

Academic Freedom and Freedom of Expression in Indonesian Universities: Assessing the Protection of Student Activism

Ridwan Arifin* 

Universitas Negeri Semarang, Semarang, Indonesia
Universitat de Barcelona, Barcelona, Spain
ridwan.arifin@mail.unnes.ac.id

Amiludin Amiludin 

Universitas Muhammadiyah Tangerang, Tangerang, Banten, Indonesia
amiludin@umt.ac.id

Varun Chhachhar 

University of Lucknow, Lucknow, India
chhachhar_varun@lkouniv.ac.in

DOI: <https://doi.org/10.65815/nehmhh41>

Submitted: 18-12-2025

Revised: 22-03-2026, 05-04-2026

Accepted: 10-04-2026

*Corresponding Author

Abstract

Universities serve as important spaces for intellectual debate, political discussion, and civic participation. However, student activism may generate tensions with institutional disciplinary rules, campus security policies, and governmental regulation. This article examines the protection of academic freedom and freedom of expression for university students in Indonesia. Using normative juridical and policy analysis, the study evaluates constitutional protections, higher education regulation, institutional rules, and mechanisms governing student demonstrations and political expression. The article argues that campus regulations should distinguish legitimate peaceful expression from conduct that poses genuine threats to safety or the rights of others. Vague disciplinary provisions may create a chilling effect when students cannot reasonably predict which forms of expression may result in sanctions. The study proposes a rights-based campus governance framework emphasizing legality, necessity, proportionality, transparency, and procedural fairness. Universities should provide clear rules, independent disciplinary procedures, and effective avenues for appeal. The article concludes that protecting student expression is essential to the educational mission of universities and to the development of democratic citizenship in Indonesia.

[Universitas berfungsi sebagai ruang penting untuk debat intelektual, diskusi politik, dan partisipasi warga negara. Namun, aktivisme mahasiswa dapat

menimbulkan ketegangan dengan aturan disiplin institusional, kebijakan keamanan kampus, dan regulasi pemerintah. Artikel ini mengkaji perlindungan kebebasan akademik dan kebebasan berekspresi bagi mahasiswa di Indonesia. Dengan menggunakan analisis yuridis dan kebijakan normatif, studi ini mengevaluasi perlindungan konstitusional, regulasi pendidikan tinggi, aturan institusional, dan mekanisme yang mengatur demonstrasi mahasiswa dan ekspresi politik. Artikel ini berpendapat bahwa regulasi kampus harus membedakan ekspresi damai yang sah dari perilaku yang menimbulkan ancaman nyata terhadap keselamatan atau hak orang lain. Ketentuan disiplin yang tidak jelas dapat menciptakan efek menakutkan ketika mahasiswa tidak dapat memprediksi secara wajar bentuk ekspresi mana yang dapat mengakibatkan sanksi. Studi ini mengusulkan kerangka kerja tata kelola kampus berbasis hak yang menekankan legalitas, kebutuhan, proporsionalitas, transparansi, dan keadilan prosedural. Universitas harus menyediakan aturan yang jelas, prosedur disiplin yang independen, dan jalur banding yang efektif. Artikel ini menyimpulkan bahwa melindungi ekspresi mahasiswa sangat penting bagi misi pendidikan universitas dan bagi pengembangan kewarganegaraan demokratis di Indonesia.]

Keywords: Academic freedom, freedom of expression, students, universities, Indonesia

Introduction

Universities occupy a distinctive position within democratic societies because they are simultaneously educational institutions, communities of knowledge, and spaces in which political and social ideas are contested. Academic freedom enables members of the academic community to investigate, discuss, criticize, and disseminate ideas without improper interference. Although academic freedom is often discussed primarily in relation to lecturers and researchers, students also participate in intellectual and political life through classroom discussion, student organizations, campus media, demonstrations, public campaigns, and digital platforms. The claim that students possess a meaningful dimension of academic freedom is therefore important because students are not merely passive recipients of knowledge. Scholars have argued that student academic freedom should include the capacity to develop critical judgment and express ideas freely, particularly because higher education is expected to cultivate independent and critical thinkers (Rivers 2011).

In Indonesia, the constitutional framework provides substantial protection for freedom of expression. Article 28E of the 1945 Constitution recognizes freedom to associate, assemble, and express opinions, while Article 28F protects the right to communicate and obtain information. These guarantees interact with Law No. 39 of 1999 concerning Human Rights and Law No. 12 of 2012 concerning Higher

Education. The latter explicitly recognizes academic freedom, freedom of the academic pulpit, and scholarly autonomy as essential dimensions of higher education. Yet the existence of formal guarantees does not necessarily ensure that students can exercise their rights without institutional pressure. Recent scholarship on Indonesian academic freedom has identified a continuing tension between the legal recognition of academic freedom and practices involving political pressure, institutional hierarchy, cyberattacks, censorship, and other forms of restriction (Wiratraman and Prakasa 2024).

Student activism is particularly important within this context because it represents one of the ways in which students exercise citizenship. Research on post-authoritarian Indonesia demonstrates that student movements have continued to use demonstrations, organizational networks, social media, and public discourse to challenge policies and articulate demands concerning justice, civil liberties, welfare, and democratic accountability (Ramadlan and Aminuddin 2025). The 2019 “Gejayan Memanggil” movement illustrates this dynamic: students were motivated significantly by their understanding of themselves as agents of social change rather than by formal institutional encouragement from universities (Savirani 2023). Student activism consequently cannot be understood merely as disruption to campus administration. It is also a form of political learning and civic participation through which students develop capacities to deliberate, organize, criticize authority, and participate in democratic processes.

