

# Democracy and Human Rights In Indonesia

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## **I . Introduction.**

This paper suggests two arguments. First, the paralysis that has haunted Indonesian politics and government since early 2000 has a lot to do with the compromising nature of its democratic transition. Inability to make a radical break with the New Order<sup>1)</sup> has caused difficulties for the new leaders to deal decisively with the problems left by the authoritarian regime, especially corruptions and human rights violations. Second, in order to promote human rights enhancement in the country, the foundation of formal democracy that

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1) The term New Order is used to identify the regime that emerged on March 11, 1966, when General Suharto took power from President Sukarno, whose regime was called the Old Order by Suharto's supporters. The New Order ended on May 21, 1998, when Suharto resigned disgracefully.

has been laid by Presidents Habibie<sup>2)</sup> and Abdurrahman Wahid<sup>3)</sup> needs to be accompanied by the development of more substantive features of democracy. The democratic rules, procedures, and institutions have to be supported by a culture of democracy.

The following discussion will be divided into three sub-topics. The first describes the nature of the democratic transition that took place in after May 1998. The second assesses the character of democracy emerged from the process. And the third describes the major cultural challenge to the advancement of human rights in the country.

## **II . The immobility.**

Indonesia was fortunate enough to joint the family of democratic nations just before the 20th century ended. After having undergone authoritarianism for thirty-nine years, from July 5, 1959 when President Sukarno<sup>4)</sup> issued a decree revoking the provisional constitution of 1950 and abolishing the democratically elected Constituent Assembly, to May 21, 1998, when President Suharto<sup>5)</sup> suddenly resigned amidst a great turmoil in the country, the nation embarked on a democratic transition led by President B.J. Habibie,

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2) President Habibie ruled Indonesia from May 1998 to October 1999.

3) President Wahid has been in power since October 1999.

4) Sukarno started as the first President of the Republic of Indonesia, under presidential system, soon after the declaration of independence in August 1945. Soon afterward, when the new republic adopted a parliamentary system, Sukarno became a symbolic president. After having gorged an alliance with the military, and with the support of Indonesian Communist party, Sukarno managed to revive the presidential system in July 1959 and declare himself as the paramount ruler of Indonesia. The political turmoil following the abortive coup of September 1965 led to his downfall on March 1966.

5) President Suharto took office in 1966 after having crushed those responsible for the abortive coup of 1965.

a Suharto's confidante. Habibie's government initiated several important liberalization measures, especially freeing the press, releasing political prisoners, and relaxation of restriction on dissent, as well as the most important step toward democratization, i.e. conducting the first free and fair general election in Indonesia since 1955. The transition culminated with the first genuinely democratic presidential election within the People's Consultative Assembly<sup>6)</sup> which elected President Abdurrahman Wahid on October 20, 1999 and Vice-President Megawati Sukarnoputri the day after. A week later, a new government, led by a Muslim scholar, with a secular and non-sectarian orientation, formally started ruling a country with the world's largest Muslim population.

With a new government led by the reform-minded leaders, hopes were understandably high that the new leaders would immediately initiate necessary measures to pursue the reformist goals they have propagated for long. Given the fact that the new leadership enjoyed genuinely legitimate power, many anticipated that the new executives would use the power to embark on political, economic and social reforms demanded by their voters. At least, they expected the new elites to make decisive moves toward rectifying some of the gravest problems facing the nation, especially the issue of human rights violations and abuses committed by the New Order leaders. Such concerns are considered critical not only by the political groups wanting to dismantle the legacies of Suharto's authoritarian regime but also by the broader groups of population eager to bring the country back into normal and healthy life. It is generally believed that dealing determinedly

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6) The People's Consultative Assembly consists of the 500 members of the House of Representative (38 of which are appointed armed forces delegates), 135 regional delegates, and 65 non-partisan social group representatives. As East Timorese voted for independence in August 30, 1999, the number of regional representatives dropped by five, for a final total Assembly membership of 695. Among its functions, the most important is to elect the chief executive.

with the wrongdoings of the past regime, especially by conducting independent investigation into the human rights violations as well as the crimes of collusion, corruption and nepotism and prosecuting the violators, is crucial for the sake of justice and the rule of law. Many also regard this as a prerequisite for building confidence and trust among international business community toward Indonesia. Given the severity of the financial crisis undergone by the country since July 1997, it would not be able to jump-start the economy without external assistance, from the multilateral financial institutions, developed countries' governments as well as the private investors<sup>7)</sup>. In order to get their supports, the Indonesian leaders are expected to play by their rules.

