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INDONESIA

SUBVERSION TRIALS IN YOGYAKARTA

August 1989

SUMMARY

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The subversion trials of two prisoners of conscience, Bambang Isti Nugroho, aged 29, and Bambang Subono, aged 28, began in Yogyakarta in late April 1989. The two men were arrested in June 1988, and later charged under the Anti-Subversion Law of 1963 (UU No.11/1963). If found guilty, they face a maximum penalty of death. In June 1989 a student at Gajah Mada University in Yogyakarta, Bonar Tigor Naipospos, was arrested in a related case; according to reports he has also been charged with subversion (Kedaulatan Rakyat, 25 June 1989). In late July the Attorney General announced that another 46 people will shortly be tried for subversion.

The charges against Bambang Isti Nugroho relate principally to his activities as the leader of an informal study circle called the Palagan Study Group, and to his possession of various books banned by the Indonesian Government, including several literary works by the Indonesian author Pramoedya Ananta Toer. Bambang Subono is accused of possessing and distributing literature deemed to insult or undermine the Indonesian government and books banned by the government because of their reputedly "communist" contents. He is also accused of participating in allegedly illegal meetings of the Palagan Study Club.

Bonar Tigor Naipospos, a post-graduate student of Political Science at Gajah Mada University, was arrested in Jakarta in mid-June 1989. He was flown to Yogyakarta under military escort and is now in Wirogunan prison. He reportedly left Yogyakarta last year, shortly after the arrest of Bambang Subono. As of mid-July the precise charges against him were not known. It is thought that they may relate to his role as coordinator of a newsletter which circulated among youth and student activists. He is said to have been active in various student and youth discussion groups in the vicinity of Yogyakarta. His name has also been mentioned by the prosecution in the trial of Bambang Subono as one of those responsible for the supply and circulation of the works of Pramoedya Ananta Toer.

Amnesty International believes that all three men are prisoners of conscience and is calling for their immediate and unconditional release. On the basis of testimony given in court as well as other credible reports Amnesty International believes that Bambang Isti Nugroho and Bambang Subono endured periods of incommunicado detention and that they may have been ill-treated while in incommunicado military custody. Available trial documents and press reports of the proceedings suggest that the trials have been conducted in the spirit of a political witch-hunt, aimed at intimidating

critics of the government, and that both the legal basis for their prosecution and the factual evidence in support of it are obscure.

This summarizes a 10-page document, Indonesia: Subversion Trials in Yogyakarta (AI Index: ASA 21/10/89) issued by Amnesty International in August, 1989. Anyone wanting further details or to take action on this issue should consult the full document.

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SUBVERSION TRIALS IN YOGYAKARTA

1. INTRODUCTION

The subversion trials of two prisoners of conscience, Bambang Isti Nugroho aged 29 and Bambang Subono aged 28 began in Yogyakarta in late April 1989. The two men were arrested in June 1988, and subsequently charged under the Anti-Subversion Law of 1963 (UU No.11/1963). If found guilty, they face a maximum penalty of death. In June 1989 a student at Gajah Mada University in Yogyakarta, Bonar Tigor Naipospos, was arrested in a related case; according to reports he has also been charged with subversion (Kedaulatan Rakyat, 25 June 1989).

The charges against Bambang Isti Nugroho (Isti Nugroho) relate principally to his activities as the leader of an informal study circle, called the Palagan Study Group, and to his possession of various books banned by the Indonesian government, including several literary works by the Indonesian author Pramoedya Ananta Toer (Pramoedya). Bambang Subono, is accused of possessing and distributing literature deemed to insult or undermine the Indonesian government and books banned by the government because of their reputedly "communist" contents. He is also accused of participating in allegedly illegal meetings of the Palagan Study Club.