The central problem arises when universities treat institutional order as inherently superior to student expression. Campus regulations frequently contain provisions concerning discipline, reputation, security, public order, or institutional ethics. These objectives are legitimate in principle, but vague or excessively broad provisions may permit administrators to classify critical expression as misconduct. The resulting uncertainty can generate a chilling effect in which students refrain from speaking, organizing, publishing, or demonstrating because they fear disciplinary consequences. Research on student participation in Indonesia has identified precisely such a climate of fear, particularly where students perceive formal participation channels as inadequate or where student media experience institutional intervention (Ramadhan et al. 2025). The issue is therefore not simply whether universities formally recognize freedom of expression but whether students can reasonably predict the consequences of exercising it.

This article argues that Indonesian universities should adopt a rights-based understanding of student activism. Peaceful criticism, political discussion, student journalism, collective petitions, public demonstrations, and digital advocacy should receive strong protection even when they challenge university administrators or government policy. Restrictions should be exceptional and must satisfy legality, legitimate purpose, necessity, and proportionality. The article further argues that procedural fairness is as important as substantive protection. Even where disciplinary action is justified, students should receive clear notice of the alleged violation, an opportunity to respond, impartial adjudication, reasoned decisions,

and meaningful appeal. Such safeguards are necessary to prevent disciplinary authority from becoming an instrument of retaliation.

This research employs a normative juridical and policy-analysis approach supported by interdisciplinary literature concerning academic freedom, student activism, freedom of expression, higher education governance, human rights, and democratic citizenship. The normative analysis examines the 1945 Constitution of the Republic of Indonesia, Law No. 39 of 1999 concerning Human Rights, Law No. 9 of 1998 concerning Freedom to Express Opinions in Public, Law No. 12 of 2012 concerning Higher Education, Law No. 40 of 1999 concerning the Press, and relevant international human rights standards. The study treats academic freedom and freedom of expression as mutually reinforcing but conceptually distinguishable rights: academic freedom protects the conditions of intellectual inquiry, while freedom of expression provides broader protection for communicating ideas, criticism, and political views.

The literature review focuses on peer-reviewed journal articles published no later than 2025. Indonesian scholarship is examined alongside comparative international research concerning student activism, campus speech, university governance, academic freedom, and institutional responses to protest. The comparative material is not treated as directly transferable law. Instead, it is used analytically to identify governance principles that may strengthen the Indonesian framework. The analysis focuses on legality, necessity, proportionality, institutional autonomy, student participation, procedural fairness, and the prevention of chilling effects. The study is doctrinal and analytical rather than empirical and therefore does not claim to measure the prevalence of repression across all Indonesian universities.

Academic Freedom as a Human Rights Foundation for Student Expression

Academic freedom is commonly associated with the freedom of lecturers and researchers to teach, conduct research, publish scholarship, and participate in academic debate. However, limiting academic freedom to faculty members risks ignoring the educational relationship in which students develop their intellectual capacities. Student academic freedom should be understood as the ability to ask difficult questions, challenge established assumptions, participate in academic discussion, form associations, and express political or social opinions without unreasonable institutional interference. Rivers (2011) emphasizes that students' position as members of a scholarly community creates a basis for recognizing their academic freedom, particularly because higher education has a responsibility to develop critical capacities rather than merely transmit institutional doctrines. This understanding is compatible with the democratic purpose of higher education, where students are expected to become capable of independent judgment.

The distinction between academic freedom and institutional autonomy is particularly important in Indonesia. University autonomy is valuable because it can protect institutions from direct political interference, but institutional autonomy should not become a license for universities to suppress their own academic communities. Bernasconi (2021) demonstrates that conceptions of university autonomy and academic freedom differ across legal traditions, but the relationship between them remains central to higher education governance. Academic freedom requires institutional autonomy from external political interference, yet it also requires internal structures capable of protecting individuals against institutional abuse. A university that is autonomous from the state but authoritarian toward students has not fully achieved the normative objective of academic freedom.

This issue becomes particularly significant where students criticize university policies. A university may reasonably regulate examination procedures, classroom conduct, harassment, threats, violence, and disruption of essential educational activities. However, disagreement with administrative policy should not itself be treated as misconduct. Academic freedom would become hollow if students could discuss political questions only when their views were compatible with institutional preferences. Research concerning academic freedom in Europe similarly demonstrates that academic freedom involves complex relationships between individual rights, institutional autonomy, and other rights, meaning that conflicts must be resolved through balancing rather than categorical institutional authority (Stachowiak-Kudła 2021).

The same principle applies to criticism directed at public authorities. Universities are not politically neutral spaces in the sense that political questions are excluded from campus life. Rather, they are institutions in which political questions can be investigated and debated through reasoned argument. Student movements in Indonesia have historically contributed to democratic transformation, particularly during the transition from authoritarianism to democracy. Contemporary student activism continues this tradition, although its organizational structures and political narratives have changed. Ramadhan and Aminuddin (2025) find that contemporary Indonesian student activism is increasingly diversified across organizational participation, social media, public discourse, and street demonstrations. The movement's emphasis on civil liberties, justice, and welfare illustrates that student political engagement remains connected to broader questions of democratic consolidation.