Now, entering the second year of the democratic period, however, much of the hopes seem to develop into despairs. Some issues have surely been tackled and limited progress has been made, but many more critical problems are still waiting to be touched. Among issues awaiting effective solution are corruption charges against Suharto's and ruling elites' families and human rights violation allegations against the former-Commander-in-Chief of the armed forces, and other military leaders concerning the massacres in Aceh, East Timor, and in other places, and the kidnapping and killing of student activists during the anti-government purge in 1997. Despite the fact that international pressures have been mounting since the last two years, the cases seem to be going nowhere until today.

Why the sluggishness? To understand the problem we have to consider two things: First, the nature of the democratic transition, which was based more on elite negotiations rather than mass pressures; and second, the nature of democracy that emerged, which is more formal and procedural,

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7) Compared to other Asian countries undergoing monetary crisis during mid-1997, Indonesia is the hardest-hit and the slowest to recover. The economic indicators reported during early January 2001 are not encouraging.

rather than substantive.

### **III. The democratic transition.**

In the wake of President Suharto's departure from office on May 21, 1998, his hand-picked successor as president, B.J.Habibie, a civilian, a German-trained aircraft builder, a chairman of Muslim urbanized, middle-class organization, introduced many new policies designed to attract sympathy from inside as well as outside Indonesia. The new leader, in effect, started loosening the authoritarian control and reintroducing a variety of civil liberties. The media censorship was abrogated. The establishment of new political parties were encouraged. The rules banning strikes and demonstrations were nullified. Regions were assured of broad autonomy. He even promised a referendum on the future of East Timor<sup>8)</sup>. Many fresh moves were taken that in effect made many issues that used to be considered political taboos were openly discussed. The most important being the corruption of former President Suharto's family and the military's prerogatives in non-military affairs.

These exceptional moves set into motion a chain reaction that was not easy to stop. The political opening encouraged a variety of political actors to appear and take part in the dynamic interaction between the forces supporting the New Order regime and the opposition. This in turn brought about a political constellation of a new kind.

The Habibie government, which was still suspected as trying to revive the "New Order" and now dubbed as "pro-status-quo" regime, split into two camps. The first, the "hard-liners"<sup>9)</sup>, were those who rejected political

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8) The referendum was done in August 1999, with the supervision of the United Nations, in which East Timorese voted overwhelmingly for separation from Indonesia. When the People's Assembly ratified the result in September that year, Indonesia formally recognized East Timor as an independent state.

9) The categorical terms of hard-liner, soft-liner, opportunist, moderate, and radical are

reform as it would destroy their position of wealth and power. Belonging to this group were Suharto's confidantes, cronies and their supporters within the army, bureaucracy and the Golkar<sup>10)</sup> ruling party. The second, the "soft-liners", consisted of the politicians who were ready to join the reform movement with the condition that it would not destroy totally the general political framework that they considered still workable. Included in this category are several ministers who deserted Suharto just before he fell and the critical members among the Golkar party leadership. Meanwhile, among the more diverse groups in the opposition side emerged three strands of actors. The first is the "radicals", who wanted "revolutionary change, now". Consisted of mostly loosely-organized groups whose dynamics came from Jakarta students, this group tried to agitate the radical wing of the nationalist PDI-P<sup>11)</sup> party led by Megawati<sup>12)</sup>. The second is the "moderate", who wanted political reform without unnecessarily destroying the whole system. The moderate faction enjoyed much broader supports from the diverse groups in the opposition, such as the moderate and mostly-traditional N.U. Muslim group<sup>13)</sup> led by Abdurrahman Wahid, the urban-based Muhammadiyah<sup>14)</sup> Muslim organization led by Amien Rais<sup>15)</sup>, the PPP<sup>16)</sup>

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borrowed from Leftwich (1997).

