
Human Rights Violations During *Orde Baru* : A Case Study Of The Distribution Ban On *Bumi Manusia* Books By Pramoedya Ananta Toer

I Dewa Ayu Febriani¹, I Made Yudana², I Wayan Kertih³

^{1,2,3}Universitas Pendidikan Ganesha

E-mail: beefebrii@gmail.com¹, made.yudana@undiksha.ac.id², wayan.kertih@undiksha.ac.id³

Article History:

Received: 02 Januari 2025

Revised: 25 Januari 2025

Accepted: 31 Januari 2025

Keywords: *Human Rights, Bumi Manusia, Orde Baru*

Abstract: *Justice is the concept that individuals must be enforced in an equal, impartial and non-arbitrary manner. Justice in providing freedom and protecting the rights of the community is the most basic pillar in the law so that Indonesia as a country of law must be able to protect these rights, namely Human Rights which include the rights to equality, protection and freedom. This research will discuss how human rights violations occurred during the Orde Baru period based on the case of the ban on the book Bumi Manusia by Pramoedya Ananta Toer. The method used is a qualitative method with a case study approach, the data collection method is carried out by the literature study method. This research is expected to be able to increase reflection on human rights. The results of this study show that there are many human rights violations obtained by Pramoedya Ananta Toer as the author of the book Bumi Manusia.*

INTRODUCTION

Pasal 1 Ayat (3) UUD 1945 describe that Indonesia already has the rule of law to uphold truth and justice, and there is no power that cannot be accounted for. Justice is the concept that individuals must be enforced in an equal, impartial, and non-arbitrary manner (Moore, 2021). Justice in providing freedom and protecting the rights of the community is the most basic pillar in the law so that Indonesia as a country of law must be able to protect these rights, namely Human Rights which include the rights to equality, protection and freedom.

Human rights can not only be applied if there is a law that regulates them, but Human Rights is the most important pillar of the formation of law. Basically, Indonesia has made the protection of human rights the main goal of the establishment of this country because this has been stated in the foundations of the Indonesia state, namely Pancasila and the 1945 Constitution (Maulana, 2021). Human rights must be respected from the time a human being lives. Every human being has it not because it is given by society or based on positive law, but solely based on its dignity as a human being (Rhona, 2008). Indonesia itself today which has become a democratic country has indeed been able to uphold human rights, but if the people of Indonesia travel back to about 26 years ago, there can be found various types of violations of rights as a

human being, both the right to justice, the protection of freedom, especially freedom for an Indonesian person.

The period of Indonesia's government, which is called to be characterized as a period of rampant human rights violations and suppression of political opposition, is a period known as the *Orde Baru* period. The period of government under Suharto tended to run an authoritarian system of government, so even with his unlimited power, Suharto provided space for suppression of political opposition and groups that were considered dangerous to the regime (Annisa, 2023). In addition, the *Orde Baru* Government also implemented policies that restricted freedom of opinion, assembly, and organization.

The restriction of civil society freedom also has an impact on reading activities where a person's reading material is also a responsibility of the government. Reading books that are considered threatening and can damage the peace of the regime are often illegal so that people do not have the freedom to read books according to their interests, which in this case is also related to the violation of Human Rights itself. Books that are considered to contain criticism of the government, political parties and ideologies embraced by the regime are the main targets for books that fall into the prohibited category.

The ban on books that were considered a threat to the calm of the regime at that time applied to the books of one of the many banned Indonesia writers, namely Pramoedya Ananta Toer. Almost all books by Pramoedya Ananta Toer were illegal at that time and one of them was the book *Bumi Manusia*. The book, which was first published in 1980, is one of Pramoedya Ananta Toer's masterpieces on the *Buru Island Tetralogy* which consists of 4 book titles, namely *Bumi Manusia*, *Anak Kebangsaan*, *Footprints* and *Greenhouses*. The book *Bumi Manusia* is considered a book with a challenging social depiction because the author transparently describes the conditions of social inequality, exploitation, criticism of the colonial government which includes social and political conditions and contains scenes that present sexual content in an explicit manner that is considered incompatible with the moral values advocated by the *Orde Baru* regime. This book had a very controversial impact at that time so the *Orde Baru* government chose to ban this book from circulation.

This is where the violation of Human Rights originated, especially the rights to freedom of work for the writer, namely Pramoedya Ananta Toer, as well as freedom of reading for the community, due to the controversial impact produced by the book *Bumi Manusia* made Pramoedya Ananta Toer imprisoned and exiled to *Buru Island* on the grounds of his connection with the PKI and was further complicated by his works.