The democratic significance of student activism is also supported by international research. Higher education can function as a site where students acquire political knowledge, develop organizational skills, and experience collective action. Kidder and Binder (2022) demonstrate that universities have become important arenas for political mobilization, with students participating through different organizational and ideological channels. Morgan, Zilvinskis, and Dugan (2019) similarly conceptualize student activism as an important dimension of civic learning and democratic engagement. These findings suggest that activism

should not automatically be interpreted as a failure of institutional discipline. In many circumstances, activism represents students actively performing the democratic competencies that higher education is expected to cultivate.

This does not mean that every student action deserves absolute protection. Academic freedom and freedom of expression are not synonymous with immunity from legal responsibility. Threats of violence, physical assault, destruction of property, coercive intimidation, and targeted harassment may justify restrictions. The crucial question is whether the restriction addresses actual harm rather than merely institutional discomfort. Paphitis (2025) identifies the tension between the desire to create safe campus environments and the need to preserve spaces for free intellectual and political expression. The challenge is therefore to construct campus environments that are simultaneously safe and intellectually open rather than resolving the tension by allowing one objective to eliminate the other.

Student Activism, Campus Governance, and the Chilling Effect

Student activism should be understood as a legitimate form of participation in university governance and public life. Students may organize petitions, publish criticism, conduct demonstrations, establish discussion forums, use social media, or communicate demands through student organizations. These activities are not necessarily external to the university's educational mission. Rather, they can provide practical experiences of deliberation, leadership, coalition-building, negotiation, and political responsibility. Farago et al. (2018) found that student activism can contribute to leadership development, critical consciousness, academic experiences, and community engagement. Similarly, Cole and Heinecke (2020) describe student activism as a response to broader struggles concerning the direction and governance of higher education.

The Indonesian experience confirms the political and educational significance of student mobilization. Savirani's analysis of the Gejayan Memanggil movement demonstrates that students understood themselves as agents of change and participated in collective protest despite the absence of direct institutional support. This finding is significant because it challenges a governance model in which student participation is considered legitimate only when it occurs through channels approved by university authorities. Formal channels such as student councils are important, but they cannot replace the right to engage in independent political action. A democratic university should maintain formal participation mechanisms while also accepting that students may choose alternative forms of peaceful collective expression when institutional mechanisms do not adequately respond to their concerns.

The existence of formal channels, however, does not guarantee meaningful participation. Student activism can become necessary precisely because existing institutional channels are perceived as ineffective. Research on student participation in Indonesian universities indicates that awareness of campus issues

may coexist with limited formal participation because students lack knowledge of available channels and fear institutional consequences. The existence of a chilling effect is particularly important because repression does not need to involve formal punishment to restrict expression. The anticipation of negative consequences can be sufficient to discourage participation. Ramadhan et al. (2025) identify the interaction between limited formal channels and a climate of fear as an important explanation for low levels of formal student opinion participation.

Chilling effects are difficult to detect because their most significant victims are often students who never speak. A disciplinary case can be documented, but the number of students who decide not to publish an article, organize a discussion, attend a demonstration, or criticize an administrator because they fear sanctions is almost impossible to measure. This makes vague regulations particularly problematic. If students cannot determine whether criticism will be classified as disrespect, defamation, reputational harm, disobedience, or misconduct, they may rationally choose silence. The legal principle of foreseeability therefore has particular importance in campus regulation. Rules should identify prohibited conduct with sufficient precision that students can understand what behavior creates disciplinary exposure.

Comparative research illustrates how institutional responses can unintentionally transform ordinary disagreement into disciplinary conflict. Mahler-Rogers (2018) found that university administrators respond to student activism through different institutional strategies, with the quality of institutional leadership influencing whether activism becomes a constructive component of campus life or a source of antagonism. Thick responsiveness is particularly relevant in this context. Student protest should not be answered merely by offering dialogue while refusing to reconsider institutional decisions. Research on student protest argues that meaningful institutional responsiveness requires recognition of students' experiences and, where appropriate, changes in institutional power or resources rather than symbolic consultation alone.

The governance problem becomes more difficult where university administrators interpret criticism as a threat to institutional reputation. Universities understandably have interests in maintaining public trust, but reputation cannot be elevated above rights. A university's reputation should be strengthened through transparent governance and responsible conduct rather than protected by suppressing criticism. If students are punished merely for exposing administrative failures, allegations of misconduct, or controversial policies, the disciplinary system becomes a mechanism for protecting institutional image rather than protecting the academic community. Such practices can undermine trust and ultimately damage the university's legitimacy more severely than the criticism it sought to suppress.

The issue is particularly visible in student journalism. Student press organizations perform a distinctive function because they provide an institutionalized mechanism through which students investigate and communicate issues affecting the campus community. Indonesian research has documented the

vulnerability of student press institutions to censorship, intimidation, verbal violence, and institutional intervention. Shodikin (2022/2023) argues that the legal position of student press institutions remains problematic because student journalists do not always fit neatly within the formal legal categories established by the Press Law. Wahyudi and Nayoni (2023) similarly identify the unclear legal position of student press institutions as a factor contributing to their vulnerability to criminalization.

The vulnerability of student media demonstrates why freedom of expression must be understood institutionally rather than only individually. A university may formally allow students to express opinions while simultaneously controlling the organizations through which students publish. If student press institutions can be suspended, censored, or intimidated whenever their reporting becomes critical, the formal right to expression becomes ineffective. Research concerning student press in Indonesia has also documented verbal violence against student journalists during campus reporting activities (Bevani, Azahra, and Widarasari 2024). Protecting student activism therefore requires protection not only for individual speakers but also for the organizational and communicative infrastructure through which student expression occurs.