Bonar Tigor Naipospos, a post-graduate student of Political Science at Gajah Mada University, was arrested in Jakarta in mid-June 1989. He was flown to Yogyakarta under military escort, and is now in custody at Wirogunan prison. Bonar Tigor, known as Coki, reportedly left Yogyakarta last year, shortly after the arrest of Bambang Subono. As of mid-July the precise charges against him were not yet known. It is believed that they relate to his role as coordinator of a newsletter which circulated among youth and student activists. He is said to have been an active participant in various student and youth discussion groups in the vicinity of Yogyakarta. His name has also been mentioned by the prosecution in the trial of Bambang Subono, as one of the people responsible for the supply and circulation of the works of Pramoedya Ananta Toer.

Amnesty International believes that all three men are prisoners of conscience and is calling for their immediate and unconditional release. On the basis of testimony given in court as well as other credible reports, Amnesty International believes that Bambang Isti Nugroho and Bambang Subono endured periods of incommunicado detention, and that they may have been subjected to ill-treatment while in incommunicado military custody. Available trial documents and press reports of the proceedings, suggest that the trials have been conducted in the spirit of a political witch-hunt, aimed at intimidating critics of the government, and that both the legal basis for their prosecution and the factual evidence in support of it are obscure.

2. BACKGROUND

2.1 Subversion and the PKI

The Communist Party of Indonesia (Partai Komunis Indonesia -- PKI) was blamed for an attempted coup d'etat in October 1965, and subsequently banned. In the aftermath of the failed coup, hundreds of thousands of suspected communists were killed, and an estimated half a million were arrested and detained either without a formal trial, or in trials which failed to meet internationally recognized standards of fairness. The legal instrument most commonly used in these trials was the Anti-Subversion Law of 1963.

This legislation was first issued as a Presidential Decree (PENPRES No.11, 1963), by former President Sukarno. In the aftermath of the 1965 coup, the decrees of Sukarno were deemed to be unconstitutional, and provision was made for their review. In 1969, by an act of the People's Consultative Assembly (MPRS), the Anti-Subversion decree was enacted into law and declared to be constitutional. No changes were made to the law.

Since that time, defence lawyers and human rights advocates have argued that while the law is constitutional in a formal sense, its content is at odds with prevailing legal principles and norms. They have claimed that it is inconsistent with the spirit of the 1945 Constitution and in contradiction with the concept of the rule of law.

Although the vast majority of suspected PKI prisoners had been released by 1980, many others remained in prison, some of them under sentence of death. Between 1985 and 1988 at least 14 suspected ex-PKI members, who had been in custody since the 1960's, were executed. In October 1988, two former members of the Presidential guard, Sukardjo and Giyadi Wignyosuharjo, suspected of involvement in the 1965 coup, were executed after serving more than 20 years in prison. At least 11 suspected PKI members detained in the years after the attempted coup, remained under sentence of death in mid-1989, and Amnesty International believes that they are in imminent danger of execution.

While the possibility of a communist resurgence has been a more or less constant theme in Indonesian politics for the last two decades, in 1988 government harassment of suspected communists, including former "PKI prisoners" and their families, reached new heights. Former political prisoners were required to re-register with the authorities and to report on a regular basis to their local military command. Their identity cards were marked to indicate that they had been political detainees. In many cases, former political prisoners and their relatives, lost their jobs, on the grounds that they constituted a threat to national security.

The arrests of Bambang Subono and Isti Nugroho in mid-1988 occurred in the context of this renewed government offensive against an ostensible communist threat. Their trial has taken place against the backdrop of increasing student political activism, and in the midst of an unusually public debate about the need for political "openness" in the country. Their case has attracted considerable attention because it is seen as something of a litmus test of the real attitude of the government and the judiciary toward both of these questions. It is also the first time in many years that the the Anti-Subversion Law has been used to try "leftist" critics of the government. In recent years, the law has been used against hundreds of

muslim activists charged with, among other things, attempting to establish an Islamic state, and with undermining the state ideology Pancasila.

2.2 Politics and Censorship

The persecution of writers critical of the government is a normal feature of Indonesian political life. Among the muslim activists sentenced to long prison terms for subversion, and regarded by Amnesty International as prisoners of conscience, are several who published, wrote for and distributed the muslim bulletins ar-Risalah and al-Ikhwan, both deemed by the government to be subversive.

