development; 4) Achieving a Sustainable Environment; 5) Cultural Advancement Reflecting the National Personality; and 6) Clean, Effective, and Reliable Government Management.

86 Philip Ball, *Serving the Reich: The Struggle for The Soul of Physics under Hitler* (London: Bodley Head, 2013), 75.

87 Gerald Astor, *Last Nazi: Life and Times of Dr Joseph Mengele* (New York: Donald I. Fine, 1985), 2.

the results of their findings freely. The existence of a subordinate relationship that arises can be said to be not a problem as long as it fulfills the general target of the products without dictating the products and hindering any of the findings and scientific methods. In fact, they should be able to reject the instructions if those instructions are not in line with the boundaries of academic freedom, like harming people.

For example, the President Joko Widodo has a vision that (1) the BPPT must actively create innovations and technologies to be developed and implemented; (2) the BPPT must be able to have a broad network and become an institution for acquiring advanced technology from anywhere; and (3) the BPPT must also take part in the development of artificial intelligence and become the centre of Indonesian technological intelligence.[88] These three things are not problematic. If there is something going wrong with the vision, it should be open to being debated objectively and academically. A new problem arises when it turns out that the President directs researchers not to use the scientific method to realize the vision or forces them to create a product that is oriented to harm humans.

For example, the president wants a research and innovation product that can increase agricultural productivity. Therefore, the researchers focus on research to create or find the product. If the researchers make products that do not increase agricultural productivity or even it reduces the productivity, the President has the right to carry out evaluations. Directing research objects and targets is a natural thing in the academic world, if it does not collide with the values of truth, benefit, and humanity.

Based on the Indonesian Constitution, the President has legitimacy since he must level up the intellectual life of the nation and social welfare.[89] To do this, the President cannot work alone without the help of intellectuals. If the president does not involve intellectuals in research and technology, the results will be harmful and damaging to the people.[90]

To put things into perspective, as individuals, the researchers can choose whether they want to become independent researchers or join a government institution. In the earlier, researchers do not have to be concerned with the organizational aspect. However, in the later, researchers are bound by the rules of the organizations. In the context of the BRIN, the researchers should be conscious

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88 BPPT. "Melalui Inovasi, Presiden Jokowi Dorong BPPT Guna Pertumbuhan Ekonomi Nasional". https://bppt.go.id/layanan-informasi-publik/4206-melalui-inovasi-presiden-jokowi-dorong-bppt-guna-pertumbuhan-ekonomi-nasional (accessed on March 3, 2022).

89 Paragraph 4 of the Preamble of the 1945 Constitution of the Republic of Indonesia

90 Douglas M. Gilbert, "Combining Behavioural and Structural Predictors of Violent Civil Conflict: Getting Scholars and Policymakers to Talk to Each Other," *International Studies Quarterly* 61, No. 1 (2016): 1-2.

that they cannot freely research anything they want without approval from their leaders.[91] Such a thing does not happen in the earlier.

For example, research is related to the biological or health sciences. In the beginning, the head of the institution forms a research team led by a senior researcher and opens for all researchers to be a selected team. After the team is selected, there must be a leader responsible for the process while the members are under leader's guidance and supervision. When the research institute finds that there is a problem with the team, it must be able to be evaluated and even disassembled by the institution since the funding is expected to result in a significant, contributive, and relevant outcome.[92]

Finally, the argument that subordinating relationships inevitably result in academic restriction needs to be validated empirically. For example, the most important question is whether the BRIN researchers who came from Eijkman Institute are being "forced" to manufacture weapons of mass destruction or, as another example, whether the LIPI researchers are not allowed to publish the results of their research when their research is evaluating the President. The argument using the realities occurred during the Old Order and the New Order to compare should have been careful. There are many different contexts compared to today's context such as differences in the constitution, different channels for conducting surveillance, the existence of an increasingly open press, and legal remedies that can be taken when the president committed human rights violations.

On many occasions, researchers still have the freedom to express their views scientifically, as long as the method is scientific. Even now, there is no empirical data to show that there are pressures experienced by the LIPI or the BPPT researchers in their subordinate relationship to the President.

c. In Terms of The Existence of The Steering Committee Structure *(Dewan Pengarah)*

Another institutional aspect of concern is the existence of the steering committee. The public often questions the presence of Megawati Soekarnoputri as the Chairperson of the steering committee. She is appointed due to her status as the Chairperson of the Pancasila Ideology Development Body (BPIP –*Badan Pembinaan Ideologi Pancasila*). Normatively, research and innovation must be in accordance with Pancasila.[93] The issue that needs to be assessed, from the legal perspective, is the urgency of the structure and whether its presence affects the academic freedom of the researchers.