This makes the author want to discuss the perspective of Human Rights on government actions during the *Orde Baru* period related to the ban on the book *Bumi Manusia* and the arbitrary actions taken by the government against innocent readers. As a democratic country, the deprivation of freedom of expression, freedom of opinion and the absence of respect for literary works is enough to explain that without justice for society, Indonesia does not deserve to be called a democratic country. Because human rights are also considered the process of progress of a democratic system (Budiardjo & Miriam, 2016).

LITERATURE REVIEW

Kepatuhan terhadap HAM sangat penting untuk menciptakan masyarakat yang adil dan demokratis. Sehingga jika pelanggaran HAM terjadi maka telah terjadi juga ketidakpatuhan terhadap norma-norma yang mengatur perlindungan terhadap HAM. Oleh karena itu, kepatuhan tidak hanya berfungsi sebagai mekanisme untuk menegakkan hukum, tetapi juga sebagai alat untuk memastikan bahwa hak-hak manusia memang diberikan perlindungan dan dihormati. Teori

Kepatuhan atau *Compliance Theory* merupakan teori yang dikemukakan oleh Stanley Milgram pada tahun 1963. Teori kepatuhan (*Compliance Theory*) menjelaskan suatu keadaan dimana individu atau kelompok patuh terhadap perintah atau aturan yang berlaku. Dalam konteks HAM, kepatuhan berarti menghormati dan melindungi hak dasar manusia yang diakui secara luas atau universal. Ini mencakup kewajiban negara untuk melindungi hak-hak tersebut dan tanggung jawab individu serta perusahaan untuk tidak melanggar hak-hak orang lain.

METHODS

According to Sugiyono & Miriam (2016), research methods are basically a scientific way to obtain data with specific purposes and uses. The research method used is a qualitative method with a case study approach, which is a type of research whose findings are not obtained through statistical procedures or forms of calculations. This research is a type of empirical research because the data is obtained through empirical studies such as interviews.

Data collection was carried out by conducting a literature study by reading the most relevant literature sources regarding human rights violations obtained by Pramodya Ananta Toer. To get the maximum final result, the data in this study is analyzed by a qualitative method where qualitative analysis can provide a description in words based on the data that has been obtained, in this qualitative analysis method prioritizes the quality of the data (Ali, 2021).

The main source of data in this study is from books "*Saya Ingin Lihat semua ini Berakhir*" by August Hans den Boef and Kees Snock which contains a collection of Essays and direct interviews with Pramodya Ananta Toer.

RESULT & DISCUSSION

Human Rights

The term right basically refers to a claim of a person's ownership that must be recognized and protected (Baetens, 2001). For a citizen, this right is usually protected by law or morality to ensure that every citizen is able to get or do something. In simple terms, the definition of rights itself refers to a fundamental concept in law and ethics that ensures that every individual has the protection and freedom necessary to live with dignity and security.

Based on its historical aspect, rights were officially born in 1948 through the United Nations Declaration of Human Rights (Human Rights). In Indonesia itself, rights are considered very important and urgent because rights have been considered part of human nature. The rights themselves are regulated in Articles 27-31 of the 1945 Constitution by giving examples, among others, that citizens have the right to live, grow, and develop.

Human rights come from natural rights that are inherent in humans from birth. This concept developed from the natural legal thought of Thomas Aquinas, et al. (2008). On the other hand, Jimly Asshidiqqie expressed the opinion that human rights are rights that have been universally recognized as rights inherent in human beings because of the nature and nature of human birth as human beings, namely the right to freedom from all forms of obstacles, oppression, deprivation, persecution or treatment of fabrics that can hinder the existence of life as a human being (Ashidiqqie, 2005). Human rights are owned by human beings not solely because they are human. Human rights are not given by society or based on positive law, but are based on their dignity as human beings (Donnelly, 2003). Human rights are natural and fundamental as a grace of God that must be respected, maintained, and protected by every individual, society and state.

Based on these definitions, it can be concluded that human rights are rights bestowed on human beings that must be respected by individuals, communities and the state so that human

rights should not be violated by anyone.

Human Rights Violations

Human rights are basic human rights by God Almighty which is also a natural right for humans so that it cannot be revoked by other humans. Human rights are believed to be something with universal values which means that they do not know the limits of space and time, Muladi (2005). Various efforts have been made to realize human rights in real life, from the past to the present have been reflected in the struggle of human beings in maintaining their dignity and dignity as human beings through the arbitrary actions of tyrant rulers (Baharu, 2012). Human rights were also reaffirmed through the American Declaration of Independence. This document expressly recognizes human equality and inalienable rights, namely the right to life, liberty, and the pursuit of happiness.

In Indonesia itself, the recognition of human rights has been implemented in Pancasila as a state philosophy which is also the basis of national and state life for all Indonesia people. Even so, human rights violations are still often encountered in community life from the past to the present, both including gross and minor human rights violations.