Legal Limits, Proportionality, and Institutional Discipline

The central legal challenge is to distinguish legitimate regulation from disproportionate restriction. Universities have legitimate interests in maintaining safety, preventing violence, protecting teaching activities, and ensuring that students can study without harassment or intimidation. These interests are not incompatible with freedom of expression. The difficulty arises when general disciplinary authority is used to prohibit criticism because criticism is uncomfortable, politically sensitive, or damaging to institutional image. A rights-compatible system should therefore apply a structured proportionality assessment. The institution should identify the legal basis for the restriction, the legitimate objective pursued, the connection between the restriction and that objective, whether a less restrictive measure is available, and whether the restriction produces excessive harm to protected expression.

This proportionality framework is consistent with international human rights principles. Article 19 of the International Covenant on Civil and Political Rights protects freedom of expression while permitting restrictions only under specified conditions, including respect for the rights or reputations of others and protection of national security, public order, public health, or morals. Article 21 protects peaceful assembly. These principles are especially relevant to universities because student demonstrations frequently involve both expression and assembly. A university should therefore not classify a peaceful protest as misconduct simply because it is critical, inconvenient, or politically controversial. The legal focus

should be on conduct that creates a concrete and proportionate justification for intervention.

Indonesian law similarly provides a constitutional foundation for expression and public assembly. Law No. 9 of 1998 concerning Freedom to Express Opinions in Public recognizes demonstration and other forms of public expression as legally protected activities subject to defined requirements. Maksudin's study of student demonstrations at an Indonesian Islamic university emphasizes that student demonstrations constitute legally recognized forms of public expression and examines the moral dimensions of such protests (Maksudin 2023). The existence of procedural requirements does not, however, eliminate the substantive right. Universities should not treat failure to satisfy minor administrative procedures as automatically equivalent to violent or dangerous conduct.

The emergence of restrictions under criminal law further illustrates the need for caution. Research concerning Article 256 of Indonesia's new Criminal Code has raised concerns that criminal sanctions associated with demonstrations may discourage legitimate public expression if applied too broadly (Fernando, Kristanto, and Anditya 2024). Although the provision concerns public demonstrations more broadly rather than university activism alone, its implications are relevant to students because student demonstrations frequently move between campus and public spaces. The regulatory environment should therefore distinguish peaceful political participation from conduct that genuinely threatens safety or property. Criminal or disciplinary sanctions should not become the default response to procedural non-compliance where less restrictive remedies are available.

The principle of neutrality is equally important. Universities should not regulate expression according to the viewpoint expressed. A rule that prohibits "political activity" may appear neutral but can disproportionately affect students engaged in public-interest advocacy because virtually all significant social issues have political dimensions. Similarly, a prohibition on "negative statements about the university" may protect institutional authority rather than educational integrity. The appropriate distinction should be between protected expression and harmful conduct, not between favorable and unfavorable opinions. International scholarship on campus speech demonstrates that disputes over provocative expression frequently involve competing conceptions of free speech and inclusion. Students may disagree strongly about whether particular speakers or messages should be welcomed, but institutional regulation should remain anchored in principled standards rather than political preference.

Protection against discrimination and harassment must nevertheless be taken seriously. Freedom of expression cannot be used as an unlimited justification for targeted violence or serious harassment. Universities have obligations to protect students from threats, discriminatory exclusion, sexual harassment, and other conduct that undermines equal participation. The challenge is therefore not to choose between expression and safety but to design rules capable of protecting both. Garces et al. (2021) show that institutional responses to controversial speech

can become counterproductive when administrators rely on legalistic approaches that prioritize formal control rather than carefully balancing expression and inclusion. Their concept of “repressive legalism” is useful for understanding how technically lawful procedures can nevertheless produce exclusionary outcomes.

Procedural fairness should consequently be treated as an essential component of freedom of expression. Students facing disciplinary action should receive written notice of the alleged violation, access to the relevant evidence, a reasonable opportunity to respond, an impartial decision-maker, a reasoned decision, and an avenue for appeal. Administrators who directly participated in the disputed event should not automatically determine the disciplinary outcome. Independent review is particularly important where allegations involve criticism of university leadership. Without institutional separation, disciplinary proceedings may appear retaliatory even where the underlying concern is legitimate.

The same logic applies to the involvement of external security forces on campus. Universities may request police assistance where there is a genuine and immediate threat of violence or serious criminal conduct, but the presence of security forces should not become a routine mechanism for controlling peaceful student expression. The use of coercive power within academic spaces can have consequences beyond the immediate incident because students may interpret it as a signal that political criticism is dangerous. The 2025 Indonesian debate concerning police action around university protests illustrates why students and scholars continue to question whether security interventions protect public order or suppress expression. While incidents must be evaluated individually, the broader principle remains that force should be necessary, lawful, and proportionate.

Toward a Rights-Based Governance Framework for Student Activism

A rights-based university governance model should begin by recognizing students as members of the academic community rather than merely recipients of institutional services. This conceptual shift has practical consequences. Students should have a meaningful role in developing rules governing demonstrations, student organizations, campus media, digital expression, and disciplinary procedures. Participation in rulemaking can reduce uncertainty and strengthen legitimacy because students understand how regulations are created and have an opportunity to identify provisions that could unintentionally restrict legitimate expression. Shared governance scholarship emphasizes that democratic institutional structures require meaningful participation rather than merely formal consultation (Giroux, Karmis, and Rouillard 2015).

