

# People's Interests, The Neglected Feature of The *Reformasi*. The Case of Indonesian Defense Diplomacy

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**Abstract :** *Law of the Republic of Indonesia on the State Defense stipulates among others: the active role of the Army in maintaining regional and international peace, defense diplomacy, as well as incorporating people and other resources in defending the country. The inauspicious Indonesian defense diplomacy towards Singapore in the form of Defense Cooperation Agreement (DCA) of 2007 planned to beef up both military cooperation and mutual confidence. The planned joint training would exploit not only Indonesian territories, but also affect people's livelihood and safety. Utilizing people in the implementation exposes loopholes in the regulation(s) of the state defense. Should government consult the concerned people? Indeed, people were not consulted as the existing regulations sidestep people in the process to reach an agreement in DCA. And that is one of the case of neglecting people interest in the reformasi era!*

**Keywords:** *Defense Cooperation Agreement (DCA) Indonesia-Singapore, defense diplomacy, Tentara Nasional Indonesia (TNI) (Indonesian National Armed Forces), people (rakyat), reformasi, State Defense.*

**Abstrak:** Hukum Republik Indonesia di dalam pertahanan Negara merupakan keharusan: peranan aktif dari Tentara dalam menjaga kedamaian regional dan Internasional, diplomasi pertahanan, rakyat dan sumber lainnya bekerja sama dalam mempertahankan Negara. Kesialan diplomasi pertahanan Indonesia terhadap Singapura di dalam *Defense Cooperation Agreement (DCA)* tahun 2007 dibentuk untuk protes terhadap kerjasama militer dan kemampuan kedua pihak. Rencana untuk latihan bersama tidak hanya dapat mengeksploitasi wilayah Indonesia, tetapi juga mempengaruhi kehidupan dan keamanan rakyat. Menggunakan rakyat dalam pengimplementasian memperlihatkan bagaimana caranya keluar dari regulasi-regulasi dalam mempertahankan Negara. Haruskah pemerintah mendiskusikan dengan rakyat?. Tentu saja, karena rakyat bukanlah sebagai langkah dalam pembentukan regulasi dalam proses untuk mencapai kesepakatan di dalam DCA. Dan itu adalah salah satu kasus dari pengabaian rakyat di era Reformasi.

**Kata Kunci:** *Defense Cooperation Agreement (DCA), Indonesia-Singapura, Diplomasi Pertahanan, tentara Nasional Indonesia (TNI)(Indonesian national Armed Forces), Rakyat, Reformasi, State Defense.*

Considerations for the decree of the Law No. 3 of 2002 on the State Defense points b,c and d stipulate:

- b. That national defense is one of the functions of state government in an effort to realize unity in the state defense to reach national objectives, namely protecting the nation and Indonesia's birthplace, promoting

welfare, improving the life of the nation, and participating in carrying out world order based on freedom, eternal peace, and social justice;

- c. That in managing state defense, every single citizen has the rights and obligations to participate in defending the state as a reflection of the life of the nation that guarantees the rights of

people to live equally, just, safe, peace,  
and well;

- d. That effort to defend the state is carried out by creating, maintaining, developing, and applying the state defense forces based on democracy, human rights, welfare, environment, national legal provision, international law and conventions, as well as the principles of peaceful co-existence.

The above points are elaborated in the Law and become the basis in organizing the national defense. They indicate that the Indonesian national defense contains the universal values of democracy and human rights.

Some basic problems persist in practice. State defense system, as elaborated in the Law, is the effort to defend the security of the people.<sup>27</sup> It is the system of defense that is total in nature, incorporates the whole citizens, territory, and other national resources.<sup>28</sup> Nevertheless, there is a gap between theory and practice: Defense Cooperation Agreement (DCA) between

Indonesia and Singapore in 2007, supposed it was carried out, would not guarantee that [local] people would feel safe and peaceful. More than anything else, it would exploit people's territories without consulting them in advance of the signing of the Agreement.

