

# Asian Values Discourses and Its Impact on Freedom of Expression in Social Media

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## Abstract

This study originates from the discourse on social media regarding a set of Asian cultural values that often conflict with universal human rights principles. These values, recognized in human rights studies as Asian values, are seen in various studies as intertwined with threats to human rights. Therefore, this study aims to uncover the forms of discourse surrounding Asian values on social media and their potential impact on freedom of expression. Based on these issues, this research employs a non-doctrinal method, which examines law within various extra-legal contexts, to explore the discourse of Asian

values emerging on social media—especially on the 'X' platform—and its relationship with political and religious expression on social media. The study reveals that the tendency of Asian values to support authoritarianism also extends to social media. Various expressions are then labeled as uncivil and contrary to Indonesian culture. This situation leads Asian values to act as a trigger for the shrinking of civil space on social media.

## Keywords

*Asian values; Freedom of expression; Human rights discourses; Shrinking civic space.*

## I. Introduction

The trajectory of human history shows memories of bitterness caused by war, one of which is World War II. After World War II, humanity tried to create a shield of protection to avoid bitterness that threatened dignity, one of which was through the introduction of moral standards called human rights.<sup>1</sup> Donnelly views human rights as a bulwark of protection for humanity from threatening crimes.<sup>2</sup> In 1948, the United Nations (UN) adopted the Universal Declaration of Human Rights (UDHR), which recognizes human dignity and is then dubbed as "*children of their time*".<sup>3</sup> This nickname shows that the UDHR is a hope in an era that seeks to place human dignity at its highest point.

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<sup>1</sup> Dominic Stolerman dan David Lagnado, "The Moral Foundations of Human Rights Attitudes," *Political Psychology* 41, no. 3 (2020): 439-459, <https://doi.org/10.1111/pops.12539>.

<sup>2</sup> Jack Donnelly, *The Concept of Human Rights*, (London: Routledge, 2021).

<sup>3</sup> Michael Krennerich, *Human Rights Politics: An Introduction*, (New York: Springer, 2022), 5—6.

Although the UDHR—broadly human rights—pays excellent attention to human dignity, its legitimacy is often debated. At the very least, divisions occur between universalists who view that human rights apply universally to every human being.<sup>4</sup> Meanwhile, on the other hand, relativists view that the legitimacy of human rights is very dependent on the culture of a nation.<sup>5</sup> Such debates regarding the legitimacy of human rights also find their form in developing human rights in Asia through the discourse of Asian values. In short, discourse Asian values seeks to place human rights in the context of cultures in Asia.<sup>6</sup> Because of these things, countries in Asia are accused of tending to be reluctant to be actively involved in human rights issues, especially when they come into contact with the international level.<sup>7</sup>

In human rights studies itself, by borrowing the perspective of Laclau and Mouffe, Asian values are like floating markers around discursive formations regarding human rights.<sup>8</sup> Consequently, Asian values are not seen as having meaning 'in itself' but are formed through their relationship with other signifiers. It became clear later when Asian values are not only seen as a concept that prevents cultural colonization by Western countries, but are also understood as an ideological product

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<sup>4</sup> Anicée Van Engeland, "Human Rights: Between Universalism and Relativism," In Sergey Sayapin, Rustam Atadjanov, Umesh Kadam, Gerhard Kemp, Nicolás Zambrana-Tévar, and Noëlle Quéniwet (eds.), *International Conflict and Security Law*, (The Hague: Asser Press, 2022).

<sup>5</sup> *Ibid.*

<sup>6</sup> Wen-Chen Chang, "Asian Values, Confucianism, and Illiberal Constitutions," in Andrés Sajó, Renáta Uitz, and Stephen Holmes (eds.), *Routledge Handbook of Illiberalism*, (London: Routledge, 2021).

<sup>7</sup> Claude E. Welch, "Global Change and Human Rights: Asian Perspectives in Comparative Context," in Claude E. Welch and Virginia A. Leary (ed.), *Asian Perspectives On Human Rights*, (London: Routledge, 2023), 7.

<sup>8</sup> About Laclau and Mouffe's concept, read in: Ernesto Laclau, *Emancipation(s)* (London: Verso, 1996); Ernesto Laclau and Chantal Mouffe, *Hegemony and Socialist Strategy: Towards a Radical Democratic Politics*, (London: Verso Books, 2001).

cloaked in cultural arguments to perpetuate authoritarian governments in Asia.<sup>9</sup> The latest is a show on a video sharing site that links Asian values with democratic values and human rights in Indonesia—in the context of the debate regarding oligarchy, nepotism, and human rights in the 2024 General Election.<sup>10</sup>

The video then sparked debate regarding concepts and frameworks of Asian values in human rights in Indonesia, not only in the real world but also in cyberspace through social media platforms, namely X/Twitter. Based on this phenomenon, this study formulates the problem: how do we interpret Asian values in the discourse that develops on social media? It doesn't just stop there; this article further reflects and asks: How is there a relationship between discourses of Asian values and freedom of expression on social media? Reflective enrichment of the discourse that develops on social media is so significant to do today, considering that social media has the power to create 'truth' in the era of connection between post-truth and the digital age.<sup>11</sup> Human rights are not free from such threats; ultimately, what is a 'right' and what is 'not a right' is often distorted as post-truth links with the digital era. Therefore, the problems raised are very significant in contemporary human rights studies.

Regarding the problem that has been formulated, we consider it essential to review similar research to avoid repetition and ensure that this study makes a new contribution to science.

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<sup>9</sup> Amartya Sen, "Human Rights and Asian Values," *The New Republic: Washington* 217, No. 2-3 (1997): 33–40, <https://www.proquest.com/docview/212785609?parentSessionId=AquB2wW8jxA95W8cefKvfkGqijpy5hgi6cNYpvLD4Ls%3D&sourcetype=Magazines>.

<sup>10</sup> Total Politik, "Pandji Pragiwaksono Kaget Sama Jurusan Andalan Prabowo?," YouTube, June 4, 2024, 1:13:51, [https://www.youtube.com/watch?v=k4oDIDYFgTk&ab\\_channel=TotalPolitik](https://www.youtube.com/watch?v=k4oDIDYFgTk&ab_channel=TotalPolitik).

<sup>11</sup> Charlotte Galpin and Patrick Vernon, "Post-truth politics as discursive violence: Online abuse, the public sphere and the figure of 'the expert'," *The British Journal of Politics and International Relations* 26, no. 2 (2024): 423–443, <https://doi.org/10.1177/13691481231202641>.

The first research, conducted by June, focused on the search for Asian values in the era of cyber democracy in Indonesia. Our research has similarities with Juned's research because both examine the development of social media and the discourse of Asian values in it. However, there are significant differences between the two. If Juned's research aims to find Asian values in social media by referring to the concept of cyber democracy, our research makes the discourse of Asian values in social media a touchstone for human rights—especially the right to freedom of expression.<sup>12</sup> The subsequent research worth noting is Shen and Tsui's research, which links three variables that also appear in our research in detail, namely Asian values, freedom of expression, and technological development.<sup>13</sup> However, significant differences emerge in the technological development variable. If Shen and Tsui linked these three variables through surveys of technology users, our research uses technological developments—in the form of social media—as a data source. As a result, Shen and Tsui's study only assessed freedom of technology use in Asia, whereas our study conducted an in-depth analysis of Asian values and freedom of expression on social media. In conclusion, this research will enrich critical discourse regarding contemporary human rights studies and their practice in Asia, particularly regarding the development of social media, which can influence freedom of expression.

Discuss discourse on Asian values and their relation to freedom of expression on social media, starting with putting the concept of Asian values first within the framework of human rights law in Indonesia. After that, a study was carried out on the

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<sup>12</sup> Mansur Juned, "Revisiting Asian Values In Southeast Asian's Cyberdemocracy Discourse," *Journal of Political Discourse* 8, no. 2 (2023): 156–165, <https://doi.org/10.24198/jwp.v8i2.49218>.

<sup>13</sup> Fei Shen and Lokman Tsui, "Revisiting the Asian Values Thesis: An Empirical Study of Asian Values, Internet Use, and Support for Freedom of Expression in 11 Societies," *Asian Survey* 58, no. 3 (2018): 535-556, <https://doi.org/10.1525/as.2018.58.3.535>.

development of social media and its impact on human rights studies. These two sub-discussions will be the basis for analyzing and understanding the discourse of Asian values that develops on social media. The following section will focus on efforts to show the linkages between discourses of Asian values and freedom of expression on social media. This article will provide evidence regarding the narrowing of civil space on social media and the development of discourse on Asian values in that space.

## II. Method

This research was conducted non-doctrinally, looking at the relationship between discourse and praxis, especially between discourses on social media regarding Asian values and the praxis of freedom of expression in Indonesia. This research uses data sourced from the X/Twitter platform as an observation medium.<sup>14</sup> As research that uses digital media, this research was not conducted using the '*getting in and getting along*'.<sup>15</sup> In this research, we observed around 1,000 tweets posted on the platform *convenience sampling* by using keywords such as "Asian values", "Asian culture", "Asian values HUMAN RIGHTS", as well as hashtags relevant, such as #AsianValues, #NilaiAsia, and #Asian Culture. We also set a limitation by only paying attention to tweets in Indonesian and English. Inclusion criteria included tweets that explicitly discussed or related to Asian values, while tweets that were retweeted without comment, advertising, or irrelevant to the topic were excluded from the analysis.

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<sup>14</sup> Patrick Carmichael, "Secondary Qualitative Analysis using Online Resources," in Nigel G Fielding, Raymond M. Lee, and Grant Blank (ed.), *The Sage Handbook of Online Research Methods*, (London: Sage Publishing, 2017), 519.

<sup>15</sup> *Getting in and getting along* is a form of data collection method where the researcher becomes an inseparable part of the research subject. This method of data collection is commonly found in ethnographic research.