- 10) Golkar (the acronym of Golongan Karya which means functional groups) is a party organized by the military in early 1970s out of a loose federation of various functional interest groups with the same name.
- 11) Name of the nationalist party that mobilized supporters by appealing to populist ideology as well as utilizing the late President Sukarno's legendary myth.
- 12) The daughter of the late President Sukarno who led the PDI-P to its victory in June 1999 elections as the biggest party Indonesia and became Vice-President of the Republic since October 1999.
- 13) The biggest Muslim organization with around 30 million followers, who mostly come from Javanese rural communities.
- 14) The second biggest Muslim organization whose support mostly come from urban areas.
- 15) As the leaders of two biggest Muslim organizations, Amien Rais and Abdurrahman Wahid are among the strongest contenders for power and have been competing for

Muslim party led by Hamzah Haz, the moderate wing of PDI-P led by Megawati and many more secular groups. The third group in the extra-governmental political arena is the "opportunists", those who kept a "wait-and-see" position. In the early period of the reform movement, majority of the political elites belonged to this category. Included in this were those politicians who hastily created political parties to join the June 1999 elections.

What happened during the transition period of May 1998 to October 1999 was a dynamic process that resulted in the condition enabling the dialectic discourse between the "soft-liners" within the government and the "moderates" among the opposition. Considering the fact that the New Order did not simply collapsed, the pro-status-quo elements within the military establishment could still reverse Habibi's liberalization and democratization projects, and the opposition was divided and not strong enough to topple the government, while the government could not crack down on the opposition without worsening the mass upheaval, the only reasonable option was compromise. During this process, the ability of the "middle-of-the-road" politicians to achieve a rapprochement was critical. Emerged from the elite bargaining was a kind of "pact", even if a tacit one. They tacitly agreed on a two-point agenda: First, soliciting the support of the political leaders who had not determined their position yet, especially those in the "opportunist" camp; and, second, neutralizing the radical's appeal among the opposition and the reactionary's power within the government.

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the highest power position. Amien Rais is a political scientist with a PhD degree from University of Chicago and, for long, very critical of American influence in Indonesia. Abdurrahman Wahid was educated in Iraq and Egypt in literature and developed himself as a pluralist preaching for inter-ethnic, inter-religious dialogue and leading an international inter-faith organization that includes Jewish, Christian, Buddhist, Islam and other religious groups.

16) A Muslim party inherited from the New Order era.

The strategy of gradualism, moderation and compromise exhibited by the reformist leaders during the parliamentary elections in June 1999 and the presidential election in the People's Assembly in October was the key to the successful change that brought Indonesia back to its democratic tract, after a 40-year detour<sup>17)</sup>. The strategy of elite negotiation, bargaining and compromise resulted in a specific power-sharing arrangement, in which the President, the Vice-President, the Speaker of the House of Representative and the Chairman of the People's Assembly belong to four different parties. In this cohabitation, the presidency is taken by the founder of PKB<sup>18)</sup> and vice-presidency by the leader the largest party PDI-P, the speaker of the House is won by the leader of the second largest party, Golkar, and the minor party but with a very influential national leader, PAN<sup>19)</sup>, get the chairmanship of the Assembly. The politics of power sharing continued with the formation of the cabinet. This time, President Abdurahman Wahid constituted an informal committee, consisting of himself, the Vice President, the Speaker of the House, the Chairman of the Assembly, and commander of the armed forces, to nominate potential cabinet members. When the result was made public on October 26, what emerged was a kind of catch-all government. All of the five most popular parties and several lesser parties as well as military establishment were represented in the new executive

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17) In the June 7, 1999 General Elections, the first genuinely democratic one since 1955, 48 parties competed for seats at the national as well as local parliaments. Unfortunately, however, the result was not decisive. No party emerged from the election with a majority of vote; no one could claim a clear victory. The party that got most of the votes managed to win only 34% of the votes and 153 seats in the national parliament; which was followed by Golkar (22% of the votes and 120 seats); PKB (12% and 51 seats); PPP (10% and 50 seats); and PAN (7% and 34 seats).

18) PKB is a party created by, although not directly led by, Abdurahman Wahid and supported by the majority of NU members.

19) PAN is a party led by Amien Rais and which is supported by many of Muhammadiyah members.

branch.