This essay showcases how the government's thinking about defense policy and the people's interests do not converge. What government thinks as strategic and beneficial goes against the people's will, and even harmful to the people. After *reformasi* goes for more than a decade, sidestepping or neglecting people reflects the wider government's attitude towards people.

### **The Case of DCA**

DCA was signed on April 27<sup>th</sup>, 2007. Previous to the signing, both countries had committed to negotiate a DCA in parallel with an Extradition Treaty (ET), and to conclude both agreements together as one package. The DCA was intended to enhance and strengthen the existing bilateral relations between the two armed forces through mutually beneficial cooperative activities. Furthermore, it provided a comprehensive strategic framework for promoting bilateral defense

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<sup>27</sup> Chapter 1 clause 1.

<sup>28</sup> Chapter 1 clause 2.

cooperation to enhance the professionalism and inter-operability of the Indonesian National Armed Forces (*Tentara Nasional Indonesia — TNI*) and the Singaporean Armed Forces (SAF) through a greater mutual access towards each other's training areas and facilities. It is meant that the Singaporean would provide the training assistance to the TNI, and the Indonesian would allow the use of the training areas for the SAF. The cooperations also included the restoration and maintenance of the training facilities, and the use of certain military instruments.<sup>29</sup>

The agreement was intended to dispel suspicion and hostility grew during the *reformasi* era in Indonesia. The areas of cooperation are:<sup>30</sup>

1. The restoration and maintenance of the infrastructure and instrumentation for an Air Combat Maneuvering Range in Pekanbaru in Sumatra, which would be used for air combat and intercept training by aircraft from both air forces;

2. The restoration and maintenance of an Air Weapons Range in Pekanbaru in Sumatra, which would be used for air-to-ground weapons training by aircraft from both air forces;
3. The provision of a Naval Gunfire Support Scoring System to be used at Pulau Kayu Ara, which would allow ships from both navies to conduct naval gun firing exercises;
4. The provision of naval technical assistance and access to naval training facilities;
5. The development of Baturaja Land Forces Training Area in Sumatra, as well as the construction of the necessary infrastructure, to support army training by both countries;
6. The continued training assistance provided by the SAF to the TNI in the areas of simulator training and academic courses.

The areas of deep cooperation, where some points were considered as compromising state's sovereignty — would allay suspicion and resentment and, expectedly ensued with warmer relations. In strategic terms, the

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<sup>29</sup> See further the *MINDEF Singapore*, 2007, accessed in 11 August 2011.

<sup>30</sup> *Ibid.*, accessed in 15 August 2011.

agreement would bring advantage to both countries.

The advantage was looming large as the People's Republic of China (PRC) and Japan both show uncertainties in regards to their future roles (whether benign or malign) in the region. Furthermore, their relationship as major powers would affect the whole region positively or negatively. Also, the future commitment of the United States puzzles the region. Washington sometimes puts this region as a priority, but sometimes it seems to leave the region and then concentrating on another region in the world. Even on certain issues, such as human rights, Washington shows animosity, undermining the relationships within the region.<sup>31</sup>

Hopefully, the Agreement would help to meet the needs of Indonesia [and Singapore] in facing the uncertainty in the region. From the Indonesian side, in the post-Suharto era, the TNI experiences low morale. Due to the previous U.S. embargo, it badly needs new instruments, because most of them are obsolete.<sup>32</sup> The cooperation would alleviate

the dire situations of the Indonesian military. It was expected that joint training with Singaporean military would expose the TNI to sophisticated and state-of-the-art military technologies. As it would enable mutual visits of military vehicles of both countries during the exercises or other activities, in strategic terms, the Agreement contained confidence and security-building measures — by allaying suspicion and resentment. Ultimately, it would contribute to security and stability in Southeast Asia.

Defense diplomacy is relatively a new concept, though it has been practiced by many countries.<sup>33</sup> Essentially, it is a diplomacy with military-related issues at the top of the agenda and conducted by at least two states. More systematic and clearer concept of defense

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<sup>31</sup> See also Harsawaskita, 2010.