Common too are limitations on free speech in the form of book bans, the revocation of newspaper licenses and "warnings" to publishers and writers. In the past year, at least three publications have had their licenses withdrawn by the government (Vista, Indonesia Merdeka and Prioritas) and several more have received warnings, including the Jawa Pos, Media Indonesia, Bisnis Indonesia, Pelita and Tempo. The national-circulation weekly Tempo was reprimanded for printing a letter to the editor written by a former leader of BAPERKI, an organization banned in 1966 for its alleged links to the PKI. The other papers were warned for "misquoting" certain government ministers and printing statements which were meant to be "off the record".

No fewer than nine books, including several novels by Indonesian author Pramoedya Ananta Toer, have been banned in the past year by order of the Attorney General. In May 1989, six books were banned on the grounds that their contents could disrupt public order. They included a work on the guerrilla movement in Irian Jaya, three books on the usroh movement in Indonesia, and a political biography of Indonesian nationalist, Tan Malaka. The Attorney General has also recently threatened that legal action may be taken against the authors of such banned books.

The writer Pramoedya Ananta Toer, winner of PEN's Freedom to Write Award in 1988, was imprisoned from 1969 to 1979 on suspicion of association with the PKI. His works continue to be banned by the Indonesian government on the spurious grounds that they contain communist teachings. In 1988 a newspaper (Suara Pembaharuan) which printed a letter to the editor from Pramoedya was warned by the government for promoting communist views. Though no longer in prison, he remains under surveillance, and according to reports is not permitted to leave Jakarta.

In June 1988 his novel Rumah Kaca (Glass House) was banned by an order of the Attorney General. The banning order, which was an administrative directive, was made public at a press conference aired on national television the following day. In explaining the decision, the Attorney General noted that "... here and there, parts of the book contain communist and Marxist teachings that are in contradiction with the [national] ideology of Pancasila." In support of this argument, he read passages from the book which, he alleged, aimed to incite class conflict and weaken religious values.

3. THE ARRESTS OF BAMBANG SUBONO AND ISTI NUGROHO

Bambang Subono was arrested by military men in the evening of 9 June 1988, while selling copies of the novel Rumah Kaca (Glass House) and other works by Pramoedya, during a theatrical performance at the Kridosono Sports

Hall in Yogyakarta. The book Rumah Kaca had been banned by an order of the Attorney General (061/J.A./6/1988) issued only one day before, and made public shortly before the arrest took place. Bambang, a student of Political Science at Gajah Mada University in Yogyakarta, was taken to the headquarters of the Yogyakarta District Military Command (KODIM 0734), where he was detained until the first week of September 1988, when he was transferred to the Wirogunan prison (L.P. Wirogunan).

Shortly after he was detained, military officers conducted a search of his family's home, and seized a number of books and pamphlets, including various works by Pramoedya. According to his lawyers, both the arrest and the search were conducted without the appropriate warrants being presented by the military authorities.

Isti Nugroho was arrested on 20 June at Gajah Mada University, where he worked in the Physics and Chemistry Laboratory. His arrest was apparently based upon information obtained from Bambang Subono during his interrogation by the military. When asked about the Palagan Study Group, Bambang Subono reportedly named Isti Nugroho as the coordinator of the group, and indicated that Isti Nugroho possessed copies of the novel Rumah Kaca. On the basis of this information, military officers of the District Military Command searched Isti Nugroho's home and seized a number of banned books, including several works by Pramoedya. Also seized were tape recordings of some of the discussions and seminars conducted by the Palagan Study Group. Amnesty International has received information which suggests that some of this information may have been extracted under duress.

4. DETENTION AND REPORTS OF ILL-TREATMENT

At the District Military Command (KODIM 0734), Isti Nugroho was reportedly held in a cell which measured approximately 3 x 3 meters. According to his lawyers, the cell had neither a window nor artificial lighting. He remained in detention at the KODIM for more than two months. In the first week of September, when his case was handed over to the Public Prosecutor, he was transferred to Wirogunan prison. Amnesty International is concerned that Isti Nugroho may have been subjected to ill-treatment while held at the KODIM, and that some of the statements made in his testimony (Berita Acara Periksa -- BAP) may have been extracted under duress.