Such a politics of compromise and inclusion was applauded by many as the best way of co-opting many pro-status-quo leaders who could destabilize or who had the potentials to destabilize the new government. The choice of such strategy also conforms with the experience of successful democratic transitions in Latin America, Southern Europe and Eastern Europe. As asserted by some of the scholars: "throughout the developing world, flexible, accommodative, consensual leadership styles have contributed notably to democratic development" (Diamond, Linz and Lipset, 1990:15-16).

The Indonesian recent experience, however, reveals some of its detrimental implications. The process of elite negotiations inflicted much damage to the solidarity of the opposition. To protect their own interests and to secure a favorable place in the potential transition toward democracy, some Golkar politicians within the government (the soft-liners) marginalized the radicals (especially the student groups that organized mass demonstrations and the radical wing of PDI-P) by making concessions to the moderates in the opposition (especially from lesser Muslim parties).

The elitist negotiated transition process left out altogether the leaders who organized the mass demonstrations, especially the students and other groups in civil society. Given the fact that the democratization gained its momentum from the demonstrations and mass rallies that mostly organized by students in all over Java and most urban areas of other islands and that it was the student leaders who initiated to facilitate the formation of alliance among four most important opposition leaders<sup>20)</sup> (three of them now become President, Vice-President and Chairman of the People's Assembly), the

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20) On November 10, 1998, pressured by the students, Abdurahman Wahid met with other popular civilian leaders Megawati Sukarnoputri, Amien Rais and Sultan Hamengkubuwono X, and declared a political agenda later known as the Ciganjur Declaration. Since then the four leaders have been known as the Ciganjur Four. See Budiman (1999:44).

marginalization of the student leaders only created frustration among the groups who still keep the potential to disrupt the political system.

The compromise enabled the pro-status-quo group to keep their favorable position in the ruling elite. Several important leaders of the New Order are still in charge of strategic positions in the new government, including in the military portfolio. There is no a real break with the New Order.

The consequence is felt now, when the government seems to be unable implement some of the most important reforms it promised. The most embarrassing of all is the failed attempts to hold the former President Suharto and the military accountable for their wrongdoings in the past. (When President Wahid in several occasions openly proposed to extend forgiveness to the New Order leaders before being taken into the court, some critics worried about the possibility that the criminal offenders will get impunity).

In other words, the strategy of compromise and inclusion has the effect of delaying the inevitable political restructuring, with all the associated turmoils that keep going on and on until today. The elitist strategy also put so much formidable constraints on the new government as to make it impotence. This is the major reason of its inability to deal determinedly with Suharto and his cronies concerning the issues of corruption as well as human rights violations.

#### **IV. The limits of procedural democracy.**

The political system that emerged from the 18-month transition period (from May 1998 to October 1999) generally meets the formal criteria of democracy. Adapting the set of procedural minimal conditions of democracy originally drawn up by Robert Dahl (1982:11), Mary Kaldor and Ivan Vejvoda (1997:63), suggested following criteria of formal democracy:

1. Inclusive citizenship: exclusion of citizenship purely on the basis of race, ethnicity or gender is not permissible.
2. Rule of law: the government is legally constituted and the different branches of government must respect the law, with individuals and minorities protected from the 'tyranny of the majority'.
3. Separation of powers: the three branches of government --legislature, executive and judiciary-- must be separate, with an independent judiciary capable of upholding the constitution.
4. Elected power-holders: power-holders, i.e. members of the legislature and those who control the executive must be elected.
5. Free and fair elections: elected power-holders are chosen in frequent and fairly conducted elections, in which coercion is comparatively uncommon, and in which practically all adults have the right to vote and to run for elective office.
6. Freedom of expression and alternative sources of information: citizens have a right to express themselves without the danger of severe punishment on political matters, broadly defined, and a right to seek alternative sources of information; moreover, alternative sources of information exist and are protected by law.
7. Associational autonomy: citizens also have the right to form relatively independent associations and organizations, including independent political parties and interest groups.
8. Civilian control over the security forces: the armed forces and police are politically neutral and independent of political pressures and are under the control of civilian authorities (Kaldor and Vejvoda, 1997:63).

