



YOUTH MOVEMENT IN INDONESIA: OMNIBUS LAW DEMONSTRATION

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Abstrak

Gerakan pemuda adalah hal yang krusial di Indonesia karena sejak awal kemerdekaan Indonesia, para pemuda adalah salah satu tokoh utama. Artikel ini membahas tentang gerakan pemuda yang terjadi pada tahun 2020. Kelompok-kelompok mahasiswa melakukan aksi demonstrasi menentang perumusan *omnibus law* yang dianggap kontroversial. Aksi-aksi tersebut dilakukan di hampir semua kota-kota besar di Indonesia. Aksi terbesar dilakukan pada 12 Februari dan 20 Oktober 2020. Gerakan pemuda untuk menolak Undang-Undang Cipta Kerja ini menjadi bukti bahwa meskipun banyak kelompok masyarakat yang menolak Rancangan Undang-Undang ini namun Pemerintah masih tetap pada keputusannya karena mereka memiliki pandangan yang berbeda. Namun, meski demikian, aksi demonstrasi merupakan hak dari kelompok pemuda menjadi lahan untuk menyampaikan pendapat terkait dengan situasi politik di Indonesia. Perbedaan opini mampu mengobarkan kelompok pemuda untuk melakukan aksi demonstrasi menolak Rancangan Undang-Undang dan cara pandang Pemerintah.

Kata Kunci: *Omnibus law, Demonstrasi, Gerakan Pemuda*

Abstract

Youth movement is crucial in Indonesia because since the beginning of Indonesia's independence, the young generation has been one of the main actors. This article aims to examine the youth movement that occurred in 2020. University student groups held demonstrations against the controversial omnibus law in almost every major city in Indonesia. The protests against the job creation omnibus law, which originated as a bill, occurred across regions in Indonesia on February 12 and October 20, 2020. This youth movement to reject the omnibus law is proof that despite many societal groups rejecting the bill, the government continues with its decision due to differences in perspective. Yet, this action remains a right of young people to express their aspirations regarding the political situation in Indonesia. Differences in opinion may incite youth to demonstrate against government bills and judgments.

Keywords: *Omnibus law, Demonstration, Youth Movement*

INTRODUCTION

The enactment of the Job Creation Omnibus Law on October 5, 2020, by the Indonesian Parliament received numerous protests from across the country. This controversial law was discussed almost daily for more than six months in Indonesia's media, and some foreign media also published news about it. In every headline, the media interviewed scholars and political analysts to obtain their statements regarding the omnibus law and to inquire about further actions they intend to take. The arguments were mostly against the Job Creation Omnibus Law due to concerns about its impartiality towards Indonesia's citizens.

University students, along with civil society groups, held demonstrations more than five times in total in major cities in Indonesia such as Jakarta, Yogyakarta, Semarang, Lampung, Sukabumi, Tasikmalaya, Makassar, and Surabaya. Affiliated with activist groups, young people attempted to assist by protesting against the omnibus law, although it did not initially lead to changes; nonetheless, they were the primary voices in the demonstrations (BBCNews, 2020). Furthermore, young people not only supported activist groups but also became the main voices on this issue. This movement protested why the process from an omnibus bill to omnibus law was so rapid, completed in less than six months. This relatively fast drafting process prompted youth and other protesters to criticize the Parliament's haste, fearing significant long-term damage.

During Indonesia's plenary session held for the inauguration of the President and Vice President for the 2019-2024 period on October 20, 2019, President Joko Widodo outlined his plan to create a job creation law through an omnibus law, collaborating with the Parliament to simplify complicated bureaucracy and attract investments from abroad (Tohadi, 2020). The speech sparked controversy because Indonesia had never used the omnibus law method to formulate laws. This statement was the initial trigger for controversy among the public and Parliament. Omnibus bills, which result in omnibus laws, are methods for formulating legislation capable of changing all related laws associated with it. An omnibus bill is a single bill containing various distinct matters, drafted in this way to compel the executive to either accept all unrelated minor provisions or veto the major provisions (Garner, 2004). For more detail, Biersbach (2017) explained that an omnibus bill is similar to a standard bill, a formal proposal to change laws voted on by lawmakers and sent to the executive branch for final approval. However, the difference lies in its inclusion of numerous smaller bills ostensibly on the same broad topic (www.minnpost.com, 2017).