Those who were able to visit him at the KODIM reported that after two days in detention, during which the initial interrogation took place, Isti Nugroho's face appeared black and blue, apparently from being beaten. He was tired and apparently unable to speak as a result of having undergone various forms of torture, such as submersion in a tank of water, and being forced to stare into a high-powered searchlight. In early August, while still at the KODIM, he was reported to have been placed in a tank of water for over twelve hours at one time. Isti Nugroho himself has alleged that he was forced, during his interrogation at the KODIM, to admit to having leftist or communist sympathies.

During the first two days of detention, Isti Nugroho's family and friends were not permitted to visit him at the KODIM. After the initial interrogation was finished, twice-weekly visits were permitted. On 27 July 1988, however, the Chief of Intelligence at the KODIM reportedly issued orders which seriously restricted such visits. Thereafter, those trying to see Isti Nugroho were reported to have been subjected to searches and to various forms of harassment by KODIM officials. On one occasion (10/8/88),

two friends of Isti Nugroho were accused by a KODIM guard of being communists.

According to his lawyers, there was a period of about a month, from August to September, during which Isti's family, friends and lawyers were unable to visit at all. Defence lawyers for both Isti Nugroho and Bambang Subono claimed, in September 1988, that they had not yet been able to meet with their clients, although they had taken up the cases in July. The lack of access in September coincided with the second round of interrogation, conducted this time by the office of the Public Prosecutor. "According to the law" said one defence lawyer "they have the right to be accompanied by a lawyer, both during interrogation and during actual court sessions."

5. THE CHARGES

All of the charges against Isti Nugroho and Bambang Subono related to their alleged political and intellectual activities. The primary charge against both was subversion, and both were principally charged under the Anti-Subversion Law of 1963. The vague and sweeping language of the 1963 law permits the prosecution of virtually any person whose words, thoughts or actions can be construed as disruptive of public order, or critical of the government, its ideology (Pancasila) or the state.

The relevant sections of this law read as follows:

Article (1) The following are guilty of the crime of subversion:

1. Anyone who has engaged in activities with the intention, or the apparent intention, or which s/he knew, or ought to have known might have the effect of:

(a) distorting, undermining or deviating from the national ideology Pancasila, or the basic policy of the state....

(c) spreading feelings of hostility, giving rise to hostility, dissension, conflict, disorder, commotion or anxiety within a segment of the population, or in society as a whole, or between the Republic of Indonesia and a friendly state.

5.1 Isti Nugroho

Isti Nugroho has been principally charged under Article 1, Section 1(c). The prosecution alleged that on a number of occasions between 1985 and 1987 Isti Nugroho had engaged in activities which aimed to, or could have, spread feelings of hostility, dissension, conflict and so on as specified in this article. As the coordinator of the Palagan Study Group, said the prosecution, Isti Nugroho had helped to organize and conduct 13 meetings without the proper government authorization. According to the prosecution, Isti Nugroho had made statements during these meetings which could spread feelings of hostility. Among the allegedly subversive statements were the following:

- "Education in Indonesia tends to be elitist and not democratic";
- "The condition of village women is worse than that of urban women";

- "Economic development has yet to benefit the poorest members of society";
- "The system of government is not democratic";
- "There is a gap between rich and poor which often leads to social problems".

The prosecution also charged that Isti Nugroho had encouraged the dissemination of communist ideas. He had, for example, invited Australian scholar Dr Keith Foulcher to speak to the Palagan group on the subject "Literature and Society". The prosecution alleged that his talk contained communist ideas. Evidence of the "communist" spirit of Foulcher's lecture, in the opinion of the prosecutor, was the fact that he had made reference to authors who had once been members of LEKRA (Lembaga Kebudayaan Rakyat -- League of People's Culture), a Sukarno-era cultural organization associated with the PKI, and banned with it after the 1965 coup attempt.

