

THE DEMOCRATIC DECLINE IN INDONESIA UNDER COVID-19 PANDEMIC

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ABSTRACT. *The debate about the weakening of democracy in various countries in controlling the COVID-19 pandemic is currently rising. This article aims to describe how the Indonesian government has implemented various pandemic control policies based on the indicators of democracy from the Freedom House, which include transparency, freedom of opinion, human rights, and pluralism. This article uses a qualitative method with a descriptive analysis approach, while data collection uses a literature study focusing on various government efforts and responses from civil society regarding pandemic control. The research results reveal that the policy does not pay attention to the transparency of state budget allocations, including the appointment of goods supplier partners. Threats of doxing against those critical of pandemic control policies interfere with free speech. In the civil society realm, a pandemic's fear raises the stigma that this virus is identical to the Chinese-ethnic group. This paper concludes that indications of weakening transparency, freedom of opinion, human rights in pandemic control policies, and community responses contrary to pluralism values potentially reduce the quality of democracy in Indonesia.*

Key words: COVID-19; Democracy; Politics; Government

ABSTRAK. Perdebatan tentang melemahnya demokrasi di berbagai negara dalam pengendalian pandemi COVID-19 saat ini tengah marak. Artikel ini bertujuan untuk mendeskripsikan bagaimana pemerintah Indonesia telah melaksanakan berbagai kebijakan pengendalian pandemi berdasarkan indikator demokrasi dari Freedom House, yang meliputi transparansi, kebebasan berpendapat, hak asasi manusia, dan pluralisme. Artikel ini menggunakan metode kualitatif dengan pendekatan analisis deskriptif, sedangkan pengumpulan datanya menggunakan studi pustaka yang berfokus pada berbagai upaya pemerintah dan tanggapan dari masyarakat sipil terkait pengendalian pandemi. Hasil penelitian mengungkapkan bahwa kebijakan tersebut tidak memperhatikan transparansi alokasi APBN, termasuk penunjukan mitra pemasok barang. Ancaman berupa doxing terhadap mereka yang kritis atas kebijakan pengendalian pandemi mengganggu kebebasan berpendapat. Di ranah masyarakat sipil, ketakutan akan pandemi memunculkan stigma bahwa virus ini identik dengan etnis Tionghoa. Artikel ini menyimpulkan bahwa indikasi melemahnya transparansi, kebebasan berpendapat, hak asasi manusia dalam kebijakan pengendalian pandemi, dan respons masyarakat yang bertentangan dengan nilai-nilai pluralisme berpotensi menurunkan kualitas demokrasi di Indonesia.

Kata kunci: COVID-19; Demokrasi; Politik; Pemerintah

INTRODUCTION

The study that discussed about the democratic backsliding has become a common study, especially for those who took the concern on the third wave of democratic country that is considered as a significant transformation of democracy practice (Pierre & Huntington, 1992). In the last two decades, democracy has become a popular political practice system around the world. Democracy as a political system is highly accepted in almost all country in the world. Based from the Center for Systemic Peace Polity IV Project which cited by Pew Research Center (Desilver, 2019), in the end of

2017, 96 out of 167 countries with populations of at least 500,000 (57%) are democratic countries. Only 21 countries (13%) were autocracies, and the remaining countries use both democracy and autocracy.

Despite the dominant progress of the accepted democracy as political system achievements, there are other concerning signs that may point to a global democratic backsliding. This condition caused by a huge number of challenges for democracy itself, such as a loss in democratic quality for the third-wave democratic countries and older countries. According to International IDEA (2019:13) viability and future of democracy are more contested now than ever before in modern history. While the past four