The determination of around 1,000 tweets was based on the need to obtain representative and varied data to describe discourse regarding Asian values on social media. This number also considers resource limitations and allows in-depth analysis without overloading the qualitative process. The data collection process was carried out systematically through manual searches on the X platform using keywords and hashtag-predetermined data, and data validation was maintained by two researchers to reduce bias. In conclusion, researchers observed the development of a discourse on social media and collected data randomly to avoid bias from researchers in data collection.<sup>16</sup>

Even though the main study is on the discourse formed on social media, as a legal study, this article does not remove its view from the legal aspect, especially the interconnection between the legal and non-legal aspects of the phenomena observed. Therefore, this study also utilizes the statutory regulatory approach. All data collected is then analyzed qualitatively and then explained descriptively to solve the problems that have been formulated.

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<sup>16</sup> Regarding this method, see further in: Matthew J. Salganik, *Bit by Bit: Social Research in the Digital Age*. (New Jersey: Princeton University Press, 2018); LaTrice Montgomery, Kamonta Heidelberg, and Cendrine Robinson, “Characterizing Blunt Use Among Twitter Users: Racial/Ethnic Differences in Use Patterns and Characteristics,” *Substance Use & Misuse* 53, no. 3 (2018): 501—507. <https://doi.org/10.1080/10826084.2017.1341926>.

### III. Discourse Asian Values on Social Media

#### A. Human Rights in Indonesia (Still) in Progress: An Introduction to Asian Values

In the study of human rights in Asia—including in Indonesia—there is an endless debate between the paradigms of universalism and cultural relativism.<sup>17</sup> The two are like endless antinomies. Human rights observers are then divided into two opposing poles. At the first pole, researchers view that human rights apply universally and cannot be limited aside. It's solely due to cultural issues, while at the other pole, this assumption is rejected. This debate will be the primary focus of the first sub-discussion of this article, including the universalist and relativist debate in the construction of human rights in Indonesia.

The universalist view assumes that human rights apply to all humans because of their content, intrinsic authority<sup>18</sup> contained

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<sup>17</sup> The debate often finds its form in headlines such as "universalism versus particularism" or "naturalists versus positivists" which are actually the same and similar things. Therefore, the term universalism in this article also refers to the term naturalist, while the term cultural relativism also refers to particularism and positivism.

<sup>18</sup> In the universalist view, *intrinsic authority* Human rights derive from the inherent value of each individual's dignity as a human being, without reliance on external recognition or cultural context. This right is considered universal, inalienable, and applies to everyone everywhere. As valid moral norms in their own right, human rights have an intrinsic legitimacy that goes beyond pragmatic justification. However, this universalism often faces challenges, especially from cultural relativism and geopolitical domination, which try to limit its application. However, intrinsic authority emphasizes that human rights are non-negotiable and must be protected as a fundamental moral principle in building global justice. See further, for example in: Richard Tuck, *Natural Rights Theories Their Origin and Development*, (Cambridge: Cambridge University Press, 2012); Charles R. Beitz, *The Idea of Human Rights* (Oxford: Oxford University Press, 2009).

in it.<sup>19</sup> This is possible because human rights are laid out as a set of rights given to individuals simply because they are human. The norms in international documents regarding human rights apply and protect people worldwide. Human rights can apply universally because human rights exist 'before politics'<sup>20</sup> so that human rights, in principle, cannot be affected or even lost for political reasons, including cultural ones. It is not surprising that universalist proponents believe that there is no cultural practice that can eliminate the universality of human rights; if there is a conflict between the two, cultural practices must be ignored. Universalists believe that from the beginning, human rights were institutionalized in legal texts and imagined as a standard that applies universally.<sup>21</sup> Article 1 of the UDHR confirms this: "all people are born free and have equal dignity and rights." The construction of these norms indicates that a set of rights entitled to human rights is given to all human beings from birth without any distinction of cultural

From cultural relativism's perspective, human rights' validity rests on culture. Relativists accuse the proponents of universal human rights of not paying attention to the culture that still exists

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<sup>19</sup> Jack Donnelly, *Universal Human Rights in Theory and Practice*, (New York: Cornell University Press, 2013), 10; Regarding the intrinsic authority in question, see: Heiner Bielefeldt, *Sources of Solidarity A Short Introduction to the Foundations of Human Rights*, (Erlangen: FAU University Press, 2022), 6.

<sup>20</sup> The concept of 'before-politics–pre-political' in the context of the universality of human rights often refers to the idea that human rights are inherent rights inherent in every individual before the existence of formal political or legal institutions. Thus, human rights precede any political order and become a binding moral foundation for states in formulating laws and policies that protect human dignity. On the 'pre-political' conception of human rights, see generally in: Ayten Gündoğdu, *Rightlessness in an Age of Rights*, (New York: Oxford University Press, 2015), 55–89; Michael Freeman, *Human Rights: Key Concepts*, (Cambridge: Polity Press, 2022).

<sup>21</sup> See for example: Jack Donnelly, *The Concept of Human Rights*, (London: Routledge, 2021).

in some parts of the world.<sup>22</sup> Especially when a set of human rights norms is seen to be in harmony with the cultural practices of a 'nation.' will put aside the assessment of morality at the national and subnational levels. Provocatively, proponents of cultural relativism assume that all arguments for the universality of human rights are only tools used to create cultural hegemony.<sup>23</sup>

Lev, a political scientist and Indonesianist, tries to reconcile the dispute between the two camps in viewing the legitimacy of human rights. According to him, the debate over universalism and particularism is just a myth that is perpetuated in human rights studies. This perpetuation aims to cover up human rights violations committed by the two warring camps.<sup>24</sup> On a practical level, human rights violations can occur in parts of the world anywhere, no matter the dichotomy of East and West, nor the view of universalism or cultural relativism on human rights. In line with Lev, Donnelly tries to reconcile the conflict by viewing the dichotomy between universality and relativity as wrong. Unlike Lev, who entirely views the debate between universalism and relativism as irrelevant, Donnelly emphasizes his rejection of an apparent dichotomy between the two camps. According to him, strict universalism in the form of 'radical universalism' would be

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<sup>22</sup> Nsama Jonathan Simuziya and Ceri Houlbrook, "Universal Human Rights vs Cultural & Religious Variations: An African Perspective," *Cogent Arts & Humanities* 8, no. 1 (2021): 1–15, <https://doi.org/10.1080/23311983.2021.1988385>.

<sup>23</sup> This argument was built by O'Byrne who departed from the basic proposition that human rights are the standard of 'Western' morality, so that the universality of human rights would be '*weapon of cultural hegemony*—a tool of Western cultural hegemony over second world or third world countries. Read more in: Darren O'Byrne, *Human Rights: An Introduction*, (London: Routledge, 2013), 42. See also Nikita Dhawan, "Human Rights Standards: Hegemony, Law and Politics," *Contemporary Political Theory* 18, no. 2 (2019): 87–90, <https://doi.org/10.1057/s41296-017-0180-5>.

<sup>24</sup> Daniel S Lev, "Foreword," in Todung Mulya Lubis, *Mencari Hak Asasi Manusia: Dilema Politik Hukum Indonesia Masa Orde Baru 1966–1990*, (Yogyakarta: Circa, 2021), xvii.

an instrument for tyranny, while strict relativism in existence, radical cultural relativism will eliminate human rights.<sup>25</sup> For these reasons, Donnelly then introduced the concept of 'limited universality'<sup>26</sup>

Lev and Donnelly are not strong enough to resolve the dispute between universalism and relativism in human rights studies, especially in Indonesia. Since Indonesia's independence was planned, the conceptual struggle regarding universalism and cultural relativism regarding human rights has manifested in the pages of history. Soepomo, a legal pendulum graduate from Leiden who became one of the architects of the 1945 Constitution, clearly rejected universalist ideas that he thought were not in harmony with the style of the Indonesian nation.<sup>27</sup> Furthermore, Soepomo could even be suspected of dismissing the concept of human rights, which he saw as liberal, so that it would limit state power, which is in line with his reflection that human rights indicated a conflict between the state and its citizens.<sup>28</sup> This conflict would be very far from the jurist's idea of an integral state, which, in principle, places the state and its citizens into an organic

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<sup>25</sup> Jack Donnelly, "Cultural Relativism and Universal Human Rights," *Human Rights Quarterly* 6, no. 4 (1984): 400–419, 402–405, <https://doi.org/10.2307/762182>.

<sup>26</sup> This concept explains that human rights are universal in principle, but their application can vary according to the social, cultural, political and economic context of a society. Donnelly emphasized that the universality of human rights lies in its basic values, namely respect for human dignity which is recognized globally. However, in practice, the implementation of human rights can be adapted to local conditions without sacrificing its universal essence. This approach aims to avoid two extremes, namely cultural absolutism which rejects universal values in favor of local traditions, and value imperialism which imposes certain standards of morality on all. See further in: Jack Donnelly, "The Relative Universality of Human Rights," *Human Rights Quarterly* 29, no. 2 (2007): 281–306, <http://www.jstor.org/stable/20072800>.

<sup>27</sup> See further in: Melissa Crouch, *Constitutional Democracy in Indonesia*, (Oxford: Oxford University Press, 2023).

<sup>28</sup> *Ibid.*

order.<sup>29</sup> Robert assessed Soepomo's perspective in later life as a view that shows the primordial conflict between the conception of an organic state and human rights.<sup>30</sup>

In line with Soepomo, Sukarno also rejected the idea of individual rights. He conveyed in the independence preparation meeting that the constitution is a form of 'our protest is mighty' against individualism and capitalism.<sup>31</sup> This view explains why Sukarno rejected the inclusion of individual rights in the constitution, which many people later believed was a form of Sukarno's rejection of the ideas of human rights. Although it has a reasonably strong basis, it must be taken into account that, to a certain extent, rejecting the concept of individual rights is not a *sine qua non*, non-automatically. This means that Sukarno rejected the idea of human rights.<sup>32</sup> In contrast to Soepomo's

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<sup>29</sup> Tim Lindsey, *Indonesia: Devaluing Asian Values, Rewriting Rule of Law*, in Randall Peerenboom (ed.), *Asian Discourse of Rule of Law*, (New York: Routledge, 2004), 290–293; Abdurrachman Satrio, "Restoring Indonesia's (Un)Constitutional Constitution: Soepomo's Authoritarian Constitution," *German Law Journal* 24, no. 2 (2023): 402–16. <https://doi.org/10.1017/glj.2023.16>;

<sup>30</sup> Robertus Robet, "Meninjau Kembali Negara Organik: Hak Asasi dan Demokrasi Pasca-Reformasi di Indonesia," in Robertus Robet and Todung Mulya Lubis (ed.), *Kultur Hak Asasi Manusia di Negara Illiberal*, (Tangerang: Marjin Kiri, 2020), 150.