Using these criteria as a measure, it can be judged that the new politics emerging in Indonesia since October 1999 is democratic enough, because it satisfies most of them. Two problems, however, still pose enormous

challenge to the new government: the rule of law enforcement and the civilian control over security forces.

## **V. Law enforcement.**

The weakness of the Indonesian judiciary and legal system is notorious. The moral integrity of the law enforcement officers is questionable. In early 1999 the attorney general was forced to resign following the publication of evidence that he had received in his personal bank account a substantial payment from a businessman under investigation. About 70% of the judges in the capital city are suspected as corrupt. In April this year the police is investigating the buying and selling of judge verdict in the court of law. The supreme judge is also in the list of persons to be summoned by the police (Tempo, April 17, 2000).

Measures have already been made in relation to the judicial system. But more efforts are needed to reform the judiciary and legal system and to establish a rule of law. The World Bank in its recent report recommended higher salaries; new recruitment, promotion and disciplinary practices; and a greater openness, with judges required to publish the reasons for court decisions. Although the critics see the suggestion missed the point. The judges have never accepted bribes out of necessity since their income has always been sufficient to cover basic living, housing and food costs. Instead, most judges see bribes as means of maintaining the relatively luxurious lifestyle . . . (The International Crisis Group, 1999:17-18).

## **VI. Taming the military.**

The most difficult challenge to the new government and that seemed to be insurmountable was how to do away with the legacy of the military intervention in politics and establishing civilian control over security forces.

To remove high-ranking generals from active duty by a civilian president is an act of high risk, but Abdurahman Wahid has so far prevailed, especially because of his legitimacy as the first president ever elected democratically in the Assembly. He not only managed to appoint a civilian as minister of defense, a navy admiral as the commander-in-chief of the armed forces (a portfolio that had always been the prerogative of the army), and an air vice-marshal as the chief of military intelligence, but also put an end to the dual-function doctrine of the armed forces, that has for four decades been used by the officers to justify their involvement in non-military affairs. He also dismantled and reorganized intelligence service and abolished special units within army that had been used by the New Order leaders for politically-motivated operations. To what extent can these measures resolutely neutralize the military's political activities remains to be seen. However, the President's move to sack General Wiranto from his cabinet position last February, after several weeks of skirmishes, proves that the President is in control of the military leadership. This time he found an elegant rationale, the National Commission of Human Rights found the general implicated in the human rights violations in East Timor and needed to appear in the court law (Tempo, February 20, 2000).

The above analysis suggests that the new government is democratic enough. Many believe, however, that democracy is not reducible to the formal rules, procedures and institutions. Democracy is not only a matter of structures or frameworks. Democracy is also about political culture. Therefore, the more important issue is how the rules, procedures and institutions are actually implemented by the people in real daily life. Here, we should discuss democracy in terms of its substantive dimension.

## **VII. Developing substantive democracy?**

What is the prospect for developing substantive democracy in Indonesia?

Following, again, the suggestion of Kaldor and Vejvoda (1997:67-70), we can assess Indonesian potential for genuine democracy by considering the following six features of substantive democracy.

First: The character of the constitution and the way in which human rights are perceived.

It has been a common view among Indonesian democratic activists that the main source of authoritarianism in the country lies in the Constitution of 1945, which was meant to be a provisional charter but continue to be used up to now. One of the main problems with the Constitution of 1945 is the arrangement of the executive-legislative relations that in practice created a very strong presidency with vaguely-defined limitation. It is the lack of legal-constitutional and political constraints on the presidency, and the executive generally, that made Sukarno and Suharto so unaccountable to the people. If the basic function of constitution is the limitation of power, then the Constitution of 1945 is not conducive to democratic politics. Another main problem is the lack of provisions protecting individual liberty. Bill of rights is scantily mentioned in one sentence in the short document.

Efforts to rectify the condition was initiated when, in order to appease international critics, President Suharto agreed to support some human rights activists to establish a National Commission of Human Rights in early 1990s. Created as a semi-independent institution, the Commission managed to prove itself to be independent from the government control. Since Habibie's era, efforts have also been made to integrate the international covenants on human rights into the domestic legislation. The new government of Abdurahman Wahid set up specific ministry of human rights affair headed by a former leader of human rights activist. Another activist from the National Commission of Human Rights now become the Attorney General.