decades have seen a remarkable expansion of democracy throughout all regions of the world, recent years have been marked by declines in the fabric of both older and younger democracies. The idea of democracy continues to mobilize people around the world, but the practice of existing democracies has disappointed and disillusioned many citizens and democracy advocates. Democratic erosion is occurring in different settings and contexts. New democracies are often weak and fragile. Older democracies are struggling to guarantee equitable and sustainable economic and social development. The share of high-quality democracies is decreasing and many of them are confronted with populist challengers. At the same time, democratic transitions occur in political regimes that seemed staunchly undemocratic and popular democratic aspirations continue to be expressed and defended around the world. Despite the challenges, democracy has proven resilient. Democracies have also shown, with some exceptions, to provide better conditions for sustainable development. International IDEA's report *The Global State of Democracy 2019: Addressing the Ills, Reviving the Promise* provides a health check of democracy and an overview of the current global and regional democracy landscape. It analyses the encouraging democratic trends as well as the key current challenges to democracy. The Report draws on data from the *Global State of Democracy (GSoD)*, the weak performance of democratic countries has increased from 20% in 2008 to 25% in 2018. This condition has become bad news for the development of democracy quality around the world.

Democratic backsliding can occur in many common ways. The backsliding is often led by democratically elected leaders and adopts the strategy of "gradually not revolutionary" (Kyle & Mounk, 2018). As Steven Levitsky and Daniel Ziblatt (2018) have pointed out, since this process involves the "slow, almost invisible pace" of the collapse of democracy, it is difficult to determine the specific moment of government that is no longer democratic. As stated by Ozan Varol (2015) prefer to uses the term "Stealth Authoritarianism" in describe the practices of authoritarian leaders (or who will become authoritarian leaders) using "seemingly legitimate legal mechanisms for anti-democratic ends with concealing anti-democratic practices

that covered by law. Varol described this phenomenon as the manipulation of defamation laws, electoral laws, or "terrorism" laws as tools to discredit political opponents, and to use democratic speech to disperse anti-democratic practices, which is a manifestation of concealed authoritarianism (Varol, 2015).

In line with the discussion, the current condition of the world that exposed with COVID-19 pandemic also raises the issue for democracy quality. The most well-known democratic backsliding case is in European Union countries, Hungary. During the COVID-19 pandemic, Hungary—which was a democratic country—has a turnover as the first non-liberal democratic country in EU. Victor Urban, the Hungarian Prime Minister has won the right to rule by decree for as long as he deems fit.

The government initially created an emergency legislation to fight COVID-19. However this bill attenuates the check and balance concept for parliament on the executive branch and makes it easier to silence the media and journalists for publishing news that inhibit The Emergency Bill of COVID-19 practices (Szekeres, 2020). The report from International IDEA stated that the Hungary democratic backsliding is soon followed by Turkey, Poland, and India. The crisis due to pandemic may lead to a deepening of democracy backsliding (International IDEA, 2019)viability and future of democracy are more contested now than ever before in modern history. While the past four decades have seen a remarkable expansion of democracy throughout all regions of the world, recent years have been marked by declines in the fabric of both older and younger democracies. The idea of democracy continues to mobilize people around the world, but the practice of existing democracies has disappointed and disillusioned many citizens and democracy advocates. Democratic erosion is occurring in different settings and contexts. New democracies are often weak and fragile. Older democracies are struggling to guarantee equitable and sustainable economic and social development. The share of high-quality democracies is decreasing and many of them are confronted with populist challengers. At the same time, democratic transitions occur in political regimes that seemed staunchly undemocratic and popular democratic aspirations continue to be expressed and defended around

the world. Despite the challenges, democracy has proven resilient. Democracies have also shown, with some exceptions, to provide better conditions for sustainable development. International IDEA's report *The Global State of Democracy 2019: Addressing the Ills, Reviving the Promise* provides a health check of democracy and an overview of the current global and regional democracy landscape. It analyses the encouraging democratic trends as well as the key current challenges to democracy. The Report draws on data from the *Global State of Democracy (GSoD)*.

In Southeast Asia, at least there are nine countries that experiencing abuse of power from their own government who create COVID-19 Emergency Policy. Started by Rodrigo Duterte's, the Philippine's president who implemented an emergency bill which give power for the president to re-allocate the national budget according to his interest. In Cambodia, Hun Sen as the Prime Minister has arrested the civilians and the opposition activists for sharing their concerns that related to pandemic in social media.