One of the protester groups is university students. They tried to discuss it in formal and non-formal meetings. Based on Indonesia's history, the younger generation has played a significant role in various aspects related to political and social change within the state, especially during Indonesia's fight for independence (White, 2016). The youth generation, mostly formed as university student groups, takes action in every controversial policy and law

created by the government. This action manifested itself in many ways, such as through petitions, discussions, and further demonstrations, youth mostly taking leadership roles (White, 2016; Hassan, 2016; Spyer, 2016). The monumental student movement in 1998 led to the overthrow of Indonesia's second President, Soeharto (Sahasrad and Ridwan, 2020). Most of all, that action is 'heard' by the government and makes them reconsider approving the controversial policy and law. Unlike in that situation, although it gained many protests, the Parliament firmly approved the omnibus bill to omnibus law on October 5, 2020, even in the Covid-19 pandemic. Because of that, how the youth movement tried to protest that kind of situation is essential to be examined.

Youth movements have driven a lot of important revolutions in environmental protection, democratization, and anti-militarization advocacy. It can be seen that youth activism influences government policy and structure in many countries, and the activism itself can help generate new generations of political and intellectual leaders (Rowen 2017). To understand the revolutionary talk and generational exclusion, one must look at specific youth practices that cut across apparently separate activities (Rasmussen 2010). By examining how the government treats the youth, we can understand more about how 'well' the government works. The main reason is that sometimes youths can voice out their aspirations without political interest. Still, because of their younger age, they can be mistreated for not having enough experience to speak up for something crucial.

In terms of politics, youth can be viewed from two perspectives: generational and life cycle perspectives. The generational perspective views youth as a generation that differs significantly from the other generations depending on Indonesia's economy, social, and political existing circumstances. Meanwhile, the life cycle perspective views youth as a particular stage of age in which a person experiences an identity transition from childhood to adulthood (Zukin et al. 2006). For this article, the author tries to use both of those definitions. University students represent the youth generation, who do not tend to be silent because they want to voice ideas; moreover, they want to know the rationale behind thoughts and decisions (Durkin 2008).

University student groups demonstrated the controversial omnibus law in almost every big city in Indonesia. The Indonesian Parliament approved the omnibus law on October 5, 2020. This university student group demonstrated even when it was still formed as an omnibus bill up to omnibus law in each region of their university. They demanded a re-assessment of that law and the cancelation of it because the omnibus law has many points that will disserve society such as job competition with foreigners in Indonesia, the ambiguous of contract employment status, longer over-time working period 9 (from 14 hours to 18 hours per week), Indonesia Investment Authority are not supervised by the Indonesian Audit Board, and many more (BBCNews Indonesia, 2020). This type of youth movement needs to be studied further

because it demonstrates how youth respond and their capability to contribute to the process of creating a better state. The ideas and actions they express can influence lawmakers to consider and reconsider their decisions. Youth voices, as expressions of citizen aspirations, especially need to be heard by Parliament, their legislative representatives.

One of the university student groups demonstrated in Jakarta, the capital city of Indonesia. Using the case of Jakarta's university student groups, I will explain how the youth movement is related to the omnibus law. In this article, the author focuses on the following questions: (1) How do university student groups demonstrate the ideas and processes of the omnibus law? (2) Is there any other actor involved in university student demonstrations against omnibus law? This study aims to understand more about the political situation that can impact the youth to demonstrate against the government bill and judgment. Aside from that, in this study, the author tends to explain how the university students as groups coordinated the plan, process, and impact of omnibus law demonstration.

METHODS

The researcher used qualitative methods to look for primary data through in-depth interviews with university students who had joined the omnibus law demonstration. The reason why the qualitative method is used in this research is because it can explore how the understanding and the meaning of omnibus law demonstrates for higher education students who joined that action. For a more comprehensive analysis, the researcher also looked into news reports, social media posts, and other literature related to the youth movement and political conditions, especially in Indonesia.