<sup>32</sup> Chapter 7 Presidential Decree no. 7 of 2005 on the Medium Term National Development Plan admits the dire situations of the Indonesian Army.

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<sup>33</sup> For instance, by Japan, see Garren Mulloy (2007) "Japan's Defense Diplomacy and 'Cold Peace' in Asia" in *Asia Journal of Global Studies*, vol. 1, no. 1, pp. 2-14; by China since 1990s, see Kristen Gunnes (2006) "China's Military Diplomacy in an Era of Change," paper for the National Defense University symposium on *China's Global Activism: Implications for U.S. Security Interests*; by Soviet Union, see Dan L. Strode & Rebecca V. Strode (1983) "Diplomacy and Defense in Soviet National Security Policy" in *International Security*, Fall, vol. 8, no. 3, pp. 91-116; U.S has conducted defense diplomacy towards Brazil since 1930s, see Daniel Zirker (2008) "Defining a US Defense Diplomacy for Brazil at the Beginning of the Century," paper for the *Second Annual Meeting of the Associação Brasileira de Estudos da Defesa*, July.

diplomacy was provided by the British, as mentioned in *the Strategic Defence Review of 1998*. Defense diplomacy was intended to integrate better the military and diplomatic tools to prevent conflicts or to manage crises. Originally, it was defined as follows:

**“To provide forces to meet the varied activities undertaken by the Ministry of Defence (MOD) to dispel hostility, build and maintain trust and assist in the development of democratically accountable armed forces, thereby making a significant contribution to conflict prevention and resolution.”<sup>34</sup>**

Cottey and Forster add to the concept on the use of armed forces as well as the infrastructure and instrument that support defense and foreign policy. It is executed in the form of defense cooperation and assistance. They emphasize that defense diplomacy is no longer a means of strengthening allies' defence capabilities, but rather as an instrument for building cooperative relations with former or potential adversaries, and thereby help to prevent potential conflicts.<sup>35</sup>

Examining the details of the DCA, the agreement could be viewed as a “defense diplomacy”. In the agreement, it is stated that the SAF provides training assistance to the TNI. And it was stated clearly that both are to conduct naval exercises. As both has greater mutual access to each other's training areas and facilities, the increasing interoperability of the TNI and SAF is obvious. Also, it was a confidence-building measure between the two countries that previously shared mutual suspicion. This is the ultimate goal of security cooperation, as illustrated in the post-Cold War Europe.

But as happened in other [political] cases in Indonesia, events in the public sphere do not reflect the wider public interests. The seemingly beneficial agreement to the state ignited uproar in public, especially in the areas concerned. To cater for the Indonesian and Singaporean army training, both countries agreed to develop the Baturaja Land Forces Training Area with its necessary infrastructures. It is located in the regency of Ogan Komering Ulu (OKU), in the province of South Sumatra. Unfortunately, people in the concerned area were not consulted in advance.

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<sup>34</sup> Ministry of Defence Policy Paper, p. 2.

<sup>35</sup> Cottey & Forster, 2004: 15.

The locals resented the idea of cooperation and mentioned the Indonesia's interest. They deemed Indonesia got disadvantage. Locals added that farmers were afraid to go to work if the forests in OKU became the training area or war simulation area. As the local government had not been consulted prior to the signing and during the negotiations, the Vice Regent of OKU, Yulius Nawawi, reminded the danger of strayed bullets, or landmines and explosives. He called attention to the fact that there are still remain the leftover explosive from the Dutch and the Japanese from the war of independence. These remnant poses threat for the people even though the war was over more than six decades ago. He suggested Jakarta to use other areas such as the remote islands.