<sup>31</sup> Sekretariat Negara Republik Indonesia, *Himpunan Risalah Sidang-Sidang dari Badan Penyelidik Usaha Persiapan Kemerdekaan Indonesia (BPUPKI) dan Panitia Persiapan Kemerdekaan Indonesia*, (Jakarta: Sekretariat Negara Republik Indonesia, 1959), 344.

<sup>32</sup> Ben Anderson indirectly confirms this by directly writing that the son of the dawn is a figure who 'refuse' on violence. "*Bung Karno was well-known to dislike killing and other forms of violence*", wrote Anderson. See in: Benedict Anderson, "Bung Karno and the Fossilization of Sukarno's Thought," *Indonesia* 74, (2002): 1–19. Another thing that needs to be clarified is that *Bung Karno* never stated his rejection of human rights explicitly. His rejection was limited to liberalism which he saw as the root of Indonesian imperialism at that time. His speech before BPUPK, "... *What's the use of grondwet if it can't fill the stomachs of people who are about to die of hunger? Grondwet which contains "droit de l'homme et du citoyen" cannot eliminate the hunger of poor people who are about to starve to death...*", shows

rejection, which considered that the concept of human rights conflicted with the idea of an organic state, Sukarno's rejection of individual rights was more about his refusal to get stuck on Western concepts that he saw as a product of imperialist media to dominate colonial countries. Thus, Putra Fajar's rejection is not based on the idea of human rights as a whole.

From the two opinions of the founding parents, it is clear that the conception of human rights when the Indonesian state was first established had a paradigm of cultural relativism, which rejected the idea of universal human rights to a certain degree. The arguments regarding human rights incompatibility with the Indonesian style indicate this paradigm. However, this paradigm seemed to shift after the New Order came to power. This paradigm shift is reflected in the institutionalization of the 'Human Rights Charter'—a human rights legal document that once gave hope for commitment to human rights in Indonesia, although later, the charter never became a binding legal basis for the practice of human rights in Indonesia. According to Lubis' notes, the charter is interpreted as an incorporation of the universalist concept of human rights—that every person is born as a human being and therefore has a set of human rights—into the Indonesian legal system.<sup>33</sup> Recently, the Constitutional Court Decision Number 89/PUU-XX/2022, in one of its considerations, emphasized that Indonesia is not a country whose construction of human rights is universalist,<sup>34</sup> but they appear to be based on

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that Sukarno only expressed his objections to civil and political rights, but on the other hand, supported socio-economic rights. Nor can we ignore his defense speech in 1930 in which Sukarno conveyed the importance of recognizing several political rights for every human being. See more in: Sukarno, *Indonesia Accuses*, (Kuala Lumpur: Oxford University Press, 1975), 40—41.

<sup>33</sup> Todung Mulya Lubis, *Mencari Hak Asasi Manusia: Dilema Politik Hukum Indonesia Masa Orde Baru 1966–1990*, (Yogyakarta: Circa, 2021).

<sup>34</sup> Constitutional Court Decision No. 89/PUU-XX/2022 on Judicial Review of Law No. 26 of 2000 on Human Rights Courts against the 1945 Constitution of the Republic of Indonesia, 105.

sociocultural preconditions that give validity to human rights. These debates show uncertainty in the study of human rights in Indonesia today. The implication is that rights are blurred.

The debate between universalism and relativism gave rise to a discourse regarding Asian Values that began appearing in the early 1990s. Based on the paradigm of human rights relativity, Asian values contain the rejection of the postulates of the universality of human rights, on the grounds that they are a product of Western culture. This conception then designs a human rights framework that is appropriate to Asian culture.<sup>35</sup> The peak, in 2012, was the creation of the ASEAN Human Rights Declaration with one of the general principles which emphasized, "the realization of human rights must be considered in the regional and national context bearing in mind different political, economic, legal, social, cultural, historical and religious backgrounds—The realization of human rights must be considered in regional and national contexts taking into account different political, economic, legal, social, cultural, historical and religious backgrounds."

The declaration presupposes that universalism of human rights is impossible to achieve because the realization of human rights must consider other variables outside of the human rights norm itself. Within the human rights framework in Asia, communitarianism is above individualism, and obligations and responsibilities take precedence over rights. Two leading proponents of the discourse of Asian values are Lee Kuan Yew and Mahathir Mohamad. According to both of them, the concept of the individual will only exist when placed in the context of the

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<sup>35</sup> Janne Mende, "Are Human Rights Western—And Why Does it Matter?: A Perspective From International Political Theory," *Journal of International Political Theory* 17, no. 1 (2019): 38–57, <https://doi.org/10.1177/1755088219832992>; Julie Fraser, *Social Institutions and International Human Rights Law Implementation: Every Organ of Society*, (Cambridge: Cambridge University Press, 2020), 21–63.

family.<sup>36</sup> Suppose both opinions are placed in the discourse of Asian values. In that case, this concept will degrade the meaning of the rights and freedoms contained in human rights documents as long as these rights and freedoms are not associated with state institutions. In short, there are no human rights if the state or any other entity does not recognize the rights and freedoms it regulates. This answers the question about the framework of Asian values, which places communitarianism above individualism and obligations and responsibilities above rights and freedoms.

In Indonesia, the discourse of Asian values is not something strange. Vaguely in the session leading to an independent Indonesia, Sukarno and Soepomo affirmed the human rights framework based on Asian values. Aspinall said that Asian values have penetrated *Pancasila*.<sup>37</sup> Aspinall's argument is invalid in that it is true that *Pancasila* is culturally rooted because the genealogy of *Pancasila* itself was 'excavated' from Mother Earth. However, Aspinall forgot that *Pancasila* recognized universalism—or what was often referred to in its drafting meetings as internationalism. Instead of agreeing with Aspinall, we agree with Asplund, who directly wrote that the concept of Asian values in Indonesia goes hand in hand with religious values.<sup>38</sup> The consequences of such a paradigm for human rights lead to the fading of the concept of state responsibility for human rights—because, to a certain degree,

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<sup>36</sup> Yuniarti and Rendy Wirawan, "Corruption and Asian Values: A Cultural Approach to Understand Corruption within Asian Society," *European Journal of Humanities and Social Sciences* 3, no. 1 (2023): 34–38, <https://doi.org/10.24018/ejsocial.2023.3.1.367>.

<sup>37</sup> Budi Hermawan Bangun, "Perbandingan Sistem dan Mekanisme HAM Negara-Negara Anggota Asean: Tinjauan Konstitusi dan Kelembagaan," *Jurnal HAM* 10, no. 1 (2019): 99–113, <http://dx.doi.org/10.30641/ham.2019.10.99-113>; Ario Putra, "Interpretation of Human Rights in the Pancasila Ideology and Implications for Unity and Integrity in Indonesia," *Jurnal HAM* 13, no. 1 (2022): 1–14, <http://dx.doi.org/10.30641/ham.2022.13.1-14>.

<sup>38</sup> Knut Asplund, "Resistance to Human Rights in Indonesia: Asian Values and Beyond," *Asia-Pacific Journal on Human Rights and the Law* 10, no. 1 (2009): 27–47, <https://doi.org/10.1163/138819009X12589762582538>.

human rights, which are considered to be given by God, also give rise to the understanding that violations of them will be punished in the future. Complementing that, Asian values in Indonesia also share the view of a harmonious relationship—if not a submissive and obedient relationship—between citizens and the state.

Asian values present a discourse that is not without confrontation. This concept is often seen as an ideological project created by authoritarian governments.<sup>39</sup> Like Soeharto's dictatorial regime, the 'Smiling General' uses the pretext that the Indonesian state is a harmonious family state, the aim of which is to curb a series of political rights that are seen as threatening the stability of power.<sup>40</sup> No doubt, discourse Asian values was allegedly designed by authoritarian powers that were on the rise in Asia in the 1990s through the manipulation of human rights concepts simply to maintain control and the status quo. Despite the variety of criticism, Donnelly includes scholars/scientists who see a glimmer of hope in the discourse of Asian values. According to him, no value is utterly contrary to human rights, nor is there any value that is entirely consistent with human rights.<sup>41</sup> Likewise, with Asian values, even though they are accused of not being in line with international human rights recognition, there are good

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<sup>39</sup> Daniel Ho, "Asian vs. Liberal Democracy: Identifying the Locus of Conflict in the Asian Values Debate," *Political Science* 75, no. 2 (2023): 165–192, <https://doi.org/10.1080/00323187.2023.2280107>; A simple reflection, if *asian values* rejecting 'one size fits all' from the concept of human rights, why then do Asian countries seem to have cultural similarities that are 'one size fits all'? This can be caused by the truth *asian values* has never been more than an ideological project tasked with serving the particular interests of authoritarian leaders in Asia. See for example: Minxuan Huang, "Confucian Culture and Democratic Values: An Empirical Comparative Study in East Asia," *Journal of East Asian Studies* 24, no. 1 (2024): 71–101, <https://doi.org/10.1017/jea.2023.23>.

<sup>40</sup> See for example in: Daniel Dhakidae, *Intellectuals and Power in the New Order State*, (Jakarta: Gramedia, 2001); Benedict R. O'G. Anderson, "The Idea of Power in Javanese Culture," dalam Claire Holt (ed.), *Culture and Politics in Indonesia*, (New York: Cornell University Press, 1972).