The similar events also happened in Thailand, Singapore, Vietnam, Malaysia, Myanmar, Laos, and Indonesia (Gomez & Ramcharan, 2020). The pandemic present as the new challenge for democracy, because it triggers the government's power abuse, disguised in the form of "emergency policy". The policy created as if it is the government respond to face the pandemic, but actually, those policies are bendable in so many ways which could serve the government's political interests using the increase of public health expenses and basic freedom in the name of emergency situations. The quality of democracy is being threatened by government's imposing restrictions on civil liberties that mostly using health crisis issue as an excuse to strengthen their power (Leander, 2020).

Even though it has been stated that Indonesia is one of the few countries in Southeast Asia that is also experiencing the same challenges to the quality of democracy as other countries amidst of COVID-19 pandemic, but how far has Indonesia experienced the same challenges of democracy quality amidst of COVID-19 pandemic? In fact, in the past view decades the quality of democracy in Indonesia is already declining. Based on the annual report data from The

Economist Intelligence Unit (2019), in the last two years the quality of Indonesia's democracy is placed on the third position on the category of Flawed Democracy, right after Malaysia and Philippine for Southeast Asia countries. Even for the larger scales, in Freedom House (2020b) stated that Indonesia's democratic quality rank has not improved up to the year of 2020.

The decline of Indonesia's democracy is already happened since the last few years before the pandemic COVID-19 hit. According to the report of Freedom House, Indonesia's democracy quality score is 61 among global

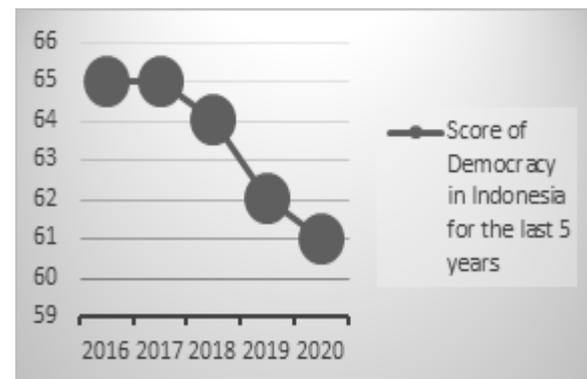


Figure 2. Score of Democracy in Indonesia for the last 5 year

Source: freedomhouse.org

countries in the world in 2020.

Indonesia's political rights and civil liberties has been declined since 2016. This can be seen from the report published by Freedom House, Indonesia's freedom score in 2020 currently is 61 on a scale of 0-100. This figure has decreased in three consecutive years to 61 as shown in the chart. Freedom House said this decline occurred due to the lasting systemic corruption, discrimination and violence against vulnerable groups, tensions in West Papua, and the use of political authority over the law defamation. These conditions made Indonesia fall into the semi-free category which can be interpreted as partly democracy (Freedom House, 2020b).

Some of literatures has revealed that Indonesia's democratic backsliding are already happened since a decade after reformation era. Like in In Diamond (2015) argued that Indonesia's democracy get into "less than liberal democracies" along with Mexico, Columbia, and Thailand (prior to the 2014 coup in Thailand). Even in Aspinall & Warburton (2018) shows that the Indonesia's democratic decline is caused by several reasons; xenophobia embarked by

populist politics, the turnover of liberal into illiberal civil liberties, the poor human right protections, and the manipulation of government institution conducted by elites.

For specific leader case such in Power (2018) stated that there are a lot of illiberal democracy characteristic in President Jokowi's regime, ahead of presidential election in 2019. Proven by the government's manipulation in the state institutions to entrench itself in power, violating human rights, and also the continuous repressive efforts from the government towards the opposition. In addition, the existence of various terms that contribute to the democracy decline such as delegative democracy (Slater, 2004), patrimonial democracy (Webber, 2006), patronage democracy (van Klinken, 2009), political cartel (Ambardi, 2009), clientelism (Aspinall & Berenschot, 2019), and oligarchy (Winters, 2013) has also played an important role in declining the quality of democracy in Indonesia. But Indonesia as the biggest democratic country in Southeast Asia also has an achievement of how democracy in electoral system works. In the last two decades, some scholars have found that Indonesia's democracy has a really good progress to be a stable democratic country. It is proven by the success of Indonesia's election in the post-new order era which being held every 5 years with "free, fair, and competitive" as the basic voting principals. The election is a significant thing that mark a better journey of Indonesia's democracy. Leadership positions from village leaders until presidential positions are all elected directly by the citizens of Indonesia (Aspinall & Mietzner, 2010).