Campus regulations should be drafted with precision. Terms such as “disrespect,” “harming the university's reputation,” “provocation,” “inappropriate political activity,” or “disturbing institutional harmony” require careful definition if they are to serve as grounds for discipline. Broad language may give administrators excessive discretion and make enforcement unpredictable. Rules should instead

identify concrete forms of prohibited conduct, such as violence, credible threats, targeted harassment, destruction of property, or substantial and intentional interference with essential educational activities. Criticism, satire, protest, disagreement with university leadership, political advocacy, and peaceful collective action should not be treated as misconduct simply because they challenge institutional authority.

The university should also establish clear and accessible rules for peaceful demonstrations. Students should be able to protest on campus subject to reasonable time, place, and manner regulations designed to protect safety and the continuity of essential educational activities. Such rules should be content-neutral and applied consistently. Universities should not impose more burdensome requirements on demonstrations because their message is controversial. Where a protest creates disruption, administrators should first consider negotiation, relocation, temporary scheduling adjustments, or other minimally restrictive measures before resorting to disciplinary sanctions. This approach reflects the principle that institutional inconvenience does not automatically justify the suppression of protected expression.

Student organizations require comparable protection. Universities often exercise substantial control over recognition, funding, facilities, and access to campus resources. This authority can become an indirect mechanism of censorship if organizations are denied recognition because their political views conflict with institutional preferences. Funding decisions should therefore be based on transparent and viewpoint-neutral criteria. Student organizations should have reasonable access to meeting spaces, notice boards, digital platforms, and other campus resources, subject to neutral rules applicable to all groups. This is particularly important for minority or politically unpopular organizations whose activities may not receive informal institutional support.

Student press institutions should receive explicit institutional protection. The legal ambiguity identified in Indonesian scholarship concerning student press demonstrates that relying solely on general press regulation may be insufficient. Universities should recognize student press organizations as independent student media institutions and establish safeguards against editorial interference. Disputes concerning journalistic content should be handled through transparent editorial or mediation procedures rather than administrative censorship. The 2025 study by Komala and Noeswa illustrates that student press institutions continue to face physical attacks, verbal intimidation, doxing, censorship, and threats of banning. These vulnerabilities demonstrate why freedom of expression requires protection for the institutional infrastructure through which students communicate.

Digital activism requires similar protection. Student expression increasingly occurs through Instagram, X, TikTok, campus websites, podcasts, and other digital platforms. Universities should not impose disciplinary sanctions merely because students criticize administrators or government policies through personal accounts. Restrictions may be justified where online conduct constitutes credible threats,

serious harassment, disclosure of protected personal information, or other unlawful conduct, but institutional rules should not transform disagreement into misconduct. Digital expression should be governed according to the same substantive principles of legality, necessity, and proportionality that apply to physical expression.

An independent disciplinary mechanism is perhaps the most important institutional safeguard. Universities should separate the functions of complainant, investigator, prosecutor, and decision-maker wherever possible. Students should have access to representation or assistance, especially in serious disciplinary proceedings. Decisions should be written and reasoned, allowing students to understand why particular conduct was found to violate institutional rules. Appeals should be reviewed by a body independent from the original decision-maker. Such procedures reduce the possibility that discipline becomes an informal extension of administrative authority and provide institutional legitimacy when sanctions are genuinely justified.

Universities should also establish an internal ombuds or academic freedom officer capable of receiving complaints concerning censorship, retaliation, restrictions on student organizations, interference with student media, and disciplinary action arising from protected expression. The office should have sufficient independence to investigate complaints involving senior administrators. Annual reports could identify recurring categories of complaints without disclosing confidential information. Such transparency would allow universities to evaluate whether their regulations are producing systematic chilling effects.

The framework should finally recognize that academic freedom is strengthened by democratic institutional culture. Legal rules are necessary but insufficient if administrators, lecturers, security personnel, and students understand criticism as inherently disloyal. Universities should therefore incorporate freedom of expression, academic freedom, peaceful assembly, and digital rights into orientation programs and staff training. Administrators should be trained to distinguish criticism from threats, disagreement from harassment, and protest from violence. The objective is not to eliminate conflict from campus life but to develop institutional capacity to manage conflict without suppressing legitimate political and intellectual participation.

Student Activism and the Democratic Mission of Higher Education

The preceding analysis demonstrates that student activism should be evaluated not primarily through the lens of institutional order but through the broader educational and democratic mission of the university. Student protest can be disruptive, but disruption alone does not make expression illegitimate. Democratic participation often involves disagreement, contestation, and institutional pressure. The educational value of activism lies partly in the fact that students learn to confront authority, formulate arguments, negotiate competing interests, organize collective action, and accept the consequences of political disagreement. Research on

activism in higher education confirms that such engagement can function as a form of civic learning and leadership development (Morgan, Zilvinskis, and Dugan 2019; Farago et al. 2018). The university should therefore distinguish harmful disruption from democratic contestation rather than treating both as equivalent.