These developments promise a better prospect for human rights cause.

The more serious problem, however, comes from the fact the human rights violations are not only committed by state apparatus, but also by societal groups and mobs. Although many believed that some of the incidents of violent uprisings that have occurred for the last two years in almost all parts of the country are part of military scenario to discredit the civilian leaders, another explanation must be found in the nature of contemporary general public of Indonesia. The four decades of mismanagement and authoritarianism has created a large group of people who tend to be cynical toward politics, intolerant toward differences, xenophobic, and vulnerable to demagogue. The existence of this kind of people explains the bloodiness of the social conflicts recently. These are people who do not trust the police and take the law in their own hands.

Second: The role of political parties and the extent to which they provide a vehicle for political participation.

The liberalization policy that was initiated by Habibie's government has created multi-party system. By mid-1999 the Ministry of Home Affairs enlisted 163 political parties, 48 of which were eligible to take part in the general elections in June. The parties can be group into three basic categories. First, the three parties inherited from the New Order, the ruling party Golkar headed by Habibie, the Muslim PPP led by Hamzah Haz, and the nationalist PDI-P under Megawati Sukarnoputri, which were recast in different formats. Second, the reincarnated parties that attempt to continue the party political tradition of 1950s, which is divided along primordial lines of Muslim, nationalist and leftist radical. And third, the brand new parties, some of which founded by leaders who were not directly linked to the New Order.

Almost all of the parties were created from the top down, highly centralized with a markedly hierarchical structure and designed as catch-all parties. Most of the new parties have low membership. Their representatives have in many cases no experience in practical politics. They also have difficulties to win the trust of the electorates and to build up an extended network of grass roots party organization within a short time. They do not have the human and financial resources required for such purpose.

Golkar is the party with many experienced politicians and still supported by many in the bureaucracy as well as the business community, and therefore, has easier access to financial resources. Six months after the June 1999 elections the attorney general found out that Bank Bali secretly transfer around US\$70 million to Golkar after the party officials helped the bank in its dealing with the Central Bank. The financial strength explains the dominance of Golkar in non-Java islands and the remote areas, where money politics went on unnoticed by the critics who were mostly crowded in Java.

Except for the minor party led by leftist students, the parties cannot easily be distinguished on the basis of philosophy or ideology. Most of them express a commitment to market economy and social justice. The most apparent difference is between parties expressing a more civic orientation and those emphasizing attachment to religious values. The political debates that generate from their interactions also generally have little programmatic substance. The debates are usually either about the past, i.e., pro versus anti status-quo, or about personalities.

A new study conducted by a private university in Jakarta confirms the long-held supposition that there is no direct political linkage between voters and political parties. Most parties are dependent on external support for funding and for information needed for making party policies.

Third: The role of the media and the extent to which they are capable of

representing a broad political debate.

During the New Order period, most of the modern media communications, especially television broadcasts, were the agent of development communication, meaning that they were the tools of the regime. With all of the television stations are either run by the government agency or owned by Suharto's family members, they mainly served the political interest of the ruling elite.

Habibie's liberalization measures of abolishing media censorship have encouraged the modern media to facilitate the development of the culture of democracy. While the commercial channels still tend to be more entertainment and advertisement-driven, they have more actively broadcast political news, taking CNN as the exemplar. President Wahid's government take the step further by closing down the Ministry of Information, which during the New Order served as the censorship agency and propaganda machine for the government.

The new freedom enjoyed by the mass media, the print as well as the audio-visual ones, has spurred the development of dynamic exchange of ideas in the political public and provided a means for the people to participate in public discourse. Combined with the revival of party politics, this dynamism has made possible, for the first time mid-1950s, the introduction of democratic control over and the establishment of public sphere independent of the state.

Fourth: Whether and how the administrative branch has been able to transform itself into a genuine public service in which individuals have trust.

Several efforts have been made during the history of the republic to

reform the bureaucracy so as to have it function as neutral institution working in the interest of the public. But every time, the attempt was bogged down by the ruling elites who have vested interest in controlling human and financial resources managed by the bureaucracy. As a result, the public bureaucracy has always been clientelistic, dependent on the ruling elite allegiance, and partisan. During the New Order, it also served as an electoral machine mobilizing voters for Suharto.