Also noted as evidence was Foulcher's judgement that the banned novel Gadis Pantai by Pramoedya, was an important literary work. This fact was purported to demonstrate that Isti Nugroho had intentionally spread communist teachings because, according to the prosecution, "... he knew very well that the novel (Gadis Pantai) contained Communist teachings and that Communist and Marxist teachings have been outlawed in Indonesia..." (Kedaulatan Rakyat, 25 April 1989).

Isti Nugroho's own article, entitled "Central Themes in Development and the Political Development of Youth", was also presented as evidence of his alleged aim of spreading leftist ideas, and feelings of hostility and dissension in society. The article had formed the basis for discussion at a meeting of the Merdeka (Freedom) study group in November 1987. Among the ostensibly subversive passages quoted by the prosecutor was the following: "Those who criticize the capitalist system and support socialism are basically concerned about improving the condition of the little people". The argument made in the same article that the political potential of the younger generation had been stymied under the New Order regime of President Suharto, was also said to be subversive.

A subsidiary charge against Isti Nugroho was that he had attempted to incite others to take part in each of these allegedly subversive activities. This is a separate offence under the Anti-Subversion Law. For precisely the same activities, he was charged under a different law -- Article 155(1) of the Indonesian Criminal Code -- with spreading hatred against the government. And under yet another law -- UU No 1 XIV(2) 1946 -- he was charged with knowingly disseminating falsehoods. Finally, Isti Nugroho was accused of owning and distributing written materials banned by the government. Specifically mentioned were several works by Pramoedya Ananta Toer.

5.2 Bambang Subono

Bambang Subono was principally charged under Article 1, Section 1(a) of the Anti-Subversion Law, that is for "engaging in activities with the intention, or the apparent intention, or which s/he knew or ought to have known could have the effect of: distorting, undermining or deviating from the national ideology, or the basic policy of the state."

More specifically, he was charged with spreading "communist" teachings, both through the possession and dissemination of "communist" literature, and through participation in meetings in which allegedly "communist" themes were discussed. The subversive literature mentioned included works by Pramoedya Ananta Toer, former President Sukarno, Indonesian nationalist Tan Malaka, and academics Harold Crouch and Peter Dale Scott. The prosecution also alleged that he owned printed materials which discredited the government, in particular the President, and that he knowingly spread lies and falsehoods which could cause unrest.

6. THE DEFENCE

6.1 Isti Nugroho

Three principal objections were raised to the Prosecutor's charges against Isti Nugroho. First, the defence argued that he was being tried for demonstrating a spirit of healthy criticism which, far from being a subversive threat to the nation and the state, was an essential component of national development. They pointed out that freedom of speech and of expression was enshrined in Article 28 the 1945 Constitution, and that the themes mentioned by Isti Nugroho were the subject of constant public discussion. If Isti Nugroho were proven guilty of subversion, they said, the jails would soon be filled with government officials, academics and song-writers, all of whom frequently aired such "subversive" opinions.

The second major objection concerned the status of the Anti-Subversion Law itself. The defence argued that the law was constitutional only in a formal sense. From a moral, juridical and historical perspective, they said, this law had no place in a country which claimed to be guided by the rule of law. They urged the court to rule the Anti-Subversion Law null and void, and to dismiss the case.

The third argument of the defence was that the charges made by the prosecution were obscure. In alleging that Isti Nugroho had led and participated in discussions which aimed to spread communist teachings, the prosecution failed to specify any statements which could be construed as bearing communist ideas. For example, in the charge concerning the lecture of Dr Keith Foulcher, the prosecution referred only to the allegedly communist themes in one of the books discussed (Gadis Panati), but provided no evidence whatsoever that "communist" ideas were actually discussed. In charging that Isti Nugroho had encouraged or incited others to take part in subversive activities, the prosecution had failed to demonstrate the connection between specific statements and the presumed effect on any participants.

Finally, the defence argued that the charges relating to the defendant's article "Central Themes...", were based on an unobjective portrayal of the article. They alleged that phrases and sentences had been deliberately quoted out of context, thereby distorting and obscuring the broader argument of the article.