The people and the local government of Natuna, Riau Islands shared the apprehension.<sup>36</sup> As they were not consulted before the signing and negotiations, they did not know the exact location for the joint

military training as mentioned in the agreement. The fishermen in Riau were afraid of mines and other explosives as the DCA mentioned two military training areas (MTAs). MTA I covered the area in Pangkal Pinang. MTA II covered the area around Natuna and South Natuna. The Vice Speaker of Regional Parliament of Riau Islands, J. Nadeak, asked Jakarta to inform the local government. They needed the information as the local government and the regional parliament planned to socialize the public about the situation. The locals did not know the whereabouts of the training areas, especially those areas that are located in the waters. For the fishermen, it is important to know the exact location and the schedule of the training.

It was not just the people, but also the political elite that were not properly informed by the government. The DCA was barely one-month old, and the parliament in Jakarta voiced their resentment about the contents of the agreement. They accused the government has given up sovereignty by allowing the Singaporean to use the Indonesian territories. They also raised the issue of environmental damage due to the development of the military

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<sup>36</sup>The people of Natuna threatened to occupy the Palace in Jakarta if the Agreement was follow through. The Regent of Natuna, Daeng Rusnadi, also pointed out that some of the areas concerned are transportation line and sites of natural gas resource. See further in *ANTARA News*, 2007.

facilities. Some even asked to abrogate the treaty. And representing the people's anger, the Regional Parliament (*Dewan Perwakilan Rakyat Daerah — DPRD*) of OKU gave the final blow by voting against the DCA.<sup>37</sup> The decision became a reflection of how the local people felt: they were left behind by the central government in discussing matters that has direct correlation of their interests.

### **The Case of Neglecting People's Interest**

DCA was signed with the Extradition Treaty in parallel. This essay does not discuss as why both were signed or negotiated in parallel. It also does not elaborate the military-related nature of the DCA. This essay accepts the DCA from the Indonesian perspective as a state-to-state cooperation. It is a logical option state chooses to cooperate with its neighbour against the background of the uncertainty in the region, and the state of its military. As a defense diplomacy, it was strategic in the sense that it built confidence with the neighboring country. In a legalistic manner, it is an exercise of the government's authority regarding defense.

Where are the people in this defense equation?

First of all, *reformasi* brought about changes to many elements of the Indonesian political system. In regards to defense, the changes were formalized in the Law No. 3 of 2002 on the State Defense. Article 16 point 4 confides the Minister to write a defense white paper and authorizes policy of bilateral, regional, and international cooperations in his/her responsibility. It means the Law does allow the Minister to conduct international cooperation. International cooperations are elaborated further in the Chapter 7 Presidential Decree No. 7 of 2005 on the Medium-Term National Development Plan. The so-called “International Military Cooperation Program” is aimed to increase military cooperation with friendly countries in order to create regional and international security, and to improve international relationships. The chapter does mention among others the defense cooperation with Singapore and the agreement on the Military Training Area (MTA).

One year after the DCA was abrogated, the government issued the Presidential Provision No. 7 of 2008 on the General Policy

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<sup>37</sup> Wijaya, 2007.

of State Defense. It stipulates that cooperation in the defense affairs is part of foreign policy, and is not leading to Defense Pact. The cooperation is in the context of strengthening, as well as deploying and employing power. Furthermore, it mentions the priority to employ home-made product. Also, the deployment and employment powers in the international defense cooperation are part of the effort to build confidence and diplomacy, and to collectively solve security problem.

Based on the above Presidential Provision of 2008, defense diplomacy is an international defense cooperation to increase military cooperation with friendly countries in order to create regional and international security and to improve international relationships. Unfortunately, as the concept is originated from the Western military thinking, it misses the context of the "people." In the Western context during the wartime, let alone the peacetime, the people (but the conscripts) are not involved. Here, the DCA as a defense diplomacy faced a theoretical problem because it was not only the military who became the stakeholder, but also people and their interest.

Additionally, what happened to the people in the case of DCA of 2007 was the divorcement of the people from the issue that concerned them. It was an illustrative example of the excessive interpretation of the Law on the Regional Autonomy. Clause 7 point 1 stipulates that the regional government has no authority in foreign policy, as well as defense and security policy. It grants the government the monopoly to manage its defense affairs.<sup>38</sup> It means Jakarta defines *nationally* what is good for creating peaceful environment for the whole Indonesia, not based on the local context.