<sup>41</sup> Jack Donnelly, "The Relative Universality of Human Rights," 290.

practices carried out by Asian countries that make Asian values their ethical expression and political expression, which supports human rights.<sup>42</sup>

In the context of freedom of expression on social media, the “advantages” of Asian values are often claimed to lie in the realm of discursive ethics—namely, the encouragement of politeness, respect for authority, and social harmony. Normatively, these three elements could, in theory, prevent conflict escalation, foster deliberation, and promote civility in digital conversations. However, when assessed against the human rights framework (UDHR/ICCPR) and our empirical findings from approximately 1,000 tweets, these advantages appear contingent and do not provide any additional standard of protection beyond what is already guaranteed by human rights law. Efforts to promote civility can—and indeed should—be pursued through rights-compliant mechanisms such as digital literacy, counter speech, the right of reply, and the strict enforcement of the prohibition against incitement to hatred (ICCPR Article 20), without turning “culture” into an additional normative restriction.

Conversely, the structural weaknesses of Asian values are pronounced and recurrent in our corpus. Vague categories such as “impolite,” “contrary to Eastern culture,” or “offensive to honor” open space for criticism to be reframed as defamation or insult. Moralization of expression—under the banner of harmony and respect—often fuels brigading (mass reporting and digital persecution), producing a chilling effect that encourages self-censorship, particularly among minorities and dissenting voices. Moreover, references to Asian values frequently intersect with overly broad legal provisions (e.g., defamation clauses in the ITE Law or the Criminal Code), turning “politeness” into a permission structure for criminal prosecution or content takedown. In

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<sup>42</sup> Jack Donnelly, “The Relative Universality of Human Rights,” 290.

platform moderation practices, calls to “preserve culture” or “maintain civility” are frequently invoked as justifications for removal, while human rights benchmarks—legality, legitimate aim, necessity, and proportionality—are rarely applied with rigor. When combined with religious and nationalist narratives, Asian values often intensify the delegitimization of critical political or religious expression, narrowing the digital civic space and reinforcing patterns of digital authoritarianism.

Therefore, in practice, Asian values do not support freedom of expression on social media; rather, they function as an instrumental discourse to restrict—rather than protect—legitimate expression. Even when claimed to offer ethical benefits, such values must never serve as a normative basis for limitations. Restriction standards must continue to follow human rights law (ICCPR Articles 19 and 20), which require legal clarity, a legitimate aim, and strict necessity and proportionality tests. Accordingly, Asian values may be treated as a sociological fact and a subject of critical study, but they are not an appropriate normative framework for judging or restricting online expression. If the objective is to cultivate civil and constructive digital discourse, the appropriate route is strengthening digital literacy, non-penal remedies, and strict enforcement of human rights-based limits (such as the prevention of incitement to hatred), rather than relying on cultural references that are elastic and prone to politicization. The conclusion of this study is clear: the net effect of Asian values on freedom of expression in social media is negative—shrinking civic space, normalizing self-censorship, and legitimizing silencing practices.

Our position is that Asian values cannot be used as a basis to restrict or relativize human rights. While we acknowledge that values such as collectivism, social harmony, and respect for authority are part of Asia’s cultural construction, we find that, in practice, the concept of Asian values has more often been employed as an ideological instrument to preserve the status quo

and justify restrictions on civil liberties, including freedom of expression.

In Indonesia, history shows that the ideas of an integralistic state and the ‘family state’—which later became the precursor to the Asian values discourse—were once used to reject the concept of individual rights and to legitimize the authoritarian governance of the New Order. We therefore argue that human rights must continue to be understood as universal, as affirmed in Article 19 of the UDHR and the ICCPR, which allow restrictions on freedom of expression only when they meet the requirements of legality, legitimate aim, and the principles of necessity and proportionality. Placing Asian values above human rights norms is dangerous because it risks legitimizing digital authoritarianism and shrinking civic space on social media. Our position is therefore clear: Asian values may be a subject of critical study, but they cannot serve as a normative framework for interpreting or limiting human rights.

## B. The Rise of Social Media and Human Rights

The rise of social media has democratized access and sharing of information globally, offering unprecedented opportunities for individuals to express opinions and mobilize causes. This new connectivity has empowered marginalized voices and fueled grassroots movements that challenge existing norms<sup>43</sup>. Social media has also facilitated the formation of socio-political

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<sup>43</sup> Michelle Tye *et al.*, “Social Media for Empowerment in Social Movements: The Case of Malaysia’s Grassroots Activism,” *Communications of the Association for Information Systems* 42, no. 15 (2018): 408–30, <https://doi.org/10.17705/1cais.04215>.

movements, such as the Milk Tea Alliance,<sup>44</sup> which shows excellent potential in mobilizing cross-border solidarity for communities with shared goals and values. Milk Tea Alliance harnesses the power of social media to quickly spread information, organize protests, and mobilize global support.<sup>45</sup> Milk Tea Alliance is a concrete example of how social media can connect individuals from various countries to share experiences, strategies, and support without relying on traditional media structures—which, of course, have limitations or tend to be limited in their global coverage.

A more profound implication of social media development is society's global strengthening of human rights. Social media allows individuals to quickly disseminate information about human rights violations, which is often not reported by traditional media because, in many countries, media freedom is usually restricted. This can be used by social media to highlight human rights issues.<sup>46</sup> By providing an open and easily accessible platform, social media facilitates the documentation and dissemination of

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<sup>44</sup> Milk Tea Alliance is a solidarity movement that emerged as a response to authoritarian governments. In fact, this alliance is not part of a political party, but rather a democratic movement based on solidarity between activists and society— involving netizens from Thailand, Hong Kong and Taiwan, and currently also developing in various countries—on social media, especially X. See more in Adam K. Dedman and Autumn Lai, “Digitally Dismantling Asian Authoritarianism,” *Contention* 9, no. 1 (2021): 97–132, <https://doi.org/10.3167/cont.2021.090105>.

<sup>45</sup> Hendy Achmad Reynaldi, Carakawidya Gusni Dhiyaa, and Riswanda Imawan, “Digital Advocacy Phenomenon in ASEAN (Case Study: The Social Movement of Milk Tea Alliance in Thailand and Myanmar),” *Nusantara Science and Technology Proceedings* (2023): 12–21.

<sup>46</sup> Ugwu Jovita Nnenna, Ugwuozor Samuel Ifeanyi, and Eze Chidinma Esther, “Promoting Human Rights through Information Technology: The Role of Social Networking Sites,” *Eurasian Experiment Journal of Humanities and Social Sciences* 4, no. 2 (2023); Hwian Christianto, “Use of Internet Media in Fulfilling the Right to Education during the Covid-19 Pandemic: Human Rights and Criminal Law Perspectives,” *The magazine ALSO* 11, no. 2 (2020): 239–253, <http://dx.doi.org/10.30641/ham.2020.11.239-253>.

information about cases of human rights violations, which can attract public attention, not only on a national scale but also globally, and this can mobilize international pressure against perpetrators of violations.

Mutanda believes that through social media, everyone can spread news and have the opportunity to influence public opinion, lead change, and spark discussion—including regarding human rights. Easy access to social media allows citizens to play a role in human development by providing excellent opportunities to participate in various talks and dialogues.<sup>47</sup> In other words, digital technology (which has given rise to social media) has democratized the public sphere by making the dissemination of information easier and broader. Of course, this is important because the state plays a role in enabling citizens to express their views and communicate with each other in public spaces without hindrance.<sup>48</sup> This revives the public sphere, which, according to Habermas, is the realm of social life where public opinion is formed, with open access for all citizens to discuss common problems.<sup>49</sup> Although ideal in theory, such a public sphere has never materialized in practice because a truly just society has not yet been established. This theory is often criticized for being elitist and utopian.<sup>50</sup>

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<sup>47</sup> Darlington Mutanda, “Social Media and Human Development in Zimbabwe: Opportunities and Challenges,” *Cogent Arts & Humanities* 11, no. 1 (2024), <https://doi.org/10.1080/23311983.2024.2313850>.

<sup>48</sup> Richard R. John, “Freedom of Expression in the Digital Age: A Historian’s Perspective,” *Church, Communication and Culture* 4, no. 1 (2019): 25–38, <https://doi.org/10.1080/23753234.2019.1565918>.

<sup>49</sup> Jürgen Habermas, Sara Lennox, and Frank Lennox, “The Public Sphere: An Encyclopedia Article (1964),” *New German Critique*, no. 3 (1974): 49–55, <https://doi.org/10.2307/487737>.

<sup>50</sup> See Abdullah Almuqren, “The Contemporary Public Sphere-Habermas’ Perspective,” *Advances in Social Sciences Research Journal* 10, no. 6 (June 14, 2023): 183–92, <https://doi.org/10.14738/assrj.106.14848>; See also Timothy Stanley, “Utopia and the Public Sphere,” p *Religion after Secularization in Australia* (New York: Palgrave Macmillan, 2015).

Society is currently experiencing a change towards a networked society with information technology. The internet development has opened up new opportunities to develop the concept of public space. It includes virtual public spaces so that political discussions can occur globally through online connections that facilitate access and the exchange of information. It cannot be denied that social media is an ideal platform for the participation of political citizens because of its function as a digital public space (Agora virtual)<sup>51</sup> which enables public deliberation through rational argumentative discussions globally. The most innovative implication of this digital revolution is the direct reinvention of global democracy, which can increase citizen participation and consideration in creating a virtual Agora.<sup>52</sup>

Nevertheless, according to Setiawan, social media faces significant challenges in being considered a Habermas-style public space. According to him, even though it has the potential for argumentative and deliberative global discussions, social media is considered imperfect because communication is often shallow.<sup>53</sup> This limitation is caused by a lack of reflexivity in fast and fluctuating interactions on social media, where information is spread without in-depth evaluation. In addition, the problems that arise, such as hoaxes and invalid information, threaten the integrity of the public discussion. Political and economic intervention and the commodification of data by social media

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<sup>51</sup> The Agora virtual is an electronic version of the Greek Agora, where citizens gathered to discuss and debate important issues. These forums—which are less filtered—open up new opportunities for discussion and sharing of opinions.