Isti Nugroho's own defence statement contested the substance of the charges brought against him. Answering the accusation that in setting up the Palagan Study Group, he aimed to spread feelings of hostility, dissension and so on, Isti Nugroho denied that the group had any political objective. It had been created, he said, as a forum for the exchange of ideas and information, for the expansion of the intellectual horizon of its

members, and as a way of developing their intellectual capacities. In the preamble to his statement, he said:

"I wanted to do something positive for society by holding discussions, staging theatre productions and carrying out research. Both in spirit and in practice, my motives were far from political, and certainly were not aimed at causing disruption in society or subversion...I was looking for intellectual enjoyment. Only that, your Honour, nothing more."

"It is true that I am not a well-educated person. I only made it to high school, and even that I didn't finish. But what is the harm in my leading a study group in which most of the members were university students? Is it right that a school-leaver who finds satisfaction in intellectual activities should be suspected in this way?"

Isti Nugroho also denied that the group's meetings were illegal. The organization had been duly registered with the authorities at its inception, he said, and permission had been granted for each of the meetings he had organized. "It is simply not true that the meetings I organized were without permission."

Isti Nugroho denied having made statements that could spread feelings of hostility, dissension etc, and accused the prosecution of misrepresentation of evidence. He claimed that the prosecution had taken statements made during his interrogation and presented them as though they had been made during meetings of the discussion group.

"My words and statements have been manipulated by the Prosecutor to make it appear that I said them in the course of a Palagan Study Group discussion. With a heavy heart, I accept this kind of misrepresentation as one technique, among many, used by the prosecution to trap the defendant."

Even if it could be proved that he had made such statements, Isti Nugroho asked, how could it be argued that this made him guilty of a criminal offence. The opinions expressed, he said, were far from original. Similar statements, indeed some which were even more critical, were frequently made by government officials and academics and reported in the mass media. He challenged the prosecution to prove that his statements could spread feelings of hostility, and to demonstrate how in fact they had done so.

Isti Nugroho also challenged the charges against him on the grounds that they infringed the basic rights of freedom of speech and freedom of association which are ostensibly guaranteed in Article 28 of the Constitution. In what sense, he asked, is it subversive to discuss social, cultural and political questions critically. "Does the meaning of Article 28 of the 1945 Constitution, which guarantees the right to freedom of thought and expression (in writing and in speech) change if the opinions expressed are deemed to be "dangerous" and as a consequence are declared illegal?"

Answering the charges relating to the lecture of Dr Keith Foulcher, Isti Nugroho acknowledged that Dr Foulcher had spoken to the study group on the subject "Literature and Society", and that he had referred to certain LEKRA artists, and to the novel Gadis Pantai. However, he denied categorically that the seminar was conducted in a spirit of "communist propaganda". Foulcher's talk, he said, focussed on literary and aesthetic rather than political issues. In response to the prosecution's charges that

he knew that the novel Gadis Pantai contained communist ideas, Isti Nugroho noted that the book had not yet been published in Indonesia at the time of the seminar. He said that because at that time he had not yet read the book, he could not have been aware that it contained such ideas. The prosecution's contention that Dr Foulcher had been invited to address the group in order to spread communist teachings was patently untrue.

Isti Nugroho admitted possessing copies of six banned works by Pramoedya Ananta Toer. He pointed out, however, that they were for his personal enjoyment, and not for further distribution, sale or reproduction. He enjoyed these books as literary works, he said, but was not aware that they contained communist teachings.

6.2 Bambang Subono

Bambang Subono's defence team argued that the Anti-Subversion Law is unconstitutional and in conflict with Pancasila and the spirit of the New Order regime of President Suharto. The charges brought under this law, they said, should not be accepted by the court. In deciding to proceed with the trial, the judges noted that the Anti-Subversion Law remained in force, and said that initiatives to change this or any other law must be undertaken in the legislature, the DPR (Dewan Perwakilan Rakyat).

The defence also raised a number of procedural objections. First, they noted that the the defendant's address was incorrect in the charge sheet (surat dakwaan). Second, they claimed that the charge sheet was handed to the accused two days later than required by law, and that the prosecution had made last-minute changes to the document. Finally, the defence argued that because most of the allegedly subversive meetings had taken place not in Yogyakarta but in Sleman, the case did not fall within the jurisdiction of the District Court of Yogyakarta, where it was presently being heard.