Observations of news reports and social media posts can explain how university students protested; some even posted their rejection of the omnibus law on their social media and their organizations. Video captured by national news was one source of discussion for conducting this research. Because of the controversy, the omnibus law has often been discussed on TV and online video media. The media that the researcher analyzed were YouTube accounts of Kompas.com, Mata Najwa, and TV One. These media focus on many "hot" issues primarily related to political dynamics in Indonesia.

The researcher used the snowball technique to get the informants. Although the researcher used a random purposive technique to choose the first informant, the researcher created the criteria for the informants' location. The researcher decided to focus on Jakarta, which is the central place for the central government, which drafted the omnibus bill and accepted the omnibus law. The demonstration in Jakarta was held more than five times by thousands of demonstrators. Because of that, the researcher chose to focus on Jakarta, and the informants must participate in those actions more than once. By participating more than once, the informants will at least understand more about the situation before, in time, and after

the demonstration. By doing that more than once, the researcher can verify that the informants must have a good reason for consistently protesting against the omnibus law.

In-depth interviews were carried out with 6 (six) informants. The researcher also observed the activities of the informants by checking their social media and trying to relate their opinions posted on their social media, which criticized the omnibus law, to their 'interview's answer. By analyzing the informants' answers to the semi-structured interview and their activities on social media, the researcher is trying to understand and explain their values for demonstrating against the omnibus law.

The informants were born and grew up in DKI Jakarta province. The group consisted of four men and two women. All of the men's informants are 21 years old, and the women are 25 and 23 years old. Names of informants are disguised. All three informants affiliated with different universities but still in the same region, DKI Jakarta. The informants are active as student representatives in their university, commonly referred to in Bahasa as *aktivis kampus* (campus activists) and are also members of non-governmental organizations (NGOs) engaged in political and social activism.

RESULTS AND DISCUSSIONS

Discrepancy between Government and Protesters

In this section, the researcher explains the gap between the perspectives of the governments and the protesters on omnibus law. The ways the government firm with their reasons for a better future by proposing and accepting the omnibus laws showed their strong position for policy decision making. No very feedback to the protesters also became proof how cloistered the process was.

Before pointing out the difference, a crucial thing should be explained. For Indonesians, the omnibus law is interpreted as a job creation law regulated by the omnibus bill method. When discussing this political controversy, the public in Indonesia rarely uses the term job creation law, and they usually mention it by omnibus law. The way Indonesia's society uses this term shows how the thing that they are focused on. This indicates the 'attention seeker' is the concept of omnibus law which is still an unfamiliar way to regulate Indonesia's law. Based on that fact, the researcher used the same term as the 'society, which mentioned omnibus law instead of job creation law regulated by the omnibus bill method.

The government claims that the job creation omnibus law can cut bureaucratic red tape and make the procurement process easier (especially about the land acquisition), will boost investment, and surely all of these can be vital requirements as Indonesia attempts to wrench itself out of a pandemic-driven recession (www.equaltimes.org 2020). What the government tried to get by this omnibus law was to attract foreign investors and then to create jobs for the younger generation. The government claimed that this law would be so useful for the future, and they emphasized it to the people who were still unemployed, not to the employees. They

considered foreign investment as the best solution to reduce unemployment as Indonesia's President, Joko Widodo, statements over the demonstration as:

“... Firstly, there are around 2,9 million new young people who are entering the working age every year, so the need for new working chances is very urgent. Moreover, in the Covid-19 era, there were approximately 6,9 million people who became unemployed ... But, I think that the demonstration against the job creation law is based on the misinformation about the substance of this law and hoax in social media... Government is very sure that by this job creation law, a million employees can improve his life and also the livelihood of their family...” [translated from Bahasa] (cnnindonesia.com, 2020)

The omnibus bill, covering a range of subject matters, is intended to deregulate the scattered, overlapping, and disharmonious laws related to business activities in Indonesia (Sembiring, Fatimah, Widyaningsih 2020). Some of the proponents of Omnibus Law mentioned that this is already the right time to recreate the regulation, which was confusing for a better Indonesia. The NGO that is a proponent of the Omnibus Law is PDSI (Persatuan Dokter Seluruh Indonesia) of which all the members are Indonesian doctors. They are very sure that by this job creation omnibus law can give a better health service because it will support a sufficient number of health workers, and affordable medicine and medical health for the public (gatra.com, 2023). Moreover, posted in the Jakarta Post, Rookmaaker (2020) wrote that the reforms signal that the Indonesian government remains focused on long-term economic development even as it looks to address the health crisis associated with the coronavirus pandemic.