DCA as a defense diplomacy should be examined further: (a) it is a state-to-state agreement signed by the government; but (b) it would utilize certain areas belong to the local people, and they are, possibly, not owned by the state or the military. Point (a) is based on clause 7 point 1, meanwhile point (b) has the potential for colliding with clause 10 that stipulates the authority of the regional government in managing national resources, as well as supporting law and sovereignty

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<sup>38</sup> Both Laws distinguish central and regional governments as "government" and "regional government" respectively.



enforcements. A careful read on the clause 13 point 1, it stipulates that government could delegate certain assignments to the regional government in support of the government decree.

DCA was signed between two countries as defense matter. But consistent with the Law on Regional Autonomy, the government should not have done a *fait accompli* to the regional government or to the people concerned. Interpreting the clause 10, the regional government should have had a say in the negotiations. This could have been a lengthy negotiations, involving not only two countries but also local government. Moreover, Indonesia adheres to the total defense. It incorporates the whole citizens and territory; people are part of the defense system, namely the system of people's total defense and security (*sistem pertahanan keamanan rakyat semesta — sishankamrata*). It means the government should accommodate people to voice their interest in the first place.

How are the people neglected?

It begins with education. Through the subject of the Indonesian history, students are inculcated with the epic story of the

Indonesian guerilla armed with sharpened bamboo confronting the Dutch colonial power. The struggle was made possible by the support of grassroots or small people (*wongcilik*). It is said, the guerilla and the people fought side by side for their independence. The history seemingly moves from the Independence Day in August 1945 to the Suharto presidency. The years in between are sketchy and debatable, even the interpretations regarding that period are inconclusive. The official history highlights the importance of the failed putsch by the Indonesian Communist Party (PKI) in 1965 but blurs the ensuing purge of its members that took hundred thousand lives.<sup>39</sup> Suharto and the army were the winners in the official history.<sup>40</sup> It seems the history authorized them to rule the country. And who were the losers?

Sukarno and his followers were clearly the losers. Sukarno and Sukarnoism got a bad

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<sup>39</sup> Read further in John Roosa (2006) *Pretext for Mass Murder: The September 20th Movement and Suharto's Coup d'État in Indonesia*, Madison: University of Wisconsin Press.

<sup>40</sup> See further in M.C. Ricklefs (2001) *A History of Modern Indonesia since c. 1200*, third edition, Hampshire: PALGRAVE, pp. 342-365.

name, identical with the PKI followers.<sup>41</sup> Almost forgotten, the purge of the PKI was followed by victimizing the victims. As the PKI always claimed themselves as the defender of the people,<sup>42</sup> “defending people” is considered as left-leaning political agenda or action. And in a country that considered everybody has to embrace a religion, left-leaning attitude is deemed as atheism.<sup>43</sup> “Defending people” or populism, except committed by the government, is a risky business. Many times, during the Suharto era, defending workers, farmers, or victims of eviction, were easily labeled as “PKI cadres.” This originates the powerlessness of the people *vis-à-vis* the state and its apparatuses.

Thus, “defending people” contains two connotations: first, it connotes “left-leaning” orientation, as inherited from the *Orde Baru*; second, “defending people” as the sacred duty of the defense system. The conflicting connotations are complicated

by the fact that since 1950<sup>44</sup> until the second decade of the 21st century, violent disputes occurred between the military and the local people. The disputes concerned on the land possessions: the military claimed the disputed land is for their quarter or training facilities; meanwhile the local people claimed that they are the inheritor. The military accused the people plundered and occupied land that belongs to the military since 1950s; the people accused the military grabbed the land they till for generations. Thus, “defending people” could not be taken for granted for the military. It seems that the military do a double standard in understanding the notion: when it comes to military-related affairs, the military must defend the country and the people; but when it comes to their interests, the people are secondary, even not to be taken into account.