But the problem is the quality of democracy not only seen from how the election works, there are many factors that will influence the quality of democracy in Indonesia. Based on the freedom house indicators (2020a), we will take four indicators to explain the democratic decline in Indonesia for the COVID-19 Pandemic phase, such as transparency, freedom of speech and civil liberty, human right and pluralism. First, transparency is a form of openness in the use of state resources by the government to public, public has a right to know about where the state resources goes for because it will encourage public to control the state resources. Second, freedom of speech and civil liberty is the

lifeblood of democracy, facilitating open debate, the proper consideration of diverse interests and perspectives, and the negotiation and compromise necessary for consensual policy decisions. Third, human rights are the basic rights and freedoms that belong to every person in the world, from birth until death. These basic rights are based on shared values like dignity, fairness, equality, respect and independence. These values are defined and protected by law. Fourth, Pluralism assumes that diversity is beneficial to society and that autonomy should be enjoyed by disparate functional or cultural groups within a society, including religious groups, trade unions, professional organizations, and ethnic minorities.

The emergence of COVID-19 pandemic in Indonesia is considered as a treat for democracy quality, considering which has been mentioned above for some countries also experienced such problem for their democracy quality due to COVID-19 pandemic. Because the current COVID-19 pandemic present as the new challenge for democracy, it triggers the potency of government's power abuse, disguised in the form of "emergency policy". The policy created as if it is the government respond to face the pandemic, but actually, those policies are bendable in so many ways which could serve the government's political interests using the increase of public health expenses and basic freedom in the name of emergency situations. The quality of democracy is being threatened by government's imposing restrictions on civil liberties that mostly using health crisis issue as an excuse to strengthen their power (Leander, 2020).

Therefore, this paper will explain about how COVID-19 Pandemic impacted to create a democratic backsliding in Indonesia with examine some phenomenon that considered harmful for democratic principles in the middle of pandemic.

METHOD

This research uses a qualitative method and a descriptive approach with literature study research as the data collecting method to explain the cases of Indonesia's democratic backsliding during the COVID-19 Pandemic. Literature study is a research method carried out

by researchers by collecting a number of written sources relating to the research problems and objectives. This method is used to collect various relevant information about the problem to be studied. In addition, this literature study is also useful for obtaining a theoretical basis that can be used as a guide in conducting research. Using this method also makes it easier for researchers to study the problem to be solved or to compare problems with existing research (Danial & Wasriah, 2009).

In the analytical framework, we first begin the study by constructing the theoretical assumptions, especially the theories from democratic backsliding era. These theoretical assumptions are important to guide the analysis of the phenomenon of Indonesia's democratic backsliding during the COVID-19 Pandemic. Next, we observe the democratic backsliding phenomenon during COVID-19 Pandemic era that have an impact towards the democratic backsliding by collecting press' reports and literature's findings. Several phenomena were observed, such as centralization of power, overcoming the spread of covid-19, and its relationship with electoral politics, especially the Indonesian regional election 2020. This research also observes the decline in the value of democracy in 2016 to 2020 since the covid-19 pandemic entered Indonesia. As the focus of the study, our main point is Indonesia's democratic backsliding.

The data analysis technique of this research uses an interactive component model. Qualitative data analysis made by data processing, data compiling, data sorting, synthesizing the data before finding the existing patterns, noting important events, and finally selecting a perspective to explain the point. There are several stages such as: First, Data collection is a selecting process through journal literatures, books, and online news. Second, Data reduction is a selection process by focusing on simplification, abstraction, and transformation of raw data that focuses on studying the democratic backsliding phenomenon.

Third, Displaying Data is a description set made of organized information that could draw conclusions for taking further action related to the focus of this research study. Fourth, Conclusion and verification is a process in which the meaning of each phenomenon obtained in the field are

thoroughly observed in order to find a pattern of possible explanations and configurations, such as the flow of causality, and propositions.