By the time of the President's speech on the omnibus law, the discussion was held simultaneously nationwide. Based on this formal and informal discussion, there was an agreement to do a demonstration mostly because the Parliament is ignoring the protest that was conveyed by way of discussion sessions on media TV, public opinions written in the newspapers and online platforms, and moreover, the direct aspiration to the Parliament itself. As mentioned before, people who were against the omnibus law did a well-coordinated demonstration.

Because of all those reasons, many protests were held in Indonesia and most of the region. They are against this omnibus bill, which will change many regulations regarding job creation. Moreover because of its impact to the 79 laws and 1239 articles in 11 topic clusters which are: (1) simplified licensing; (2) requirements and investments; (3) employment; (4) convenience, empowerment, and protection of small and medium enterprise; (5) business convenience; (6) support for research and innovation; (7) government administration; (8) sanctions; (9) land acquisition; (10) government's investments and projects; and (11) economic zone [bahasan.id 2020]. If there are many clusters discussed there, the protesters mentioned that it is inappropriate to do so in a short time, especially when the government should focus more on handling the COVID-19 situation.

Why did this omnibus law become controversial? One of the fundamental issues about this was the absence of methods and techniques for forming the omnibus law, which means

that this method is new for Indonesia under the civil law system (Anggono and Firdaus 2020). Even in the other state, which frequently utilizes the omnibus bill method, which was formed as a common law system state, many problems were caused by that. Many legislator observers feel the practice of omnibus bills has gotten out of control because it obviously can encompass so many issues that a single omnibus bill can span hundreds or even thousand pages moreover, often drafted in mere hours on short deadlines (www.minnpost.com, 2017). Frankly, in the state that regularly uses this method faces predictable risk, why does Indonesia try to use that on a short deadline? Omnibus bills usually have a single title showing that the bill was trying to focus on one subject. Unfortunately, what the government attempted to formulate was job creation bills that always get the most attention from the public, especially the laborers.

The impact of this omnibus law is the protesters gave a vote of no confidence for the Parliament. They do not believe the government's claim which publicly stated about the benefit of the omnibus law for society. Policy implementation of any sort in Indonesia was compromised by a lack of bureaucratic competence and capacity and by the patrimonial nature of ties between government and businessmen (Beeson 2014). As a result, Indonesian citizens have a bad 'trust' in the Indonesian legal institutions due to the lack of commitment to law enforcement (Atmadja, Yuliaty, and Mutiara 2020).

By observation on the informant's social media, it consistently showed how they tried to voice out their disenchantment to the government especially on an omnibus law issue. They posted the critics for the government who do not want to hear their aspiration, indeed the desperate voice of laborers. One of the informants condemned the regulation for demonstration time limits which legally need to stop at 6.00 p.m. He explained the dramatic situation of the overtime demonstration which done by some of the protesters including his girlfriend and him:

"The regulation of the time limit for demonstration which needs to end at 6 p.m. severely restricts the motion. On my first time participating in an omnibus law demonstration, some of the protesters, including me and my girlfriend who is also the student representative in my university, did it overtime. We took off our university jacket and kept doing demonstrations until 9 p.m. Then the police shot tear gas at us and forced us to step back. Then my girlfriend and I ran and stepped back slowly because of our sore eyes. It was so sweet yet so sick. I can voice out my aspiration in consort with my girlfriend" (Roel, 21 years old).

University Student Movement

Every official youth movement has a specific 'statement of 'belief' which at least they have values, norms, and aspirations at a personal and societal level (Goldman, Pe'er, and Yavetz 2015). Youth are the source of change and participating to smooth the structure, as in the youth inn theory which means that youth identify that being a part of student campus involvement and participation in demonstration or protest for political rights are the way youth take apart in democratic and social practices (Saud, Ida, Mashud 2020).