<sup>52</sup> Karin Buhmann, and Roxana Olivera, “Human Rights and Social Media Platforms: The Corporate Responsibility to Respect Human Rights in Regard to Privacy Infringements Involving Photo Posting,” *Australian Journal of Human Rights* 26, no. 1, (2020): 124–41, <https://doi.org/10.1080/1323238X.2020.1802559>.

<sup>53</sup> FX. Rudi Setiawan, “Peran Media Sosial sebagai Ruang Publik: Tinjauan Filosofis Gagasan Ruang Publik Jürgen Habermas,” *MELINTAS* 39, no. 3 (March 22, 2024): 323—50, <https://doi.org/10.26593/mel.v39i3.7826>.

companies also reduce the independence and autonomy of social media as a public space.

Even though social media does not fully meet the criteria as a public space,<sup>54</sup> the potential remains. Some social media actors sincerely voice their critical views without being influenced by power or economic interests. Several individuals and communities use social media to mobilize social movements against injustice. In addition, more and more people are using social media wisely, making it a place for collective learning to seek truth, goodness, and justice. Although imperfect, social media has played an essential role in political life and social change, including as a tool for mass mobilization and influencing political decisions, especially during general elections.

Today, social media users share information and connect as netizens, but also use these platforms to mobilize the masses and spread activist content. The Internet provides various opportunities for social and political communication and participation through different connected devices. Social media is no longer the exclusive domain of large institutions, organizations, governments, or political parties that convey political messages. On the other hand, social media has become a new discourse arena or public space so that individuals and groups can be actively involved in conveying critical views or responding to certain phenomena.<sup>55</sup> A situation like this shows that digital technology—which gave birth to social media—can democratize the public space by facilitating the dissemination of information widely and

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<sup>54</sup> *Ibid.*

<sup>55</sup> Summer Harlow, Danielle K. Brown, Ramón Salaverría, and Víctor García-Perdomo, “Is the Whole World Watching? Building a Typology of Protest Coverage on Social Media From Around the World,” *Journalism Studies* 21, no. 11 (2020): 1590–1608, <https://doi.org/10.1080/1461670X.2020.1776144>; Andreas Scherman and Sebastian Rivera, “Social Media Use and Pathways to Protest Participation: Evidence From the 2019 Chilean Social Outburst,” *Social Media + Society* 7, no. 4 (2021), <https://doi.org/10.1177/205630512111059704>.

opening opportunities for all citizens to participate in discussions on various issues, including human rights issues.

Social media provides a platform that allows individuals to directly voice their concerns on human rights issues. By facilitating the rapid and widespread dissemination of information, social media empowers individuals to document and report events that may not be available in traditional media or tend to be ignored by governments. Apart from that, social media can be a forum for society, especially human rights activists and advocacy groups, to organize campaigns, protests, and other efforts to achieve justice and protect human rights.<sup>56</sup> By leveraging the global networks created by social media, these movements can reach broad audiences, expand their support base, and build momentum for social change.

One of the social media platforms that is a forum for society, including Indonesian society, is Twitter—which has now been changed to X. X is one of the most popular social media platforms in the world, including in Indonesia. According to reports *We Are Social*, the number of X users in the world, as of July 2023, reached 564.1 million, which shows an increase of 16.1% compared to the previous year and a growth of 51.3% every quarter. Indonesia experienced a jump in position from sixth to fourth place with the highest number of X users in the world in the same period, reaching 25.25 million users, with quarterly growth of 71.2%.<sup>57</sup> This shows the significance of X as a platform that continues to grow in Indonesia, enabling people to actively participate in global discussions and voice various issues, including human rights and other important events.

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<sup>56</sup> Thomas Poell, "Social Media, Temporality, and the Legitimacy of Protest," *Social Movement Studies* 19, no. 5–6 (2019): 609–24, <https://doi.org/10.1080/14742837.2019.1605287>.

<sup>57</sup> We Are Social, "The Global State of Digital in July 2023," We Are Social, July 20, 2023, <https://wearesocial.com/de/blog/2023/07/the-global-state-of-digital-in-july-2023/>.

The internet and social media—including X—have encouraged people to be more active in expressing opinions, voicing personal interests, and responding to various issues. This also makes it easier for them to express their views regarding current issues. The presence of the internet and social media has significantly increased people's participation in public discussions, thereby expanding the public space through broader access to participation.<sup>58</sup> This certainly implies the presence of the internet. The internet has created a global public space where individuals can directly access global forums to express their arguments without interference, selection, or censorship.

X has a central role. With formats such as microblogging, which allow users to convey short messages in real-time, X has become an essential means for people to share views, report events, and mobilize support for various issues, including human rights. Multiple features, such as retweets, replies, and trending topics, allow broad and fast-spreading discussions among users, creating a 'snowball' effect that massively mobilizes public opinion. X functions as a communication tool and as a catalyst for social change, amplifying community voices and promoting public engagement on important issues. In addition, this platform often gives rise to debates on usually controversial issues. Recently, what has been hotly discussed and debated on social media, especially X, is regarding Asian values.

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<sup>58</sup> Philip Staab and Thorsten Thiel, "Social Media and the Digital Structural Transformation of the Public Sphere," *Theory, Culture & Society* 39, no. 4 (2022): 129-143. <https://doi.org/10.1177/02632764221103527>; Michael Hofmann, "Political Deliberation vs. Social Media Branding in Crisis-Prone Capitalist Democracies: A Discussion of Habermas's New Structural Transformation of the Public Sphere," *Journal of Political Sociology* 2, no. 1 (2023): 1-24, <https://doi.org/10.54195/jps.17736>.

## C. Portrait of Asian Values in Debate on Social Media

Recently, on social media—especially on X, Asian values have become a hot topic among Indonesian netizens. This debate was sparked by a program on YouTube, where the host stated that he agreed with political dynasties and linked them to Asian values.<sup>59</sup> Political dynasties align with different interpretations of Asian human rights values, as argued by the proponents of Asian values. Debates related to Asian values are summarized below. The first debate on social media—X regarding Asian values is a question of rejection of the universalism of human rights, as shown in the screenshot below.

**Figure 1.** Rejection of Universalism of Human Rights



A.<sup>60</sup>

B.<sup>61</sup>

Source: X

<sup>59</sup> Total Politics, *Op. cit.*

<sup>60</sup> In English: Funnily enough, we use Western references to explain what it means to be an Easterner. Just using the phrase 'Asian Values' already indicates dependence on the West to term the goods of our own minds. The colonized glared.

<sup>61</sup> In English: What is often not discussed when discussing 'Asian Values' is that this concept emerged in a very specific historical context, namely the Vienna Human Rights Conference in 1993 which globalized the spirit of upholding human rights after the Cold War.

The excerpt from the image above shows the refusal to make meaning using Western categorization, leading to the rejection of the term 'Asian values', which, if examined, results from a binary opposition between the West and Asia. This quote also reflects that human rights cannot be applied universally but must be defined below as a cultural product. The excerpt from the image above also confirms that the discourse regarding Asian values was printed from the relativist paradigm's existence in studying human rights. It cannot be denied that human rights contain a hegemonic discourse. Donnelly stated at least two reasons for this: that human rights provide moral legitimacy to a political regime and that human rights have become the standard for measuring human status throughout the world.<sup>62</sup> For this reason, relativists often reject the postulates of the universality of human rights. When a political regime relies on moral standards for its legitimacy down West, it will lose its local character. The leveling of human standards will make people uniform and have implications for the disappearance of the identity of local communities.

More clearly, Charvet and Kaczynska-Nay state that human rights conceptions apply to everyone because their status as a 'human' is a project of liberalism. International society was transformed into a unity based on liberal values and practices, which the United Nations human rights regime promoted. The goal, "*it would be better for human societies to organize themselves through liberal forms at all times and places*—it would be better for human societies to organize themselves through liberal forms in all times and places."<sup>63</sup> It would be better to organize themselves with liberal principles, such as individual freedom, equality, and respect for human rights, regardless of time and place. There are various

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<sup>62</sup> Jack Donnelly, *Universal Human Rights in Theory and Practice*, *Op. cit.*, 38.

<sup>63</sup> John Charvet and Elisa Kaczynska Nay, *The Liberal Project and Human Rights: The Theory and Practice of a New World Order*, (New York: Cambridge University Press, 2008), 19.

reasons for the argument's uniformity. For example, the excerpt from the image above is in line with Hardt and Negri, who view that the institutionalization of liberal ideology—including in the UDHR—is intended to provide a framework for building a new world order after World War II.<sup>64</sup> It cannot be denied that the formation of human rights documents was significantly influenced by Western powers in the Cold War and post-Cold War eras (to some degree, including the collapse of communism). These powers then utilize the law—within the framework of human rights law to create or obscure hegemonic power over third-world countries.

Based on the matters described above, Asian values on social media are placed as a discourse to reject the pretext of the universality of human rights. To some degree, this rejection helped put this concept to rest as a counter-hegemony to Western hegemony through human rights legal documents. Apart from this rejection, the discourse of Asian values on social media also highlights the content of Asian values, as follows.

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<sup>64</sup> Michael Hardt and Antonio Negri, *Empire*, (London: Harvard University Press, 2000), 4–19.

Figure 2. Payload Asian Values



A.<sup>65</sup>

B.<sup>66</sup>

Source: X

Discourse Asian values, which seek to reject the universalism of human rights, are unwilling to require this concept to establish human rights norms that are believed to be appropriate to Asian culture. The image above shows that Asian values include communality, stability, and respect for authority. In Indonesia, these values have emerged in the courtrooms towards an independent Indonesia with Soepomo as the central pendulum. His idea of an integralistic state indicates the total inseparability

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<sup>65</sup> In English: What is Asian value? Asian values are simply values that are important to Asians such as respect for parents, hard work, mutual cooperation. For example, if you have a family gathering, you must not hesitate to speak before the elders speak first.

<sup>66</sup> In English: "Asian values" is a concept that attempts to define the values considered typical for Asian societies, emphasizing the importance of community, social stability, and respect for authority. So those whose reasoning power does not function can be hegemonyed by the status quo.

between citizens and the nation.<sup>67</sup> This ultimately gave rise to dogmas regarding cooperation, togetherness, and brotherhood, which were absorbed into the principles of Pancasila. It doesn't stop there, the idea of an integralist state ultimately creates a romantic blueprint for the relationship between citizens and the state, an order that is the embodiment of the 'family state'.<sup>68</sup> Such an order does not require instability or individualism, which is in line with the paternalistic relationship between those who rule and those governed.