RESULT AND DISCUSSION

The Lack Of Transparency

The atmosphere of political affairs in COVID-19 pandemic period is tended with the centralization of government role in the crisis period due to pandemic. The regime has a right to do anything that considered as important actions of prevention efforts towards the virus. In this case, even by creating a discretion regulation (Marbun, 2001). Because in fact, the delay in handling the pandemic is exist due to the complicated procedures in bureaucracy and laws, in this case the president must immediately issue regulation and in order to cut all the existence of obstacles. This aims to facilitate the government in managing state resources so that it is not hindered by various laws and bureaucratic systems that make the handling of COVID-19 pandemic slower, because in these conditions fast and precise movements are needed by the government to solve the existing problem.

In the COVID-19 pandemic condition, the Indonesian president published a policy package to deal with Covid-19, as well as in efforts to restore the national economy. The policy packages are Presidential Instruction (Inpres) Number 4 of 2020, Government Regulation (PP) Number 21 of 2020, Presidential Regulation in Lieu of Law (Perppu) Number 1 of 2020, Presidential Decree (Keppres) Number 11 of 2020, Keppres Number 12 of 2020, and Government Regulation Number 23 of 2020. As part of the policy package, the government prepared a budget commitment of IDR 405.1 trillion in March 2020 to deal with COVID-19. This budget then continued to increase, starting from IDR 641.1 trillion in May 2020, to IDR 677.2 trillion in early June 2020, and then IDR 695.2 trillion in mid-June 2020. Most recently, the government has said that the budget for handling COVID-19 has increased to Rp. 905 trillion. This increasing budget is in line with the increasing number of people affected by the COVID-19 pandemic, for this reason the Indonesian government is required to pay more attention to this issue with allocating more state resources.

This government effort has a positive

impact on Indonesia's economic growth amidst of COVID-19 pandemic period. The various efforts taken by the government have succeeded in increasing the rate of economic growth in Indonesia which is getting better in the third quarter rather than what happened in the second quarter which reached minus 5.3 percent. In the third quarter it was projected to get better, although the growth was still negative in minus 2.9 to -1.0 percent (Yuniar, 2020). This progress is a great step to help the Indonesian people who are being affected by the COVID-19 pandemic, but the government in using the state budget was less pay attention to the aspects of transparency and accountability.

Regarding to the use of the state budget for handling COVID-19 pandemic, according to Article 9 paragraph (2) letter c of Law Number 14 of 2008 concerning Public Information Disclosure, it states that public agencies are required to periodically announce their financial reports. However, Freedom of Information Network Indonesia (FoINI) as a network of civil society organizations and individuals that intensively encourages information disclosure in Indonesia was issued a press release to urging and forcing the Indonesian government to immediately provide state budget reports periodically in order to providing transparency to the public, because the government has not issued regular reports on the use of state budget (FoINI, 2020). This explained that Indonesian government was not transparent and accountable enough for the state budget that allocated for handling COVID-19 pandemic. The government's closure regarding to the use of the budget certainly increases the chances of budget misuse and corruption.

The state budget also being used in social assistance for society amidst of COVID-19 pandemic to increase the human capital, it's regulated in Presidential Regulation of the Republic of Indonesia Number 76 of 2020 concerning work competency development through the Pre-Employment Card Program. The use of state budget that allocated to the pre-employment card program (Program Kartu Prakerja) that designed by Indonesian government to overcome the unemployment force due to COVID-19 pandemic and prepare the work force in Indonesia. This program provided many of online training that discussed about

hard-skill and soft-skill needed for a real work force. Government's Pre-Employment Card Program was rapidly turning toward tackling unemployment in COVID-19 pandemic period. In this case, the Indonesian government allocated the state budget to the 8 start-up in digital platform as a partner in this program, this also created a polemic because the appointment of those start-ups as the project recipient of this program is directly appointed by the president without interference by legislative, this indicates a non-transparent process in the use of the state budget in handling COVID-19 pandemic (KumparanNEWS, 2020).