This perspective challenges the managerial conception of the university. Under managerial governance, students may be viewed primarily as consumers, administrative subjects, or beneficiaries of institutional services. Such a conception can make protest appear irrational because students are expected to communicate dissatisfaction through customer-service mechanisms rather than collective political action. Yet the university is not merely a service provider. It is a public and intellectual institution whose legitimacy depends partly on its ability to facilitate critical debate. Giroux, Karmis, and Rouillard (2015) argue that democratic universities require governance structures characterized by equality, transparency, accountability, and critical thinking. From this perspective, student activism is not an external disturbance but part of the political life that democratic higher education should accommodate.

The relationship between student activism and institutional authority should nevertheless not be romanticized. Student movements can reproduce exclusion, ideological polarization, or hostility toward opposing viewpoints. Kidder's research on campus speech demonstrates that student activists may adopt competing approaches to free expression, with some prioritizing unrestricted speech and others emphasizing protection against harmful or hostile expression (Kidder 2021). This complexity reinforces rather than weakens the case for principled governance. Universities should not determine the legitimacy of expression according to which political group is speaking. The same standards must apply to progressive, conservative, religious, secular, nationalist, environmental, feminist, or other student movements. Viewpoint neutrality is essential if universities are to retain credibility as spaces for intellectual pluralism.

The concept of institutional responsiveness is therefore preferable to both repression and unconditional endorsement. Universities should not automatically accept every demand made by student activists, but they should create meaningful procedures for responding to them. Thick responsiveness requires institutions to take student reasoning seriously and, where evidence supports the concern, alter policies, resources, or institutional arrangements. This approach treats disagreement as a source of information rather than a threat. A university that responds to criticism through reasoned explanation, negotiation, and transparent decision-making can preserve authority without suppressing expression.

Indonesian universities face an additional challenge because academic freedom exists within a broader political environment in which democratic institutions have experienced periods of decline and authoritarian tendencies. Wiratraman and Prakasa (2024) identify a changing form of authoritarianism that affects academic freedom and includes cyberattacks against academics, activists, students, and other critical groups. This environment means that campus-level

restrictions cannot always be treated as isolated administrative decisions. When institutional restrictions coincide with broader political pressures, students may reasonably perceive campus discipline as part of a larger system of political control.

At the same time, universities themselves may become sources of repression independently of the state. Recent Indonesian scholarship has argued that academic freedom can be constrained through the interaction of state interference, university leadership, and weak legal protection. The analysis of repression within Indonesian universities identifies censorship of student press, prohibition of public discussions, and pressure on lecturers who criticize university policies as significant forms of restriction (Karim and Salam 2025). Although the present article focuses on students, the finding is important because it demonstrates that institutional autonomy cannot by itself guarantee individual academic freedom.

The distinction between external and internal threats to academic freedom should consequently become central to Indonesian higher education governance. Universities require protection from improper state intervention, but students simultaneously require protection from improper university intervention. Institutional autonomy should function as a shield for the academic community, not as a shield for administrators against accountability. Where university leaders can unilaterally define criticism as misconduct, academic freedom becomes dependent on administrative goodwill. Rights-based governance instead requires institutional rules that constrain administrative discretion and provide independent mechanisms for review.

The problem of chilling effects is particularly serious in this context. A university may claim that students remain formally free to express themselves because no general prohibition exists. Yet if students have witnessed disciplinary sanctions against peers, censorship of student media, or security intervention in protests, they may reasonably conclude that certain forms of expression are unsafe. The result is a hidden restriction that is difficult to capture through formal legal analysis. Protecting student activism therefore requires universities to assess not only the content of regulations but also their practical effects. Periodic reviews should ask whether students feel safe criticizing administrators, organizing demonstrations, publishing controversial material, and expressing unpopular political opinions.

A rights-based approach also benefits the university itself. Institutions that permit criticism can identify administrative failures earlier and respond to emerging problems before they become major crises. Student journalists and activists often have direct knowledge of campus problems and can provide information that formal administrative systems overlook. Suppressing such voices may temporarily reduce visible conflict but can increase long-term institutional risk. A transparent university that tolerates criticism may experience more visible disagreement but also develop stronger mechanisms for correction and accountability.

Ultimately, academic freedom should be understood as a condition of educational excellence rather than an institutional privilege. Students cannot

develop independent judgment if they learn that questioning authority carries unpredictable punishment. They cannot become democratic citizens if campus governance teaches them that political participation must occur only through channels controlled by those in power. And they cannot develop intellectual courage if institutional culture rewards conformity. Protecting student activism therefore contributes directly to the educational mission of universities. The democratic university is not one without conflict; it is one capable of managing conflict through rights, reason, dialogue, and accountable governance.

Conclusion

Academic freedom and freedom of expression are fundamental conditions for the educational and democratic mission of Indonesian universities. Students should be recognized as active members of the academic community whose rights include the ability to question institutional policies, participate in political discussion, organize collectively, publish criticism, demonstrate peacefully, and engage in digital advocacy. Indonesian constitutional and statutory law provides an important normative foundation for these rights, but formal recognition remains insufficient when vague disciplinary rules, institutional hierarchy, administrative discretion, or security practices create a chilling effect. Student activism should therefore not be treated inherently as misconduct or institutional disruption. Its legitimacy must be assessed according to the nature of the conduct, the rights of others, and the existence of a genuine and proportionate institutional interest.