For instance, one month after the signing of the DCA the violent brawl occurred in Alas Tlogo, East Java, between the local people and the Marine. The causes of the clashes were the land disputes and the use of land for other purposes than military.<sup>45</sup>

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<sup>41</sup> Read further in Rex Mortimer (1974 & 2006) *Indonesian Communism Under Sukarno: Ideology and Politics, 1959-1965*, Jakarta: Equinox Publishing.

<sup>42</sup> *Ibid.*

<sup>43</sup> See also I Gusti Agung Ayu Ratih (1997) *Suharto's New Order State: Imposed Illusions and Invented Legitimation*, final paper for Master of Arts in Southeast Asian Studies-History, Madison: University of Wisconsin.

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<sup>44</sup> The imposition of Emergency Law of 1950 no. 8 clause 1 about the take-over of the land for the state defense.

<sup>45</sup> Pramodawardani, 2011.

In the area proposed for the military training, the Marine and a state company, PT Rajawali Nusantara Indonesia (RNI), cultivate the land for sugarcane.<sup>46</sup> Though the DCA and the Atlas Tlogo affair were not related, the latter case showcases how the government views the people in regards to the military-related (read: defense) affairs. People would be subordinated at all cost though the national defense contains the universal values of democracy and human rights. The interest of the unit prevails upon the interest of the people. It is ironic that the Law No. 34 of 2004 regarding the TNI, Chapter II on Self-Identity, point c and d do stipulate that the Indonesian National Army are:

- c. National Army, namely the army of the Indonesian nation, that serves for the interests of the state above the interests of provinciality, ethnicity, racial, and religion.
- d. Professional Army, namely a trained,

educated, well-equipped, apolitical soldier, not involved in business activity, guaranteed prosperity, and following the policy of the state that adheres to the principles of democracy, civilian supremacy, human rights, national legal provision, and the ratified international law.

The powerlessness of the people is sustained by the law. The basic law underpins the Indonesian defense system is 1945 Constitution, Chapter XII entitled "Defense and Security of the State." Article 30 point 1 does stipulate the rights and obligations of every single citizen to participate in the effort of defending and securing the state. Point 2 stipulates about implementing a system of defense and security by the TNI and the Police as the backbones, and people as the supporting forces. The same article point 5 stipulates among others the requirements for participating in the effort of defending and securing the state, as well as matters concerning defense and security would be regulated by the Law. Here, the Constitution has opened the possibility to elaborate what constitutes as people participation in defense and security.

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<sup>46</sup> In 1960, the Indonesian *Korps Komando Angkatan Laut (KKO-AL)*, the Marine, forced the local people to turn over the land to them to be developed as an airstrip. During the Suharto era, it became the land under cultivation. Officially, the land was managed by Central Cooperative – Navy (*Pusat Koperasi Angkatan Laut (Puskopal)*), in this instance was Yayasan Sosial Bhumyamca (Yasbhum). They were part of the military business then. See further TPF Independen Alas Tlogo (2007).

The article 30 above was a product of *reformasi*, the amendment of the Constitution. It is a reflection of the people's will as decreed by the Resolution of the People's Consultative Assembly (*Majelis Permusyawaratan Rakyat (MPR)*) No. VI of 2000 on the separation of the TNI and the Police and the Resolution of the People's Consultative Assembly No. VII of 2000 on the Role of the TNI and the Role of the Police. To put things into gear, the government issued the Law No. 3 of 2002 on the State Defense, replacing the Law No. 20 of 1982. Law of 2002 regulates the authority and responsibilities of the Minister of Defense, the roles and duty of the TNI, the authority and responsibilities of the Chief of the TNI, democratic values, human rights, and environment as the principles, roles of the Parliament in the state defense, and rights and obligations of the citizen in defending the state.<sup>47</sup>

The involvement of the people in defending the state against the military threat, as part of the *Sishankamrata*, is defined in the

Law of 2002. It is categorized further as reserve and supporting components –including natural resources, artificial resources, as well as equipment and infrastructure. Here, the people are paralleled with non-human elements. The reserve components are prepared to be deployed by means of mobilization for enlarging and strengthening the main component, the TNI. And the supporting components are prepared to increase the strength and capability of the main and supporting components. Do those components need regulation(s)?.