In his own statement, Bambang Subono admitted owning and selling banned works by Pramoedya Ananta Toer, and possessing other works containing "communist" ideas. However, he denied having any intention of spreading communist teachings, saying "I am pro-Pancasila, religious and anti-communist". He sold Pramoedya's books to earn extra money, he said, and kept the other books for his personal use as a student of Political Science. He explained that the other books and articles he was accused of possessing and discussing, including works by Harold Crouch, Peter Dale Scott and Ian Roxborough, were not in any sense "communist" propaganda, but scholarly works by respected historians and political scientists.

He questioned the assertion that Pramoedya's novels contained communist themes and challenged the prosecution to point out precisely where the leftist ideas were in these novels. "As far as I can see" he said, "the books have a nationalist and patriotic orientation, because they describe the birth of the modern Indonesian man, as a result of western education in the colonial era. To this day, I do not know where the teachings of Marxism-Leninism are in these novels."

Bambang Subono claimed that the testimony he had given while at the KODIM, according to which he admitted to selling banned books in order to spread communist ideas, had been obtained under "pressure and force". While at the KODIM, he said, "I felt pressured, confused and frightened, and every time I was questioned I was cornered and driven into admitting I was a communist". On the same grounds, he withdrew his earlier testimony that he had planned to discuss and distribute literature which discredited President Suharto. "A part of the contents [of the testimony] was dictated

by my interrogator, and part of it I wrote myself because I was threatened, terrorized and forced to confess." In reality, he said, he had never discussed or distributed the literature, and had no plans to do so.

He admitted to participating in a number of discussions on political themes, including the one which focused on Isti Nugroho's article, "Central Themes...", but he stressed that these were purely intellectual in nature, and had no wider political objective.

7. MORE SUBVERSION TRIALS ANNOUNCED

At the end of July, the Attorney General announced that another 46 people will soon be tried for subversion. At least 25 of these are expected to be accused of misusing Islam and attempting to replace the existing Indonesian state with one not based on Pancasila. They include 14 cases from the province of Lampung, seven from Jakarta and four from the province of West Nusa Tenggara, all of them classified by the Attorney General as subversion of the "extreme right". Also mentioned were four people who had been charged under the Anti-Subversion Law for committing economic crimes. Three were recently sentenced by a court in Central Java for running illegal gambling operations, and a retired Customs official was charged with corruption amounting to subversion.

Finally, the Attorney General referred to a case of "separatist subversion" currently being tried in the province of Irian Jaya. Resistance to Indonesian rule has simmered in Irian Jaya since the territory was incorporated by Indonesia in the 1960s. Over the years, several leaders of the main guerrilla resistance organization, the OPM (Organisasi Papua Merdeka, Free Papua Movement) have been charged with subversion, and some are still serving long prison terms. The defendant in this case, identified only as TW -- probably Dr Tom Waggai -- is accused of proclaiming a new state of "West Melanesia". According to reports, Dr Waggai and about 60 others were arrested at the Mandala Sports Stadium in Jayapura, Irian Jaya, in mid-December 1988. They had gathered there to raise the flag of "West Melanesia", apparently in a peaceful symbolic protest against Indonesian rule in the territory. The prosecution has asked that Dr Waggai be jailed for life.

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SUBVERSION TRIALS IN YOGYAKARTA

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Letters should not be sent directly to Indonesian government officials while the prosecution and trial of these prisoners is underway. Past experience has shown that appeals from AI members at this stage might be seen to be interfering with the trial and might work to the disadvantage of the defendant. We do, however, think it is important that the paper itself be distributed to target sector groups in your country who may have an interest. Sections may wish to approach, for example, the press, lawyers, student groups, writers/artists associations, as well as diplomatic representatives of Indonesia in your country.

When passing the paper on to target sector groups, sections should remind them that any direct intervention during the trial stage might prejudice the verdict. However, publicity in the press, etc. may draw attention to the case and may have a favourable influence on the outcome.

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