Started from the last period of the New Order, some measures have been initiated, as part of the requirements demanded by the World Bank and other international creditors, to reform the public administration along the neo-liberal line. Osborne and Gaebler's book, *Reinventing Government* (1993) became a required reading for bureaucrats. Good governance was in the lips of many reformists. But they still keep people waiting for the result.

The administrative branch is still haunted by the classic problem: the lack of resources. The public purse cannot finance the public civil service adequately. When the problem hit the law enforcement agencies and was used to justify the weakness of law enforcement, the implication for human rights protection become very serious.

Fifth: The degree to which local government is able to manage and respond to local concerns.

During the New Order, there was no such thing as local government. They mostly suffered from administrative and fiscal impotence. The attempts to develop a decentralized democratic arena in mid-1950s were hindered by the leaders in Jakarta, especially by the military establishment, which then just emerged as a political power. The pro-region Law of Regional Government of 1957 was revoked in late 1960s and replaced by pro-center laws which put the regions as merely the extension of the central

government. The regional governments served merely as the field offices of central government. They have very few autonomous sources of revenue. In average, 90% of district revenues come from the central government. Tax receipts from natural resource sectors, such as oil and minerals and forestry, are controlled by the central government.

The impotence of the local government undermined their legitimacy as locally elected administrators. The tradition of local mass media to focus on national politics also made things worse. Most local people could not get information about local affairs easily. As a result, local electorate tend to align their political interests with the elite group in power at the center to create a lifeline from the center to the periphery, i.e. access to power and resources. Depending on the group in power in Jakarta, the regions have benefited or been excluded from funding in various social and economic development sectors. This partly explains the success of the ruling party Golkar to dominate the votes in the areas beyond Java, especially the remote islands, from the 1971 elections up to the last one in 1999.

Many incidents of upheaval that have sparked the regions around the country have necessitated the central government, especially since Habibie's, to take serious actions. The result of which were two new legislations empowering the local politics so as to enable local people to choose their own leadership and to enjoy bigger shares of national revenues.

When it comes to the real and fair revenue sharing, however, the central government failed to keep their promise. Part of the reason is that it has to consider the international creditors' interests. The IMF was reported as expressing concerns about revenue redistribution toward the regions, given the commitment of the central government to repay the enormous debts to the creditors. The creditors want to make sure that the central government keep enough revenue sources to repay the debt. Until the Indonesian leaders find a way to deal with the revenue-sharing issue satisfactorily, the

upheaval threatens to go on.

Sixth: The existence of an active civil society.

Indonesian associational life was very vibrant during the early independence and up to 1950s (King, 1978). The introduction of guided democracy by Sukarno's and Suharto's regimes dampened the dynamic process. There were no more self-organized groups and institutions capable of preserving an autonomous public sphere, which could guarantee individual liberty and check the abuses of the state. In their place, the authoritarian regimes put corporatist interest representation system that was to become a tool of controlling the mass by the leaders.

Former student leaders who were disillusioned by party politics and terrorized by the military revived civil society activism in early 1970s. Assisted by several international western funding agencies, they encouraged the establishment of non-governmental organizations (NGOs) as a new vehicle for their struggle. They quickly started to attract many supporters and by early 1990s they numbered tens of thousands. They also managed to introduce new approaches in dealing with development problems. Although the government was generally not pleased with their activities, the NGO's buzzwords, such as basic need approach, people empowerment, people-centered development, community-based resource management, sustainable development, very often found a respectable place in the government development agendas.

The NGOs were also very instrumental in keeping the public sphere open at a time when authoritarian system seemed to intimidate any political activists. Together with the student organizations, they were the main source of leadership and political initiatives during the hard times of the last three decades. President Abdurrahman Wahid also developed his leadership

skills in this kind of communities.