The appropriate governance response is a rights-based model grounded in legality, necessity, proportionality, transparency, viewpoint neutrality, and procedural fairness. Universities should adopt precise disciplinary rules, protect peaceful demonstrations and student organizations, strengthen the independence of student media, regulate security intervention carefully, and provide independent disciplinary review and effective appeals. Institutional autonomy should protect the academic community rather than insulate university leaders from criticism. Meaningful student participation in campus rulemaking should accompany these safeguards so that students become participants in university governance rather than merely subjects of institutional regulation.

Protecting student activism ultimately strengthens rather than weakens Indonesian higher education. Universities are among the few institutional environments where young people can learn democratic citizenship through direct experience of disagreement, collective action, negotiation, and accountability. When students can criticize authority without fear of arbitrary punishment, universities become more capable of identifying institutional problems and cultivating independent thinkers. The objective should therefore not be to create campuses free from controversy but campuses capable of managing controversy through rights and reason. A university that protects peaceful dissent, critical inquiry, student journalism, and democratic participation is better positioned to

fulfill its constitutional and educational responsibilities while contributing to the consolidation of democratic citizenship in Indonesia.

References

- Al-Fatih, Sholahuddin, Zaka Firma Aditya, Abdul Basid Fuadi, and Muhammad Nur. 2023. "Academic Freedom of Expression in Indonesia: A Maqashid Sharia Notes." *El-Mashlahah* 13 (2). <https://doi.org/10.23971/el-mashlahah.v13i2.7573>.
- Altbach, Philip G. 2001. "Academic Freedom: International Realities and Challenges." *Higher Education* 41 (1–2): 205–219.
- Beiter, Klaus D., Terence Karran, and Kwadwo Appiagyei-Atua. 2016. "Academic Freedom and Its Protection in the Law of Twenty-First Century Democracies." *European Journal of Comparative Law and Governance* 3 (3): 254–284.
- Bernasconi, Andr s. 2021. "University Autonomy and Academic Freedom: Contrasting Latin American and U.S. Perspectives." *Higher Education Governance and Policy* 2 (1): 56–67.
- Bevani, Friscilla Naldia, Tyara Azahra, and Umi Widarasari. 2024. "Perspektif Lembaga Pers Mahasiswa Unsika Terkait Kekerasan Verbal Kepada Wartawan di Lingkungan Kampus." *Journalism, Public Relation and Media Communication Studies Journal* 5 (2). <https://doi.org/10.35706/jprmedcom.v5i2.10597>.
- Cole, Rose M., and Walter F. Heinecke. 2020. "Higher Education after Neoliberalism: Student Activism as a Guiding Light." *Policy Futures in Education* 18 (1). <https://doi.org/10.1177/1478210318767459>.
- Danvers, Emily, and Jessica Gagnon. 2014. "Is 'Student Engagement' Just a Mirage? The Case for Student Activism." *Education, Citizenship and Social Justice*.
- Farago, Flora, Beth Blue Swadener, Jennifer Richter, Kimberly Eversman, and Denisse Roca-Servat. 2018. "Local to Global Justice: Roles of Student Activism in Higher Education, Leadership Development, and Community Engagement." *Alberta Journal of Educational Research* 64 (2). <https://doi.org/10.55016/ojs/ajer.v64i2.56382>.
- Fernando, Zico Junius, Kiki Kristanto, and Ariesta Wibisono Anditya. 2024. "Knitting Democracy, Separating Restraints: Legal Reform and a Critical Analysis of Article 256 of the New Criminal Code and Its Impact on Freedom of Speech." *Journal of Law and Legal Reform* 5 (2). <https://doi.org/10.15294/jllr.vol5i2.1670>.
- Garces, Liliana M., Brianna Davis Johnson, Evelyn Ambriz, and Dwuana Bradley. 2021. "Repressive Legalism: How Postsecondary Administrators' Responses to On-Campus Hate Speech Undermine a Focus on Inclusion." *American Educational Research Journal* 58 (5). <https://doi.org/10.3102/00028312211027586>.