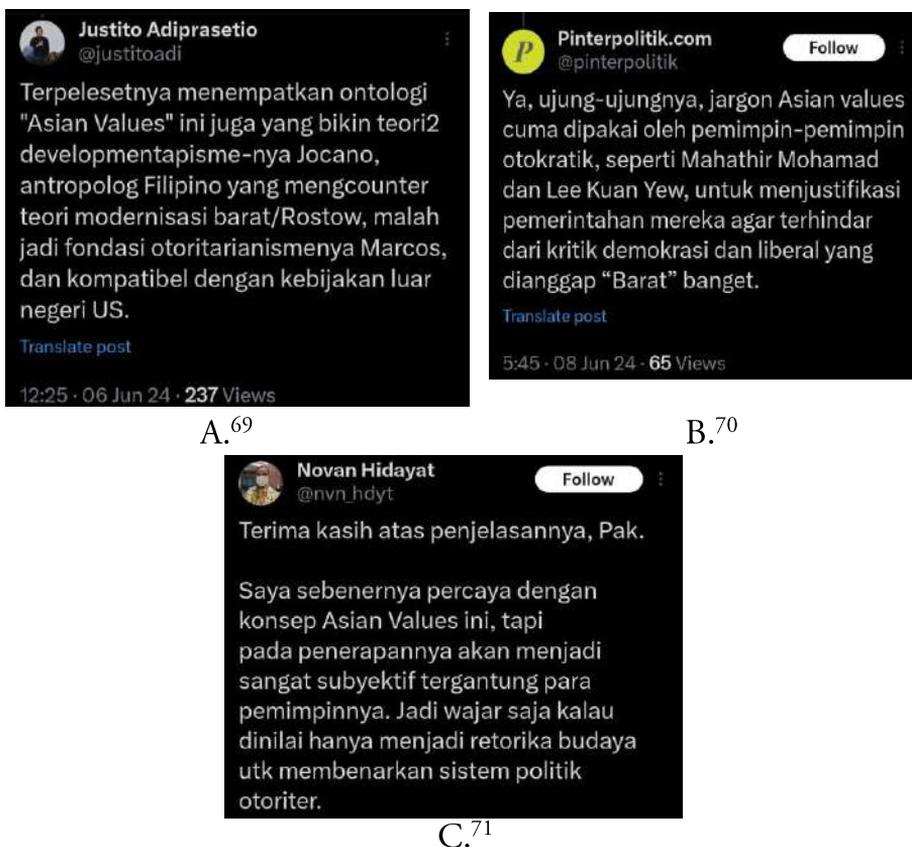
Regarding the framework above, at times, it has become fertile ground for the growth of an authoritarian government. Why not? The values are lined up as cargo Asian values to become a machine for producing charismatic figures who can absorb cultural ideas and practices, a fertile ground for the birth of authoritarian leaders. This has become a main topic of discussion regarding Asian values on social media, as captured in picture 3 below:

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<sup>67</sup> David M. Bouchier, "Two Decades of Ideological Contestation in Indonesia: From Democratic Cosmopolitanism to Religious Nationalism," *Journal of Contemporary Asia* 49, no. 5 (2019): 713–33, <https://doi.org/10.1080/00472336.2019.1590620>;

<sup>68</sup> See for example in: David Bouchier, *Illiberal Democracy in Indonesia: The Ideology of the Family State*, (London: Routledge, 2016).

Figure 3. *Asian Values* and Authoritarianism



Source: X

<sup>69</sup> In English: This slippage in placing the ontology of "Asian Values" is also what made Jocano's theories of developmentalism, a Filipino anthropologist who countered Western/Rostow modernization theory, instead become the foundation for Marcos' authoritarianism, and compatible with the foreign policy of the US.

<sup>70</sup> In English: Yes, in the end, the Asian Values jargon is only used by autocratic leaders, such as Mahathir Mohamad, Lee Kuan Yew, to justify their government in order to avoid democratic and liberal criticism which is considered very "Western".

<sup>71</sup> In English: Thank you for the explanation, sir. I actually believe in Asian Values, but its implementation will be very subjective depending on the leaders. So it's only natural that it is seen as merely cultural rhetoric to justify an authoritarian political system.

It cannot be denied that Asian values received massive accusations of being an ideological, cultural product to legitimize undemocratic practices carried out by Asian authoritarian leaders at that time.<sup>72</sup> It is no wonder that Asian values are not a conflict between 'Asian values' and 'Western values', but rather lead to a conflict between authoritarianism and democracy.<sup>73</sup> When Asian values—especially in the Indonesian context—are wrapped in the promise of a 'family country', what is hidden behind it is the Machiavellian face of the leader. Asian values are just a shield used to cover the true face of the leader, simply to maintain legitimacy within while preventing undermining from outside.

In Indonesia, cultural authoritarianism as a result of Asian values found its solid form in the Soeharto regime. The great Pancasila, as a cultural product which, according to Sukarno, was 'excavated' from Mother Earth, was misused by the Soeharto military regime to create his power forever. Pancasila was positioned to provide legitimacy for Soeharto's non-democratic practices, such as the silencing of freedom of expression, which was justified by the Anti-Subversion Law.<sup>74</sup> In the end, a cultural product was used to

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<sup>72</sup> Amartya Sen, "Human Rights and Asian Values," *Op. cit.*

<sup>73</sup> Mark R. Thompson, "What's Asia Got to Do With It? "Asian Values" as Reactionary Culturalism," in Gabriel Facal, Elsa Lafaye de Micheaux, and Astrid Norén-Nilsson (ed.), *The Palgrave Handbook of Political Norms in Southeast Asia*, (Singapore: Palgrave MacMillan, 2024), 279.

<sup>74</sup> Law Number 11/PNPS/ of 1963 concerning the Eradication of Subversive Activities, was originally a Presidential Decree—according to the title PNPS—issued by President Sukarno. However, the practice of these legal products as tools of authoritarian power has only been taking place since the G30S incident after Soekarno stepped down. As a PNPS issued based on the subjective will of a President, its implementation requires objectification. This was only fulfilled in the session of the Temporary People's Consultative Assembly which resulted in the Decree of the Provisional People's Consultative Assembly of the Republic of Indonesia No. XIX/MPRS/1966 which seeks to review state legal products other than those produced by the MPRS with the Constitution as a touchstone for their suitability. Politically, this decree was intended to promote 'de-Soekarnoization' by focusing on the appointment of the president since 1959. However, Suharto's need for the Anti-Subversion Law meant that he continued to objectify it in Law

maintain the General's power, as accused by universalists in human rights studies who place the Asian values discourse as nothing more than "fertile ground" for the growth of authoritarianism.

## **IV. Whether Asian Values is a Shield from Authoritarianism?**

In this discussion, the study focuses on the difference between Asian values and freedom of expression in social media. Similar to the previous discussion, this discussion begins by first describing the framework of freedom of expression from a human rights perspective. Continuing to the next sub-discussion, the focus of the study is directed at a series of findings that show that there are restrictions on freedom of expression on social media using the pretext of Asian values.

### **A. Freedom of Expression as a Human Right**

The right to express opinions and thoughts is often equated with the right to express views and expression. Some call it the right to speak and express.<sup>75</sup> This difference in terms does not change the meaning and purpose, namely, to protect the rights of individuals to express their ideas and beliefs. Essentially, the right to freedom of expression and opinion has the same meaning. Freedom of expression is a fundamental part of life in a free and open society and is a basic need for everyone. Legally, freedom of expression is closely related to other freedoms, such as freedom of religion,

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no. 5 of 1969 concerning Statements of Various Presidential Decrees and Presidential Regulations as Laws.

<sup>75</sup> Read Bagir Manan, *Press, Law and Human Rights* (Jakarta: Press Council, 2016).

thought, opinion, press, media, peaceful assembly, and association.<sup>76</sup>

Freedom of expression is essential in a democratic society.<sup>77</sup> This right underlies the principles of individual freedom and allows for open dialogue and the free exchange of ideas. Berlin distinguished between "positive freedom" (freedom to do something) and "negative freedom" (freedom from interference).<sup>78</sup> In the context of freedom of expression, Berlin emphasized that negative freedom—that is, freedom from external coercion and control—is crucial to enable individuals to express themselves without fear of oppression.<sup>79</sup> Meanwhile, Mill believes that the right to equality and freedom is the foundation of human rights, so individual freedom must not be used to manipulate other people for personal gain. Substantial freedom is not free action without control, but positive free action, namely, not harming or disturbing other people.<sup>80</sup>

In line with this, Gunatilleke believes that freedom of expression is closely related to human rights. According to him, freedom of expression is one of the most essential tools in the struggle against injustice and oppression.<sup>81</sup> People cannot demand change or defend their rights without the freedom to voice opinions and protest. Freedom of expression also plays a vital role

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<sup>76</sup> Aniceto Masferrer, "The Decline of Freedom of Expression and Social Vulnerability in Western Democracy," *International Journal for the Semiotics of Law - Revue Internationale de Semiotique Juridique* 36, no. 4 (2023): 1443—475, <https://doi.org/10.1007/s11196-023-09990-1>.

<sup>77</sup> Ashutosh Bhagwat and James Weinstein, "Freedom of Expression and Democracy," in Adrienne Stone, and Frederick Schauer (ed.), *The Oxford Handbook of Freedom of Speech*, (New York: Oxford University Press, 2021).

<sup>78</sup> Bruce David Baum and Robert Nichols, *Isaiah Berlin and the Politics of Freedom: "Two Concepts of Liberty" 50 Years Later* (London: Routledge, 2013).

<sup>79</sup> *Ibid.*

<sup>80</sup> John Stuart Mill, *On Liberty*, (Yogyakarta: Odise, 2024).