In addition, the process of appointing the start-up in the Pre-Employment Card Program was also not through a tender, and violates Presidential Regulation number 16 of year 2018 concerning the procurement of goods/services, whereas in article 31A of Presidential Regulation Number 76 of year 2020 concerning the implementation of the pre-employment card program, it explains that this not include in the scope of government procurement of goods/services but the government still less pay attention to the objectives, principles, and ethics of government procurement of goods/services such as transparent, open, competitive, fair, and accountable. However, the fact about 8 startup designations described above reflected the opposite. It is clearly revealed that in its implementation, the principles of procurement of goods/services is still not considered by the government (BatamosNEWS, 2020).

Even though the 8 digital platforms only have the status as government partner in this program and allow the pre-employment card owner (public) to choose freely for the best digital platform to be paid with a state budget in the Pre-Employment Card, it is still violated Article 31A of Presidential Regulation No. 76 of 2020 concerning about the Pre-Employment Card Program, which must comply principles of goods / services procurement. Even though Indonesia is trapped in the middle of COVID-19 pandemic and the government needs quick action, transparent and accountable manner are needed to maintain democratic principle.

The Civil Liberties and Freedom of Speech

Some other things that happened in

Indonesia's political stage are just aimed to protect the executive's image. The police are requested to be more intense and proactive in protecting the president. During this pandemic, there was an emergence of a law that rules the prohibition of insulting the president, through the Telegram Number ST/1100/IV/HUK.7.1/2020 about cybercrimes must be prevented and prosecuted during the COVID-19 pandemic. It's written that the form of violation or cybercrime that may occur, one of which is insulting the authority/president and government officials. For perpetrators of insulting the president or other state officials, Article 207 of the Criminal Code will be subject to a maximum imprisonment for 1 year and 6 months (Ramadhan, 2020).

This law aims to create a sense of security for the community in the cyber world, the goal is to prevent the spreads of fake news and hate speech. However, this is vulnerable to be multiple interpretations. This makes people afraid to criticize the government and worries for being seen as an insulting act toward the government. We consider that cyber patrol instructions are a restriction on freedom of expression and opinion that is vulnerable to abuse by the government. With the presence of a prohibition against insulting the authority/president and officials as the focus of the threat, the potential for abuse is even greater. Activity restrictions during the COVID-19 pandemic practically made cyberspace a place for people to speech their thoughts, including criticism and advice on handling COVID-19.

This seems to be connected with a term known as "Executive Aggrandizement". This process involves a series of institutional changes by elected executives, which weaken the ability of political opposition to challenge the government and hold it accountable. As revealed by Bermeo (2016) and Levitsky (2018) that the most significant characteristic of Executive Aggrandizement is that institutional changes are obtained through legal channels, creating it look as if elected politician have a democratic mission. Some examples of Executive Aggrandizement are the decline in freedom of speech and civil liberties.

It's even being worst when the critical groups are threats for civil liberties and silenced in COVID-19 pandemic period by the government. There are some cases in COVID-19 Pandemic

period that revealed the violence of civil liberties and freedom of speech in Indonesia: Ravio Patra Case, an outspoken researcher criticizing the government's lack of transparency of COVID-19 data, reportedly "disappeared" after being arrested by the police. Previously, his WhatsApp account was hacked and spread broadcasts about inviting provocation to carry out looting activities (Ghaliya, 2020).

The doxing toward Detik Journalist, Detik journalists who experienced intimidation, doxing, terror, and even threats of death due to the reports that he made does not congenial with the government's narrative, even that was the truth. This clearly injures press freedom and against the mandate of Law Number 40 of 1999 concerning the Press (Oktavianti, 2020). Pressure has also returned to the press, the case experienced by Tempo.co as a press website that well-known to always criticizing the regime was being hacked by hackers who left messages to Tempo.co for not provide the fake news to the Indonesian people (Damarjati, 2020b).

Ilyani's Case, Ilyani Sudardjat shared a news entitled 'WHO is worried that corona virus has not been detected in Indonesia' along with the news link. The upload was accompanied by his comments about questioning the disease that caused the death of Chinese foreign workers in Indonesia, reinforced by the statement that Australia said Indonesia did not have a reagent for corona detection and WHO said Indonesia did not have the ability to detect corona. For this reason, he was reported to the police and arrested on charges of a criminal act of spreading false news or notifications or incomplete or incomplete news that could lead to public confusion (Kirana, 2020).