- Gilbert, Neil. 2016. "Institutionalized Discontent." *Society* 53: 391–397.
- Giroux, Dalie, Dimitrios Karmis, and Christian Rouillard. 2015. "Between the Managerial and the Democratic University: Governance Structure and Academic Freedom as Sites of Political Struggle." *Studies in Social Justice* 9 (2). <https://doi.org/10.26522/ssj.v9i2.1149>.
- Karran, Terence. 2022. "Academic Freedom in Contemporary Britain: A Cause for Concern?" *Higher Education Quarterly* 76 (3): 563–579. <https://doi.org/10.1111/hequ.12346>.
- Kidder, Jeffrey L. 2021. "The Politics of Speech on Campus." *Sociological Forum*. <https://doi.org/10.1111/socf.12681>.
- Kidder, Jeffrey L., and Amy J. Binder. 2022. "Higher Education for American Democracy and the Channels of Student Activism." *Change: The Magazine of Higher Learning*. <https://doi.org/10.1080/00091383.2022.2006566>.
- Mahler-Rogers, Dionicia. 2018. "Higher Education Administrators' Response to Student Activism and Protests." *Higher Education Politics & Economics* 3 (2): 223–237. <https://doi.org/10.32674/hepe.v3i2.10>.
- Maksudin. 2023. "Analyses of Moral Values of Student Activists' Protest Demonstrations in Sunan Kalijaga State Islamic University Yogyakarta." *Jurnal Cakrawala Pendidikan* 42 (1). <https://doi.org/10.21831/cp.v42i1.51801>.
- Morgan, Demetri L., John Zilvinskis, and Brendan Dugan. 2019. "Opening the Activism and Postsecondary Education Black Box: Relating High-Impact Practices and Student Identity with Activist Behaviors." *Journal of Political Science Education* 17 (1). <https://doi.org/10.1080/15512169.2019.1612248>.
- Olcese, Cristiana, Clare Saunders, and Nikos Tzavidis. 2014. "In the Streets with a Degree: How Political Generations, Educational Attainment and Student Status Affect Engagement in Protest Politics." *Innovation: The European Journal of Social Science Research* 29 (6). <https://doi.org/10.1177/0268580914551305>.
- Paphitis, Sotiris. 2025. "'Safe Spaces' vs. Free Spaces: Reconciling Student Activism with Academic Freedom in European Universities." *European Journal of Higher Education*. <https://doi.org/10.1177/17816858251380907>.
- Park, Michael K. 2022. "'Stick to Sports'? First Amendment Values and Limitations to Student-Athlete Expression." *Journalism & Mass Communication Quarterly* 99 (2). <https://doi.org/10.1177/10776990211018757>.
- Pérez, Rodrigo Pablo. 2020. "Protegiendo la Libertad de Emitir Opiniyn en los Campus Universitarios: Una Mirada al Discurso Ofensivo desde la Experiencia Estadounidense." *Derecho Público Iberoamericano* 16: 39–67.
- Pradhan, Ishita, Molly V. Shea, and A. Susan Jurow. 2024. "What Is at Risk in Campus Activism? Learning as Part of Progressive Social Change in U.S. and Indian Higher Education." *Acta Psychologica* 250: 104537. <https://doi.org/10.1016/j.actpsy.2024.104537>.

- Ramadhan, Muhammad Fitran, Fahrial Al Akbar Warsito Putra, Muhammad Darul Rizqullah, Muhammad Wira Al Fikri, and Danish Ayman Pratama. 2025. "Analisis Kesenjangan Peran Warga Negara Kampus antara Kesadaran Isu, Minimnya Saluran Formal, dan Iklim Ketakutan di Kalangan Mahasiswa." *Civic Society Research and Education*. <https://doi.org/10.57094/jpkn.v6i2.4000>.
- Ramadhan, Mohammad Fajar Shodiq, and Muhammad Faishal Aminuddin. 2025. "Student Activism in Post-Authoritarian Indonesia: Higher Education Reform, Movement Dynamics, and Shifting Political Narratives." *JWP (Jurnal Wacana Politik)* 10 (3).
- Rivers, Julian. 2011. "Re-Framing Student Academic Freedom: A Capability Perspective." *Higher Education* 62: 1–13. <https://doi.org/10.1007/s10734-011-9473-4>.
- Savirani, Amalinda. 2023. "University Curricula and Student Movement in Indonesia: 'Gejayan Memanggil' Protest in Yogyakarta." *Journal of Governance*.
- Shodikin, Miftakhul. 2022/2023. "Kedudukan Hukum terhadap Lembaga Pers Mahasiswa Ditinjau dari Undang-Undang Nomor 40 Tahun 1999 tentang Pers." *JHP17: Jurnal Hasil Penelitian* 8 (1). <https://doi.org/10.30996/jhp17.v8i1.7448>.
- Stachowiak-Kudła, Monika. 2021. "Academic Freedom as a Source of Rights' Violations: A European Perspective." *Higher Education* 82: 1031–1048. <https://doi.org/10.1007/s10734-021-00718-3>.
- Timbermont, Evelien. 2023. "Academic Freedom as a Fundamental Feature of Academia: A European Union Perspective." *Higher Education Policy* 36 (2): 394–410.
- Wahyudi, and Dinda Safira Nayoni. 2023. "Perlindungan Hukum bagi Lembaga Pers Mahasiswa terhadap Risiko Kriminalisasi." *Jurnal Hukum Positum* 8 (2). <https://doi.org/10.35706/positum.v8i2.10303>.
- Wiratraman, Herlambang Perdana, and Satria Unggul Wicaksana Prakasa. 2024. "Two Decades of Academic Freedom in Indonesia: The Challenges of the Rise of Authoritarianism in Its New Model." *Jurnal HAM* 15 (2): 143–158. <https://doi.org/10.30641/ham.2024.15.143-158>.

Legal Sources

- Indonesia. 1945. *The Constitution of the Republic of Indonesia of 1945*.
- Indonesia. 1998. *Law No. 9 of 1998 concerning Freedom to Express Opinions in Public*.
- Indonesia. 1999. *Law No. 39 of 1999 concerning Human Rights*.
- Indonesia. 1999. *Law No. 40 of 1999 concerning the Press*.
- Indonesia. 2012. *Law No. 12 of 2012 concerning Higher Education*.
- United Nations. 1966. *International Covenant on Civil and Political Rights*.

United Nations. 1993. *The Lima Declaration on Academic Freedom and the Autonomy of Institutions of Higher Education*.

UNESCO. 1997. *Recommendation concerning the Status of Higher-Education Teaching Personnel*.

Acknowledgment

None

Funding Information

None

Conflicting Interest Statement

The authors state that there is no conflict of interest in the publication of this article.

Publishing Ethical and Originality Statement

All authors declared that this work is original and has never been published in any form and in any media, nor is it under consideration for publication in any journal, and all sources cited in this work refer to the basic standards of scientific citation.

Generative AI Statement

N/A