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91 In carrying out their duties, in the form of activity groups, researchers must have coordination with the head of the group under the head of the research so that the direction of the researcher must have the approval of the head of the research institution. See Article 40 section (3) of the Presidential Decree Number 78 of 2021.

92 Article 69 of the Presidential Decree Number 78 of 2021.

93 Article 5 of Law Number 11 of 2019.

Pursuant to Article 6 of the Presidential Decree 78 of 2021, the committee has a directive function which, in essence, is to lay the foundation of all research and innovation done by the BRIN. The head of the BPIP chairs this committee by giving directions, inputs, and evaluations. In doing these authorities, the minister for financial affairs as the vice-head of the committee will assist the head. In addition, seven professionals or academicians focusing on research and innovation also become the parts of the committee. All these people are appointed by the President.

With respect to its urgency, the question is whether this structure should exist to direct the BRIN. The only question arises is why such a function embodied in the president should be delegated to this committee. This study suggests that the President could directly talk to the head of the BRIN and even to all the BRIN's researchers without having to put another entity in the middle between the President and the head of the BRIN. Not only is this suggestion for the sake of efficiency, it would also be for making the President's control as the highest leader of the BRIN more effective.

Despite its lack of existential urgency, this committee has existed. However, it does not have significant impacts on the academic freedom of the BRIN. It does not have the function to dictate, which matters cannot be researched or innovated except to provide suggestions and to get the report from the head of the BRIN about the BRIN's progress. Moreover, it cannot lay off the researchers. In other words, this steering committee does not have a decisive function that could pose a threat to the academic freedom enjoyed by the BRIN's researchers.

d. Research Objects: Natural Sciences and Technology; and Social Sciences and Humanities

Research field clusters are often forgotten when it comes to academic freedom. Nowadays, social issues in social sciences and humanities mostly become object of concerns on the academic freedom, for example, public policy, religion, politics, etc. Unlike the natural sciences and technology that rely more on universal theory, social sciences and humanities almost have no universal theory, which tends to have a lot of dissents.[94] For example, in public policy, there will always be different opinions towards an issue such as the decision to relocate the capital city. There are pros and cons in it. In natural sciences, there is no dissent opinion about universal gravitation theory or the spherical earth. If someone rejects the theory, the one will be considered uneducated.

To say whether BRIN is violating academic freedom or not, the two clusters need to be seen in balance. The claim on the existence of the BRIN, which causes

[94] Social Sciences and Humanities is a dogmatic science. The opinion of famous and influential scholars plays a strong role in giving strength to arguments and theories. The more opinions, the more they can give the impression of ambiguous truth and multiple interpretations. See Eleanor Bisbee, "Objectivity in the Social Sciences," *Philosophy of Science* 4, No. 3 (1937): 371-372.

academic conformity mostly only be seen in social sciences and humanities fields. In fact, to generalize about the BRIN's existence, we also need to see whether there is an academic conformity on research in the natural sciences field. For example, if the president forces the BRIN researchers who work in natural sciences to claim that the earth is flat, this is a violation of academic freedom. Then, if it is empirically analyzed, the question that needs to be validated is: are the BRIN's social-science researchers really have limited freedom to conduct research. It is not convincing that this questioned is answered in affirmation as we have seen many BRIN researchers focusing on social science have done a lot of writings and/or even spoken in front of the public about their expertise.

E. Conclusion

The existence of BRIN as the state-own single research and innovation institution has two possible consequences on academic freedom: whether it will be a threat or not. Due to the previous research institutions' subordinate position under the President before the merger, it does not make sense to think that the existence of BRIN, which also subordinates, will be a threat to academic freedom. Indeed, there is a possibility that the existence of BRIN will become a threat to academic freedom. However, there is also the other possibility that the state commits to giving autonomy to the researchers. If the state guarantees the commitment, the existence of BRIN will give a significant contribution to the scientific progress in Indonesia. It is in line with the BRIN purpose to use much more efficient funds.

Therefore, both the President and the BRIN have a responsibility to convince the public that the BRIN will not pose a threat to the researchers' freedom. The BRIN shall treat its researchers not only as civil servants but also as academics. As academics, the BRIN researchers must have autonomy to conduct research, which only should be limited by scientific principles. On top of that, the BRIN also needs to assure that there will be no political interest that can interfere in their duty so that the researchers' output will not be biased and only rely on objective and scientific truth.

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