Activist groups within the institution will have sufficient levels of stability to connect undocumented youth to one another and assemble a new political identity (Nicholls 2020). One of the triggers to youth political participation is social media which can bring closer opportunities for youth to participate in civic political activities by connecting youth with the invitations to participate in the activities, such as supporting political campaigns and signing online petitions (Wahyutama 2019).

The omnibus law demonstrations were a well-prepared action which was considered and discussed efficiently and effectively. Aside from discussion from the political experts and important figures held on TV, this issue had talked over the country and formed a topic that should be discussed in every forum. The informant explained the process of how their group reached a consensus to do a demonstration:

“Action ideas came under discussion. All of the issues for the omnibus law were analyzed from the perspective of education, agrarian affairs, and etc. During the discussion, if the result shows that this was a collective problem then we need to protest against that regulation. Since the President's speech on the omnibus law plan, then after that many discussions talk about that plan. At that time, when it was still an idea, we demonstrated against that plan. Then for the next 2 months or 3 months after that, the first draft was shown. It was so crazy at that time because many aspects will get bad impacts on it. Then we did a demonstration against that first draft.” (Jack, 21 years old).

The university student regularly did a demonstration since it still formed as an omnibus bill, then the first draft, until the last stage which is the acceptance of it as an omnibus law. But these university students did not do that by themselves. They "collaborated" with the labor groups which have total concern for the omnibus law because they are one of the parties getting the straight impact by that. One of the informants explained the reason why he chose to participate in the demonstration because of his experience before:

“I had an experience of the hardship of getting a job. I graduated from vocational high school. So basically, I had my priority to get a job subsequent to graduation. Because of that, I really understand how it feels to work from early morning to overnight but only getting a small amount of salary. So, when I heard about the idea of this omnibus law, I was shocked and wondered why it should be like that” (Roel, 21 years old).

One of the issues which was regulated in omnibus law was the plan to abolish the sectoral minimum wage. This issue was the most crucial aspect that gained protest all over Indonesia. The university students, based on the informant story, showed the consternation of laborers and themselves because many regulations will be affected immediately by that law. The informants explained about the preparation before taking protest action. In a 'burning' 'passion' intonation, the informant told the researcher how the process before doing the demonstration:

“In the demonstration, obviously it has some kind of field technicalities. The first thing to do is composing a notification letter to the police. For my first time participating in an omnibus law demonstration, the police rejected that letter. However, reverting to the designation of the letter which only notifies that we are going to do protest, the demonstration executed as a plan. And

the night before d-day of demonstration, we will consolidate in a detailed way for the procedure of the demonstration tomorrow.” (Budi, 21 years old).

“Moreover, we prepare for unpredictable situations. We even decide on the meeting point if the police attack us by tear gas. Where we should run to.” (Jack, 21 years old).

In the political field, young people as students are routinely denied the right to participate in decision-making (Beesant 2010). Although we can say that statement is the fact, as a democratic state, Indonesia lets the youth voice out their aspirations as long as it is delivered not in an anarchic way. Like the second demonstration which Jack participated in, he mentioned that one of the Parliament members came out from their office to meet the protesters.

In my second demonstration, we voiced out that we reject the omnibus law. And that time is also the period of local elections so at the same moment we demand the clean and transparent election. At that moment, one of the Parliament members came out and told us to enter the Parliament office. But some of our leaders replied they do not want to come in if the Parliament lets only some of us enter, we all need to come in together. And then the Parliament agrees with that condition so all of us come into the field of the office. There were around 300-400 protesters. Then our leaders spoke up our protest and aspiration (Jack, 21 years old).

After hearing Jack's explanation then the researcher asked why did your leader respond in that way, and here is Jack's answer:

Of course, our leader wanted to show our solidarity. They also did not want to be suspected as they made a deal behind us. Because some members of the Parliament is our group before, they are our seniors in the organization. And for some of the case, the leader can make a deal with their senior for negotiating a project which will make them stop protesting. That is why in that time of demonstration, our leader replied like that.

After participating in such protests, the protesters will be known by many people especially the police and by an unknown to known phase it will increase self-consciousness and courage (Rudolph 2008). It is how it is because by the informant statement it can show how their seniors who were doing the demonstration like them in the past then become the Parliament nowadays. Even they have the bargaining position to make a deal with the protesters.