<sup>81</sup> Gehan Gunatilleke, "Justifying Limitations on the Freedom of Expression," *Human Rights Review* 22, no. 1, (2021): 91—108 <https://doi.org/10.1007/s12142-020-00608-8>.

in creating constructive dialogue and understanding between individuals, which ultimately strengthens democracy and expands the public space for citizen participation. Not only that, but guaranteeing freedom of expression is also essential because to protect citizens from corrupt leaders and tyrants—corrupt leaders often make the state not carry out its obligations to respect, fulfill, and protect human rights (including freedom of expression) of its citizens so that This has terrible implications for the country and citizens. In reality, this happened in Indonesia when this country was captured by Soeharto; at that time, freedom of expression was restricted.

Freedom of expression is a vital element in a democratic country—including in Indonesia—and is often used in various democracy indices to evaluate civil liberties.<sup>82</sup> In a democratic country, freedom of expression is the primary foundation for developing and maintaining democratic principles. A healthy democracy requires space for various voices to be heard and considered in public decision-making. A society can be regarded as fully democratic if there is protection of freedom of expression in the media, including publication media, such as newspapers, magazines, books, pamphlets, films, television, and the internet. As a country that adheres to a democratic system, Indonesia has also mandated the right to freedom of expression in its Constitution.

The 1945 Constitution of the Republic of Indonesia mandates the right to freedom of expression. This recognition and regulation of freedom of expression also results in the right to seek,

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<sup>82</sup> Rizky Argama *et al.*, *Protection and Expansion of Civil Society Space: Towards Improving the Legal Framework for Freedom of Association and Assembly, Opinion and Expression, as well as Protection of Human Rights Defenders in Indonesia* (Jakarta: Center for Law and Policy Studies, 2022); Marwandianto and Hilmi Ardani Nasution, "The Right to Freedom of Opinion and Expression in the Corridor of Implementing Articles 310 and 311 of the Criminal Code," *The magazine ALSO* 11, no. 1 (2020): 1-25, <http://dx.doi.org/10.30641/ham.2020.11.1-25>.

receive, and convey information in all forms so that the right to freedom of expression also includes the right to information,<sup>83</sup> which is contained in Article 28F of the 1945 Constitution of the Republic of Indonesia, which confirms that every person has the right to communicate and obtain information for personal and social development, and has the right to search, store, process and disseminate information through various existing channels.<sup>84</sup> Article 28E paragraph (3) of the 1945 Constitution of the Republic of Indonesia (UUD NRI 1945) confirms everyone's right to associate, gather, and express opinions.<sup>85</sup> In exercising these rights and freedoms, every individual is obliged to comply with the restrictions set by law.<sup>86</sup>

Indonesia has Law Number 39 of 1999 concerning Human Rights, which contains the contents of the UDHR.<sup>87</sup> In DUHAM, the right to freedom of expression has been regulated in Article 19, which affirms that every individual has the right to express their opinion without any obstacles. This freedom includes the ability to find, receive, and disseminate information and ideas regardless of geographic boundaries.<sup>88</sup> This is one form of Indonesia's commitment to various other human rights instruments that have been accepted internationally. This law was created to ensure that human rights—including the right to freedom of expression—are maintained and protected by international standards.

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<sup>83</sup> Muhammad Irfan Pratama, Abdul Rahman, and Fahri Bachmid, "Kebebasan Berpendapat dan Berekspresi di Media Sosial dalam Perspektif Hak Asasi Manusia," *Qawanin Jurnal Ilmu Hukum* 3, no. 1 (2022): 1–16, <https://doi.org/10.56087/qawaninjih.v3i1.406>.

<sup>84</sup> "The Constitution of the Republic of Indonesia" (1945), art. 28F.

<sup>85</sup> "The Constitution of the Republic of Indonesia" (1945), art. 28E section (3).

<sup>86</sup> "The Constitution of the Republic of Indonesia" (1945), art. 28J section (2).

<sup>87</sup> See the section weighing the letter d "Law No. 39 of 1999 on Human Rights" (1999).

<sup>88</sup> See "Universal Declaration of Human Rights" (1948), art. 19.

The Human Rights Law functions as the legal basis for protecting the fundamental rights of every individual in Indonesia, including the right to freedom of expression. With this law, the Indonesian government ensures that every citizen has the right to express their opinion freely, but remains within the corridors of applicable law. The restrictions set out in this law aim to maintain a balance between individual freedom and the collective interests of society and ensure that these rights are not misused for purposes that are detrimental to the public. The implementation of this law is clear evidence of Indonesia's commitment to respecting and protecting the fundamental rights of every individual while maintaining social harmony and stability.

Article 23 paragraph (2) of the Human Rights Law confirms that everyone has the freedom to hold, express, and spread their opinions according to their conscience, whether verbally or in writing, through print or electronic media, taking into account religious values, morality, order, public interests and the integrity of the nation.<sup>89</sup> Based on this law, it can be seen that this freedom includes the right to have and express opinions and disseminate them through various media. However, this is not absolute and must be implemented responsibly. Several limits are set to ensure that freedom of expression does not conflict with religious values, morality, public order, public interests, and the nation's integrity. These restrictions are essential to balance individual rights and society's collective interests and prevent abuse of freedom of expression that could disrupt social stability and harmony.

Indonesia's commitment to human rights is also reflected in the accession of the International Covenant on Civil and Political Rights, which was realized through Law No. 12 of 2005 concerning the accession *of the* International Covenant on Civil and Political Rights. Consequently, Indonesia is not permitted to limit a person's right to expression and opinion without a clear

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<sup>89</sup> See "Law No. 39 of 1999 on Human Rights" (1999), art. 23 section (2).

legal basis by the provisions of the Covenant and its protocols. Any inappropriate or unnecessary restrictions on freedom of expression and opinion can be considered state interference that has the potential to violate human rights.<sup>90</sup> Inside the International Covenant on Civil and Political Rights, freedom of expression has been explained. This freedom includes the right to seek, receive, and provide information and ideas in any form, however, without being hindered by national borders. This includes various forms of expression, whether oral, written, printed, through artwork, or other media chosen by the individual.<sup>91</sup> However, there are restrictions on freedom of expression that essentially prohibit all forms of hate speech based on nationality, race, or religion, which could trigger discrimination, hostility, or violence.<sup>92</sup>

Then, in Law Number 1 of 1946 concerning Criminal Law Regulations<sup>93</sup> (Old Criminal Code)—*Wetboek van Strafrecht*—There are several articles which also regulate and limit freedom of expression and opinion, such as offenses of blasphemy (Article 156a), treason (Articles 104, 107, 139a, 139b), morality (Article 281), and insults (Articles 310-321). Previously, Articles 156 and 157 regarding insulting the government were also regulated but were declared unconstitutional.<sup>94</sup> Then, Law no. 1 of 2023 concerning the Criminal Code (National Criminal Code<sup>95</sup>)—a law that replaces the Old Criminal Code and will come into force in 2026—also still contains articles that regulate and limit freedom of expression, such as the offenses of blasphemy (Article 304),

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<sup>90</sup> See Rizky Argama *et al.*, *Op. cit.*

<sup>91</sup> “International Covenant on Civil and Political Rights” (1966), art. 19 number 1 & 2

<sup>92</sup> “International Covenant on Civil and Political Rights” (1966), art. 20 number 2

<sup>93</sup> See “Law no. 1 of 1946 concerning Criminal Law Regulations” (1946).

<sup>94</sup> See Rizky Argama *et al.*, *Op. cit.*

<sup>95</sup> This law is referred to as the National Criminal Code because it is considered to bring a breakthrough *Indonesian way*, which is different from *Criminal Code*. See “Law no. 1 of 2023 concerning the Criminal Code” (2023).

decency (Article 406), and insulting symbols. State and government or state institutions (Articles 234—241).

The right to freedom of expression is also regulated in Law No. 1 of 2024 *in conjunction with* Law Number 11 of 2008 concerning Electronic Information and Transactions (UU ITE)—which was only ratified by the government in early 2024. In substance, the ITE Law is often criticized by several groups because it has the potential to become a "tool" to criminalize and limit freedom of expression. These problematic articles include: Article 27, paragraphs (1)–(4), which have the potential to be used to criminalize civilians, Article 28, paragraphs (1) and (2), which have the potential to be used to silence criticism, as well as Articles 45, 45A, and 45B which expands the scope of criminalization. Apart from that, Article 27A concerning attacks on honor or good name, can criminalize criticism, and Article 27 B, concerning threats of defamation, can force someone to give goods or write off receivables.<sup>96</sup> These articles are very problematic because they can hinder freedom of expression and potentially cause injustice in Indonesia's legal practice. This regulation often poses a threat because it can limit freedom of expression, especially on social media. Social media provides space for free opinion, but on the other hand, the regulations in the ITE Law can limit and threaten users' freedom of opinion.<sup>97</sup>

The presence of social media, which is popular among the public, has expanded freedom of expression. Many people see social media as a means for self-actualization, creating and expressing themselves. The right to freedom of expression is a fundamental human right and is guaranteed—although it is not an absolute right and can be limited in certain situations.<sup>98</sup>

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<sup>96</sup> See "Law Number 1 of 2024 concerning Second Amendment to Law Number 11 of 2008 concerning Electronic Information and Transactions" (2024).

<sup>97</sup> *Ibid.*

<sup>98</sup> Zico Junius Fernando *et al.*, "The Freedom of Expression in Indonesia," *Cogent Social Sciences* 8, no. 1 (2022), <https://doi.org/10.1080/23311886.2022.2103944>.

Restrictions on freedom of expression must follow the law, have a legitimate aim, and be necessary and proportionate. These restrictions may only be imposed to protect the rights or reputation of others, national security, public order, public health, or morals. Therefore, it is clear that freedom of expression is a key element of democracy and good governance. This allows citizens to participate in decision-making processes, influence public policy, and criticize the government without fear of reprisal. In addition, freedom of expression encourages diversity of opinions and ideas, which is a prerequisite for developing science, art, and culture. Moreover, the world is currently experiencing massive developments in information technology, which also have implications for the presence of social media—as a forum for everyone to express their opinions and expressions.