The pressure for freedom speech also attacks the academic world has also occurred, Pandu Riono's case who often tweeted about the COVID-19 pandemic and highlighted government policies in handling COVID-19, Pandu Riono's Twitter account was hacked after criticizing the development of the COVID-19 drug carried out by Airlangga University, Indonesian Army, and State Intelligence Agency (BIN). His Twitter account has been hacked and posted a photo of him with a woman to undermine his good image (CNN Indonesia, 2020a).

In this pandemic period, the physical

consolidation might be more difficult because people will prefer to protect their-self from virus as the preventive action. The only way for public to participate in the civil consolidation agenda is through Internet. However, the regime also created a attack the critical group through internet in order to silenced the critical groups by providing terrors and threats (Tempo, 2020). The buzzers will only support pro-government post. It is also inhibiting the freedom of thought development and also inhibit the efforts to build critical opinion in the community. In this context, the state's control toward civil society is getting stronger. What stated by Varol about "Stealth Authoritarianism" seems revealed, the regime is using "seemingly legitimate legal mechanisms for anti-democratic ends with concealing anti-democratic practices that covered by law" (Varol, 2015).

The Dilemma in Human Right

During the COVID-19 pandemic, human rights violations were reported across the world, Amnesty International replied: "Human rights violations hinder rather than promote responses to public health emergencies and weaken efficiency" (Amnesty.org, 2020). The World Health Organization (WHO) says it must not require stay-at-home response measures to slow the pandemic on the grounds of slowing down human rights (World Health Organization, 2020). The crisis situation due to the existence of COVID-19 pandemic has made all aspects collapse instantly, so the government is also in a difficult position to be able to restore public conductivity. The crisis situation in Indonesia which is collided with human rights issue is not an easy condition to be balanced by the government, because the dilemma of the government is how to be able to makes the community more discipline in order to avoid virus transmission and not violate human rights.

However, with this condition the government still supposed to pay attention to the Human Right issues. There are several important notes related to human rights issues in the midst of the COVID-19 pandemic that need to be re-evaluated by the government, as follows: The right for public to obtains the information about the COVID-19 pandemic accurately and periodically has not been fulfilled. Several cases as the evidence for the failure of the government

in providing information to the public, for example when there was a case data case between the central government and provincial governments (Damarjati, 2020a).

The violations of civil society's right to disclosure of information continue to the involvement of the State Intelligence Agency which works outside its main function. The involvement of State Intelligence Agency in providing health care services also become a big question for this case (Raharjo, 2020). The Commission for missing persons and acts of violence (KontraS) states that the involvement of the State Intelligence Agency through silent operations, delivery of incomplete information, denial, and inconsistency of statements and information from political elites and state officials toward the vulnerability in handling the COVID-19 emergency in Indonesia has exacerbated the crisis and created uncertainty and uncertainty in handling the crisis (KontraS, 2020).

This is contrary to the obligation to convey information from a number of regulations, such as Article 154 to Article 155 in Law No. 36 of year 2009 concerning Health which states that the Government periodically determines and announces the types and spread of diseases that have the potential to be contagious and spread in a short time, as well as Article 9 paragraph (2) letter d of Law Number 14 of year 2008 concerning Freedom of Information, Article 19 of Law number 12 of year 2005 concerning the International Covenant on Civil and Political Rights, and Article 14 of Law 39 of year 1999 concerning Human Rights which in essence guarantees the right of everyone to seek, obtain, possess, store, process and convey information. This clearly violates the right for public information.

Once again that the government was in a dilemma position to makes public discipline toward the regulation in order avoid transmission of the virus. Making the community obey the regulations to carry out physical distancing is not easy, but for using a repressive approach by the authorities can't be justified as a true action. The community's offense in carrying out physical distancing is not an excuse for the apparatus to act arbitrarily. In the incident of beating and abusing the residents who were caught crowding in Labuan Bajo by West Manggarai Police had no

justification at all. Labuan Bajo did not determine the status of the large-scale social restrictions at the time the accident took place. Even if the large-scale social restrictions had been enacted, this did not legitimize the repressive actions by the apparatus (Floresa.co, 2020).