Human rights violations are acts of violating humanity committed by individuals, state institutions, or other institutions against the human rights of other individuals without any juridical and rational basis or reason supporting them (Mustofa, 2009). According to Law No. 26 of 2000 concerning human rights courts, human rights violations are the actions of a person or group of people, including state officials, either intentionally or unintentionally. This negligence that can legally reduce, obstruct, limit, or revoke the human rights of a person or group that is legally guaranteed by law and is feared will not obtain a fair and correct legal settlement based on the applicable legal mechanism.

Human Rights Violations During the *Orde Baru*

The issuance of the Decree on March 11, 1966 marked the birth of the *Orde Baru* which was an instruction to destroy the Communist Party of Indonesia (PKI) and replace the Soekarno government with the Soeharto government Robinson & Geoffrey (2009). The *Orde Baru* itself was a period of government in Indonesia that took place in 1966 and ended in 1998. The *Orde Baru* is very closely related to the rise of Capitalism in Indonesia (Vatikiotis, 1998). The *Orde Baru* has the goal of reorganizing the entire life of the people, nation, and state based on the purity of Pancasila and the 1945 Constitution. In realizing this, the first step taken by the government is to eradicate everything related to communism and ideologies that are considered to threaten the order of the regime (J. Robinson, 1964).

After 31 years of journey and the dreams built by the *Orde Baru* began to disappear, national figures began to see the other side of the *Orde Baru* that began to come out of the original design. Corruption, collusion, and nepotism carried out by the country's elites make the regime unstable. This shift in interests is mainly facilitated by a hierarchical-patrimonial bureaucratic system. The public is beginning to realize this and for those who are critical of the regime it will mysteriously disappear. Until now, there are many names of activists that have not been found.

Many activists who have been eliminated by the government have been tortured to death. Many activists have been labeled as Political Prisoners or often called prisoners who at that time had their rights as citizens revoked because of this status. During the *Orde Baru* period, individual freedom was strongly opposed if it was contrary to the regime, freedom of opinion and discussion was very restricted, the freedom of reading was also included, people should not read

carelessly, especially books that were considered prohibited by the regime, many readers could not read the books they wanted because some books were banned from publication, many writers lost their works because their manuscripts were confiscated. According to Pramoedya Ananta Toer, this is a violation of human rights because stealing someone's work is the same as stealing the mind.

Banning the Book of the *Bumi Manusia*

The book *Bumi Manusia* was published in 1980 and has received an official ban from the *Orde Baru* government through the Attorney General's Office with a ban letter number SK-052/JA/5/1981 a year after *Bumi Manusia* was published. *Bumi Manusia* is one part of the *Buru Island Tetralogy* which includes 3 other books, namely *All Children of the Nation*, *Traces of Steps* and *Greenhouses*. *Bumi Manusia* tells the struggle of the regent's son named Minke against the Netherlands' discrimination against the natives during the colonial period in the early 20th century. Tokoh Minke is a child of the Regent who has the privilege of attending *Hollandsche Burgerij School (HBS)* Surabaya. Minke is known as a young man who loves science and the development of the times. He is of Javanese descent, but Minke does not want to be tied to Javanese traditions at all, therefore he is involved in the struggle against the oppression experienced by the natives due to colonial policies. *Bumi Manusia* explains the condition of society during the colonial period and shows the social disparities that occurred at that time. This book indirectly explores themes such as identity, discrimination and the struggle for freedom and justice.

Pramoedya Ananta Toer described in detail the social and political conditions at that time, including the exploitation experienced by the people of Indonesia. The book also highlights the importance of education and political awareness among the indigenous educated as a measure to fight injustice.

Overall, *Bumi Manusia* is not only a literary work, but this work has caused many pros and cons among the government during the *Orde Baru* period. The *Orde Baru* government banned the book *Bumi Manusia* from circulating in the community for several reasons, including:

1. Accusations of Communist Propaganda

Pramoedya Ananta Toer was first arrested because of his involvement with the People's Cultural Institute (LEKRA) affiliated with the Communist Party of Indonesia so that the *Orde Baru* government often considered Pramoedya Ananta Toer to be part of the PKI. The *Orde Baru* government thinks that his work has the potential to damage the state ideology, namely Pancasila.

2. Criticism of Colonialism

The raising of issues of equality triggered a controversy that *Bumi Manusia* depicted the social injustice and exploitation experienced by the indigenous people under the Netherlands colonial rule.

3. Depiction of Controversial Social Conditions

The novel not only touches on the political aspect, but also depicts complex social conditions, including the relationship between characters from different backgrounds. This is considered to be able to trigger dissatisfaction among the community and is considered to have the potential to disrupt public order.