## **B. I Tweet, therefore I am: The Threat of Asian Values to Freedom of Expression**

The human rights legal framework allows for a limitation of the enjoyment of human rights, which is reflectively achieved by the existence of a strict demarcation between rights that can be derogated (*derogable rights*) and non-derogable rights. This possibility gives rise to a problem, not without problems, limitations on human rights often have no limitations.<sup>99</sup> Limitations without limits usually lead to restrictions on human rights. They are carried out without a legal basis, such as limiting human rights, wrapped in 'cultural' arguments. For example,

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<sup>99</sup> See for example: Rian Adhivira Prabowo, “Beberapa Catatan dari Limitasi atas Limitasi Pengaturan HAM dalam Konstitusi,” *Indonesian State Law Review* 2, no. 2 (2020): 148—166, <https://doi.org/10.15294/islrev.v2i2.38442>.

restrictions on the right to freedom of expression based on slogans of Asian values.<sup>100</sup>

Threat<sup>101</sup> Human rights have become increasingly common along with the development of social media. Below are excerpts of threats to freedom of expression in the political, religious, and belief dimensions.

**Figure 4.** Threats to Political Expression



Source: X

<sup>100</sup> Various studies show that there is a connection and attachment between *asian values* with restrictions on rights exercised by a state. See for example: Anthony J Langlois, “Human Rights in Southeast Asia: ASEAN’s Rights Regime after Its First Decade,” *Journal of Human Rights* 20, no. 2 (2021): 151–57, <https://doi.org/10.1080/14754835.2020.1843144>.

<sup>101</sup> We use the term ‘threat’ to refer to a precondition for the creation of restrictions on human rights. By realizing that social media in the post-truth era has created ripples of blurring of truth, therefore, truth and untruth do not have a clear line of demarcation. All the arguments contained in social media are able to a certain degree to influence the modalities of human rights, including limitations on them. This confirms us to use ‘threat’ immediately with ‘threat’. In short, threats to human rights are conditions before restrictions or violations of human rights occur.

The excerpt presented in Figure 4 above revolves around the issue of the dichotomy between criticism and insults and criticism and politeness, all of which question the realm of language or what is commonly referred to as the realm of discourse. The issue of the dichotomy between criticism and insults and the issue of politeness and manners, if we take a brief look at Laclau and Mouffe, the meaning of criticism and insults depends on the 'nodal point', a unique marker that can form a chain of similarities.<sup>104</sup> In short, a nodal point is a hegemonic marker whose job is to give meaning to criticism, insults, and politeness. As a consequence of this conceptual basis, the line of demarcation between criticism and insult, as well as the categorization of

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<sup>102</sup> In English: (i) Muhammad Said Didu → The country is increasingly chaotic. The lawsuit is very strange and is also served by law enforcement. Freedom of opinion is the right of every citizen guaranteed by the UUD (Indonesian Constitution). Will there also be lawsuits such as not being allowed to work, not being allowed to own a house, not even being allowed to live? (ii) Leo → It's easy to be hurt, you can't differentiate between criticism and insults. What happens to this country is that it insults being considered criticism. Indonesia has rules and a culture of politeness. It seems that the Eastern culture taught by the founder of this country, by *kadrun* (note: In the context of Indonesian politics, the term "*kadrun*," stand for "*kadal gurun*" or in English: "desert lizard," is used as a nickname for individuals who are considered to have narrow views, especially those influenced by extremist and fundamentalist ideologies from the Middle East, and is often used to stigmatize those who are considered radical) supporters of the insulter.

<sup>103</sup> In English: (i) Yunarto Wijaya → Soeharto also contributed to Indonesia's development, but his behavior began to damage democracy, should his services to development be prohibited for us to criticize? (ii) Fritz G. Tambunan → It's rare to dare to criticize Soeharto now. Did you dare to be so blunt to the government in the New Order era? Criticism is not prohibited, but criticize politely according to Indonesian culture. Thank goodness ABLE provides a solution. Have you ever worked in government? Are you sure you can work well in government?

<sup>104</sup> Regarding the concept 'nodal point' and articulation processes to the Laclau and Mouffe, baca lebih lanjut dalam: Ernesto Laclau, "Populism: What's in a Name?," in Francisco Panizza (ed.), *Populism and the Mirror of Democracy*, (London: Verso, 2005), 32–49; Ernesto Laclau, *Emancipation(s)*, (London: Verso, 1996), 38; Ernesto Laclau and Chantal Mouffe, *Hegemony and Socialist Strategy: Towards a Radical Democratic Politics*, (London: Verso Books, 2001).

politeness and impoliteness, is very dependent on power.<sup>105</sup> Criticism can become an insult, and politeness becomes impoliteness when power moves the 'nodal point', which gives meaning to those things. This is enough to show the fluidity of the demarcation line between criticism and insult, and the meaning of politeness.

The logical consequences of such a position, the reasons for criticism and insults, and the meaning of politeness, which is one of the many contents of Asian values, will be interpreted when the language used is considered to pose a threat to power. A language will be regarded as 'impolite' and 'impolite' so that it moves from criticism to insults when the authorities deem it necessary to maintain power. The implication for freedom of expression is that there is a real threat to rights. Especially when the expressions raised are political expressions, which often have a very close relationship with power, ultimately, a political expression guaranteed in human rights law will be threatened by arguments of civility that have no meaning. In discourse analysis, this condition is called a phrase, which can not speak for itself; a text cannot be fully understood by looking at it directly without understanding the social, political, or cultural context surrounding it.

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<sup>105</sup> See generally in: Justito Adiprasetyo, Detta Rahmawan, and Kunto Adi Wibowo, "A Meta-Analysis of Hate Speech in Indonesia: The Yielding of an Academic Discourse to the Discourse of Authority," *Pacific Journalism Review: The Joy* 27, no. 1 & 2 (2021): 251–267, <https://doi.org/10.24135/pjr.v27i1and2.1167>.

Figure 5. Threats to Expressions of Religion and Belief



A.<sup>106</sup>



B.<sup>107</sup>

Source: X

The expression of religion and belief is believed to be a human right found in every community and culture, from classical times to today's contemporary epics.<sup>108</sup> The combination of

<sup>106</sup> In English: (i) Hilmi Firdausi → Today in Mandalika, Allah showed his power. Provides valuable lessons for people who still believe in magic and the like. Indonesia, which has a majority Muslim population, knows that believing in polytheistic things is a big sin. Let's straighten out our beliefs so that this country will be blessed. (ii) @ Nasya Putri.14. → You're an idiot, kid. Indonesia has 714 tribes. Having a culture, you can't equate it with a ravaged Yemeni Arab tribe, bro. *Kadrun*.

<sup>107</sup> In English: (i) Dokter Tifa → The hijab is God's order to Muslim women. O fathers, uphold God's command to your daughter. Only you deserve to be a leader for the people. (ii) #FPIOrmasTerlarang! → Ways *kadrun* This has been implemented for a long time to the point that the original Bangsa culture has been abandoned. Banish!

<sup>108</sup> Goran Gunner, "Religious Freedom as a Human Right," In Md. App. Jahid Hossain Bhuiyan and Carla M. Zoethout (eds.), *Freedom of Religion and*

religion and belief has received recognition in various legal documents as a type of expression protected within the legal framework of human rights. However, it must be acknowledged that the construction of religion and belief in human rights legal documents is still in a gray zone. However, human rights legal instruments expressly guarantee freedom to every individual to manifest their religion and beliefs. However, with the Asian values discourse, manifestations of religion and belief often conflict with certain localities, as illustrated in Figure 5 above.

The threat to freedom of expression, as shown in Figures 4 and 5, has one implication: the narrowing of space for civil society on social media due to the development of discourse regarding Asian values. The narrowing of civil society's space for movement seems to be symptomatic of the discourse on Asian values in Indonesia. The Asian values discourse does tend to give birth to authoritarianism while killing a country's democratic practices. This trend is an early sign of the narrowing of space for civil society.<sup>109</sup> On social media, the latent impact of the Asian values discourse is no different, along with the presence of a form of digital authoritarianism.<sup>110</sup> This condition indicates that even on social media, it is possible to narrow the space for civil society to take refuge in the shield of Asian values.

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*Religious Pluralism*, (Leiden: Brill | Nijhoff, 2023); Victorio H Situmorang, "Religious Freedom as Part of Human Rights," *The magazine ALSO* 10, no. 1 (2019): 57-68, <http://dx.doi.org/10.30641/ham.2019.10.57-67>.

<sup>109</sup> See, for example, the Amnesty International report which shows the narrowing of space for civil society in Indonesia along with the ripples of non-democratic practices in Indonesia. Read more in: Amnesty International, *Silencing Voices, Suppressing Criticism: The Decline in Indonesia's Civil Liberties*, (Jakarta: Amnesty International Indonesia, 2022), 27–48.

<sup>110</sup> Oliver Schlumberger, Mirjam Edel, Ahmed Maati, and Koray Saglam. "How Authoritarianism Transforms: A Framework for the Study of Digital Dictatorship," *Government and Opposition: An International Journal for Comparative Politics*, (2023), 1–23, <https://doi.org/10.1017/gov.2023.20>; James S Pearson, "Defining Digital Authoritarianism," *Philosophy and Technology* 37, no. 73 (2024), 1–19, <https://doi.org/10.1007/s13347-024-00754-8>.

## V. Conclusion

A. The rapid development of social media has created awareness of the critical role of social media as a space for discourse, including regarding Asian values. Based on the discourse regarding Asian values, this article concludes that there is a threat to freedom of expression on social media, which uses Asian values as a shield. These threats include threats to political expression and the expression of religion and belief. The existence of such threats to freedom of expression has given rise to a social reality in the form of narrowing the space for civil society so that the discourse of Asian values acts as a legitimizer for digital authoritarianism, which threatens freedom of expression on social media.

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The author(s) affirm that the present study is an entirely original undertaking. It has not appeared in print, online, or in any other medium, nor is it currently submitted to any journal for review. Every source noted in the reference list conforms to accepted protocols of academic citation.