The various incidents toward the limitation of civil liberties mentioned above are the result from the reduction of rights during a health emergency that do not respect the principles that must be adhered such as proportionality, necessity, not contradicting other obligations in international human rights law, and not discriminating. In this case, according to the CCPR General Comment No. 29: Article 4: Derogations during a State of Emergency (UN Human Rights Committee, 2001), the principle that the government has most clearly violated is the principle of proportionality, which requires that actions to reduce human rights be carried out as long as absolutely necessary and have a clear duration and limitations. The action in question must also be based on an objective assessment and analysis of the situation. Reflecting on the phenomena described in the various sub-chapters and descriptions above, this principle can be said to have been almost completely ignored by the government.

On the other hand, the violations toward human rights during the COVID-19 pandemic period did not always come from the government. In this context, civil society has also contributed negatively in upholding human rights amidst of COVID-19 pandemic in the form of discriminations. The social conflict due to the stigmatization of COVID-19 victims, other conflicts in society that needs more attention are the increasing of exclusion toward the residents who are infected by Coronavirus (Dwianto, 2020), medical personnel (CNN Indonesia, 2020b), and rejection of the corpses of COVID-19 victims in various regions (Puji, 2020).

Problem in Plurality

It is a common understanding that the COVID-19 pandemic originated from the city of Wuhan in mainland China, this fact reveals many waves of great xenophobia towards the presence of Chinese people as a minority in the areas they live in. Discrimination related to viruses is emerging around the world and in a variety of

different ways. In places where Asians are seen as a distinct minority group, such as in Europe, the United States and Australia, xenophobia is fueled by stereotypes such as assuming Chinese as the source of the virus. Even in predominantly ethnic Chinese communities, such as Hong Kong and Singapore, there is anti-mainland Chinese sentiment, partly due to lingering concerns about Chinese immigration and identity and influence from Beijing (Wong, 2020).

In Indonesia, The Foreign Policy reports that “On social media, Twitter, Facebook, and Instagram posts are encouraging people to stay away from places where Chinese descendants work and live, major media outlets are also involved in spreading anti-Chinese conspiracies” (Walton, 2020). Attacks tones of racism and discrimination against ethnic Chinese in Indonesia have increased since the discovery of the new coronavirus. However, this anti-Chinese sentiment is manifold multiple times in Indonesia, considering that Indonesia has a worst long history of ethnic Chinese discrimination in Soeharto Era. This form of xenophobia is a threat to a democratic country that contains plural citizens, including Indonesia.

Therefore, the trends that have undermined the quality of democracy in Indonesia is the process of sentimentality toward specific group of people in plural community. In this context, according to Budi Hardiman in Kristianto (2019), argued that sentimentality as pejorative actions. Sentimentality is described as the problem of democracy that more often referred to “sense of community in a particular group” that threatens justice in democratic procedures. Sentimentality here refers to collective identities (religion, ethnicity, race, class, and other collective categories) which can be a source of sense in communion and potentially could injure the neutrality of democratic procedures. These efforts tend to be manifested in the form of prejudice, stigmatization, discrimination, mass trials, primordialism, and hate speech.

CONCLUSION

The slight indication of democracy decline in Indonesia has occurred before the pandemic Covid-19 hit in early 2020 as evidenced by various phenomena and the quality score of democracy in Indonesia which has always

decreased consistently. However, the presence of the COVID-19 pandemic has proven the country's increasingly strong dominance in dealing with the virus, but in practice we found the tendency of practices that are counter to the principles of democracy with the weakening role of the society to provide control over the state in the aspect of transparency, human rights, and freedom of speech. In line with the findings, authors found that the realm of civil society also contribute to the potency of weakening democracy by against the aspects of pluralism in responding the COVID-19 pandemic. From the discussion above, it can be concluded that the evidence of the weakening of these indicators has an effect toward democratic decline in Indonesia, this is unfavored for Indonesia as a democratic country that promotes pluralism and prioritizes the wellness of society.

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