Human Rights Violations Against Pramoedya Ananta Toer

The world of Indonesia literature is no stranger to the name Pramoedya Ananta Toer, Pramoedya is a prominent writer who is known in Indonesia and even in the world because of the

greatness of his works. Almost all of Pramoedya's literary works have been successful in attracting the interest of the wider community through his works. Pramoedya's literary works are also often translated into many languages so that his thoughts expressed through literary works receive a lot of attention from both Indonesia and international society. Pramoedya Ananta Toer's success in getting rich actually also has a bad impact on herself. One of Pramoedya Ananta Toer's most controversial works is a book titled *Bumi Manusia*, *Bumi Manusia* is a book published in 1980, this book was written by Pramoedya during his time as a political prisoner on Buru Island. At that time, Pramoedya was detained and then exiled to Buru Island by the *Orde Baru* government because of his connection with a community institution that had links with the PKI, namely LEKRA. Since the beginning, Pramoedya's rights as a human being have been violated, the first is detention without a clear legal process, the second is the time of writing a book on Buru Island at that time Pramoedya's manuscript was often forcibly taken by the government without returning it to the owner's hands, and the third after the manuscript of *Bumi Manusia* was published as a book, this book was also banned from circulation because it was suspected of spreading ideology that was contrary to the values of Pancasila and was considered to be destructive regime tranquility.

CONCLUSION

The discussion of human rights in Indonesia highlights the tension between their recognition and historical violations, especially during the Orde Baru regime. Despite being enshrined in principles like Pancasila and the 1945 Constitution, Suharto's rule was marked by political repression and censorship. Civil liberties, including freedom of expression, were frequently violated, as seen in the banning of Pramoedya Ananta Toer's *Bumi Manusia* for its critical stance on colonialism. This period of systemic oppression challenges Indonesia's democratic claims and continues to spark discussions on justice, accountability, and the protection of human rights.

ACKNOWLEDGEMENTS

Praise be to God for bringing me to this point with full grace and strength. Thank you to my parents who always support and pray for my every step. To I Dewa Gede Ery Wahyudi, my most beloved boyfriend and life partner, thank you for giving me physical, mental and financial support during the writing of this work. Thank you to myself for being willing to try and give my best. In the midst of being forced to go through all this, you finished it well.

DAFTAR REFERENSI

- Annisa. (2023). Penerapan Pancasila Pada Masa Orde baru ,Kelebihan dan Kelemahannya. Opini, UMSU, 1.
- Ashidiqie, J. (2005). Hukum Tata Negara dan Pilar-Pilar Demokrasi. Mahkamah Konstitusi Press, 245.
- Baetens, K. (2001). Etika. Jakarta: Gramedia Pustaka Utama.
- Baharu, S. A. (2012). Wawasan Due Process of Law dalam Sistem Peradilan Pidana. Rangkang Education, 45.
- Budiardjo, Miriam. 2016. Dasar-Dasar Ilmu Politik. Jakarta: Gramedia Pustaka Utama.
- Donnelly, J. (2003). Universal Human Rights in Theory and Practice. Cornell University Press, 7-21.
- Maulana, M. I. (2021). Penegakan Hukum Terhadap Kasus Pelanggaran HAM Berat Masa lalu yang Berat untuk Ditegakan. Administrasi Publik, FISIP UIN, 1.

- Moore, M. (2021). Justice Principles, Empirical Beliefs, and Cognitive Biases: Reply to Buchanan's 'When Knowing What Is Just and Being Committed to Achieving it Is Not Enough'. *Journal of Applied Philosophy* , 736-741.
- Muladi. (2005). *Hak Asasi Manusia*. Refika Aditama, 70.
- Mustofa, S. S. (2009). *Sejarah: Untuk SMA/MA Kelas XII Program IPA*. Jakarta: PT. Grahadi. ISBN 978-979-068-061-6.
- Rhona K.M. Smith (2008). *Hukum Hak Asasi Manusia*, Pusat Studi Hak Asasi Manusia Universitas Islam Indonesia (PUSHAM UII).
- Robinson, Geoffrey. 2009. *The Dark Side of Paradise: Political Violence in Bali*. Ithaca: Cornell University Press.
- Sudjatmoko, A. (2015). *Hukum HAM dan Hukum Humaniter*. Grafindo Persada, 2.
- Sugiyono. 2013. *Metode Penelitian Kuantitatif, Kualitatif dan R&D*. Bandung: Alfabeta.
- Smith, R. K. (2008). *Hukum Hak Asasi Manusia*. Pusham UII, 12.
- Vatikiotis, P.J. 1998. *Indonesian Politics Under Suharto: Order, Development, and Pressure for Change*. London: Routledge.