When the liberalization period came in 1998, however, many of the NGO activists could not escape the euphoric enthusiasm and were absorbed in party politics. Suddenly, NGO activism faded away. Many of its activists became politicians. Left in the field were the student groups busying themselves organizing street demonstrations. As a group of people who considered themselves carrying a historical mission for democratization and development of their country, the students have always been politically active. They have actually provided the conditions and the precipitating trigger that brought about the breakdowns of Suharto's and Habibie's governments. During the Now Order regime, the students and the NGO activists were the only elements of political activists that survived the repression of the regime and kept alive the spirit of anti-authoritarian government.

The problem with the students in late 1990s, however, was that they could not come up with national leadership and a clear agenda. When the popular leaders they helped promoting, i.e., Abdurrahman Wahid, Amien Rais, and Megawati Sukarnoputri, engaged in the elitist politics of negotiations, bargaining, brokering and compromise, they felt marginalized and abandoned. As the most disappointed by the politics of compromise and the sluggishness of the government moves in dealing with many economic and political problems of the country, the students began another round of demonstrations and protests in early January 2000. Many of which do not have either specific agenda or clear cause.

The highly charged political dynamism of the last two years has done very much damage to the civil society. Very few activists are content with common NGO activities of organizing people for solving their basic livelihood problems. Many social leaders seem to be more interested in practical political works.

### **VIII. The question of culture.**

The sketchy description above suggests that the institutional, formal prerequisites for democracy have been broadly fulfilled by the new politics in Indonesia. The formal rules, procedures and institutions, however, need to be supported by more substantive performance. Some ways must be found to develop a culture of democracy and to encourage the consolidation of democratic behavior.

The greatest obstacle impeding the effort to nurture democratic culture in Indonesia has been a kind corporatist-militarism nurtured by the New Order leadership. The architect of the New Order politics deliberately inculcated a value system engendering the cultural bias toward monism and uniformity, the emphasis on organizational hierarchy, and the prominence of symbolism. Pluralism, fraternal equality and other values deemed necessary for democratic culture are not part of the lessons learned by Indonesian politicians.

Reports from the last congress of the nationalist PDI-P party early this year show that politicians of the party that won the largest vote in the last election still practice the party politics the old way. Using various manipulative rules, the congress organizers managed to make Megawati Sukarnoputri as the only nominee for the position of the party's chairperson. Democratic plurality is not needed yet now, they said (Tempo, February, 2000). And that kind of incident can be expected to happen in other parties as well.

Intolerance toward pluralism and differences is also responsible for many incidents of conflicts in Indonesia. The most notorious example is the religious and ethnic conflicts that have dragged on for almost two years now in various parts of Indonesia. Another example is the current heated debate in Jakarta concerning President Wahid's idea of repealing the ban on

communism, Marxism and Leninism that has been in place since 1966. Considering the fact that the ban has been used to stigmatize hundreds of thousands citizens who are considered former members or supporters of the Indonesian Communist Party, 35 years after the event, and bearing in mind that the ideology has generally lost its appeal, the President suggested the ban be annulled. For pluralist, there is nothing special about the proposal. Many Indonesian politicians, however, cannot accept it. Various groups, especially the Muslim radicals, reportedly supported by some military officers frustrated with President Wahid's policy toward them, took the street and demonstrated against the President, calling him to resign. Mass media in the last week of April reported the rumor that the coming annual session of the People's Assembly, scheduled in August, will be used by the caucus dubbed Central Axis to oust Abdurrahmad Wahid from the presidency.

Another important element of the authoritarian value system is militarism. The most common example of this is the ubiquitous military uniforms. Many people in various situations dressed like military officers, plus the ornaments, even though they are not. People in many different functions are expected to behave like the military. Many social and political organizations have a youth section that maintains a para-military wing. The members of the groups can easily be recognized by their uniform that usually in form of full military battle dress, with jacket and beret. During the party campaign period or congress, these groups function just like militia, protecting the party from potential enemy attacks. They also serve as ceremonial symbolism, showing off the party power.

Instances of this kind of political behavior and manner are ubiquitous and can be listed endlessly. The point is that the political traditions engendered by corporatist-militaristic values have impeded the development of democratic values required to support the rules, procedures, and institutions that have been in place. As already mentioned before, democracy is not only

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a matter of structures and frameworks. Democracy is also about culture.  
Democracy concerns a way of life.

< Key Words >

Indonesia, Democratic Transition, Democracy, Human Rights

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