According to Carson, Fitzgerald, and Roche (2000) through Beesant (2010) many young people are regularly subject to various regimes of discipline including corporal and other forms of punishment. In the case of omnibus law demonstration, some of the vocational high scholars and even junior high scholars participate in it. Because of that, junior high scholars got their punishment from the government because when they were being asked why they participated in it they answered that they joined it for fun and went along with their friends without understanding anything. As a disciplinary action, those junior high scholars gathered in the police station waiting for their parents to come to pick them up. Then in a symbolic way all of them, around 50 students, need to bow and ask forgiveness to their parents.

Main Actors in Protest Against Omnibus Law

Based on the statements of the informants, the most concerned party against omnibus law is laborers. It is proved that in every action of demonstration, the labour union constantly participated. The university students affiliated and coordinated routinely with the labour union to voice out their disagreement of these new regulations. Most of the campus activists share the same concern with the labour because they understand that they also will be a labour one day.

Funding for the demonstration was managed by each group of protesters. The informants mentioned how their representative student groups collect the money:

We have a joint venture for doing demonstrations. But we also get some funds from our alumni. Because some of the alumni are still actively coordinating and supervising us, they gave us some fund at least for preparing a mask and hand sanitizer to avoid infection for Covid-19. But we still have more funds from them to buy the things for our media to write down our aspiration. Even some of the protester's parents supported us by giving us lunch boxes. He brought so many lunch boxes (Rina, 21 years old).

The informants also explained how the labour union gets their fund for doing demonstrations:

GEBRAK has donor agencies so they must have budget allocation for their action. Of course, they have a lot of money so they have no worries to protest regularly. Moreover, they also bring a lot of pamphlets and other stuff to funnel their aspirations (Roel, 21 years old).

All of the union laborers protested and tried to cooperate with many people, by wishing all of the party would hear and help them. The informants stated that they will be labor in the future. If they want to be an entrepreneur at least having a labor under control is a must, so the informants feel that this omnibus law will impact their future as well. The equality of fate and passion to the laborers influenced the informants to protest against omnibus law. The biggest impact which the informants personally get by the demonstration was social relations. By participating in the demonstration, they met many new friends who have the same political spirit. These were the statements:

I think the important impact of demonstration is increasing social awareness of the society. We all are part of the nation. Then if we have some collective anxiety, we need to voice it out in many ways and that is demonstration. Aside from that I can get many one frequency new buddies in the actions. Having a wide-scale social relation is important (Roel, 21 years old).

As I was the front border in the demonstration, I had an experience of being pushed by public order enforcers. It was so tiring but I can say that I enjoyed that moment. I have more new movement buddies so I can discuss many things with them. (Jack, 21 years old).

One could argue that the youth movement nowadays is relatively non-political and non-ideological compared to the 1960s movements with their inspirations in Marxist, socialist, communist, free-love, and other ideals because the current movement is more about the issue for their own safety in the community (Fisher 2018). Let say that the omnibus law demonstration was not as ideological compared to the 1960s movements but they still have

the values of against the government project which was assumed not for the society's prosperity. They have the spirit to guard the regulation for their better future.

CONCLUSION

The idea and process of the omnibus law demonstration was arranged and prepared well by university student groups and even by the labour union. By discussing it many times, the university student and most of the society could not get the idea for omnibus law benefits like what the government stated. They only found many losses from it. They coordinated and cooperated with many parties to make the demonstration more effective and efficient.

Motivation for the omnibus law demonstration sufficiently happened because of the concern of its process from bill to law that is too fast and due to its hurry may lead to ineffective new law. Moreover, the demonstrators' goal is to be responded to by the Government, especially the President. Can this new bill really give a better life for Indonesia, for now and for the future.

Main actors of the demonstration were labour unions which affiliated each other with the university student groups. They were competing with each other because the labour unions have more connection and ability to do protest action because of their record. And the university student groups can more detail to analyze per article of the omnibus bill to omnibus law. Both of these parties try to voice out their resistance against omnibus law but the government did not change their mind until the end. Until it is officially confirmed.

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