*Sishankamrata* has the probability to collide with the Geneva Convention as people is drawn into military conflict. In the Protocol Additional to the Geneva Convention of August 12<sup>th</sup>, 1949; and Relating to the Protection of Victims of International Armed Conflicts (Protocol I), Article 44 on Combatants and prisoners of war point 3, stipulates that “In order to promote the protection of the civilian population from the effects of hostilities, combatants are obliged to distinguish themselves from the civilian population ....” However, the founding fathers of the Indonesian state defense learned and formed the system based on the

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<sup>47</sup> Articles 16 on minister of defense; article 10 on the TNI; article 18 on the chief of the TNI; articles 3 on the principles; chapter 6 on the parliament; article 9 point 1 and 2 concerns the citizens.

experience during the war of independence: deep cooperation between the army and the people. To clarify the possible conflicting interpretations, the involvement of the people should be clarified and regulated.

*Reformasi* moves at slow pace in clarifying and regulating security sector, especially regarding the role of the people. It fulfilled first the separation of the police from the army in 2000. In October 2011 came next: the Parliament passed the Law regarding the State Intelligence. Though the human rights activists criticize the law as still containing the possible human rights violations in the provisions, such as tapping authority, money-flow auditing, and in-depth interrogation, the goals to develop and to support the democratic values partially fulfilled in spite of the shortcomings in the details. On the other hand, the regulation regarding the place of people in the defense system has not finished yet. The so-called "Reserve Components" bill is still under intense debate, and the on-and-off public debates do not create a conducive climate for a constructive development.

The DCA imbroglio in fact opened the issue of people and their interests. Unfortunately, the debates about the Bill do

not touch those issues. The Bill debates hovered over the needs of the reserve components in the near future and over what kind of reserve component whether conscription or voluntary service. Some doubts about the importance of the reserve component as the threat of war receded and Indonesia faces severe low budget, including the defense budget, and there are other bills more worthy attention. Polemics regarding the reserve or supporting components hovered around people in the military service. People, as part of state defense, are stipulated in the Bill in the article 1 point 3, article 3<sup>48</sup>, article 6 point 1a, and article 9. All refers to human resources in the military context.

Further information worth to be mentioned is that the polemics regarding the reserve components was not commenced during the DCA negotiations and the ensuing debates on the Agreement. The debate did commence after the DCA abrogated, and the debate was not related to the people and their interests (that is, the areas concerned and their

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<sup>48</sup> The article stipulates that Reserve Components are an association and a form of participation of the citizens, whole natural and artificial resources, as well as equipment and infrastructure in the effort to defend the state.

livelihoods). Not with standing the fact that the DCA did contain the reserve components, particularly article 6 point 1b regarding the natural resources; and article 4 stipulates that the components are utilized during the training and mobilization only.

The utilization of the non-human components is elaborated further in the chapter 3 entitled "Decree and the Use of Natural and Artificial Resources, Equipment and Infrastructure as Reserve Components." Article 14 point 3 does stipulate among others the owner, the manager, and the responsible party of the Natural Resources, Artificial Resources, Equipment and Infrastructure. Therefore, if Jakarta had been serious about the utilization of the local areas (during the training), Jakarta would have raised the importance of the Bill as it regulates the utilization of the non-human aspects of the reserves.

And the fact is that the debates never touch the non-human components of the Reserve Components. Instead, the Ministry of Defense urged Parliament to approve the Reserve Components Bill in order to have about 50 thousand conscripts in the next five years. This is the point that we have to

scrutinize: the Reserve Components of State Defense was drafted by the Ministry of Defense at the end of 2006, even the principal part had been drawn up by March 2003.<sup>49</sup> Vice Admiral Leonardi, the General Director of the Defense Potential of the Ministry of Defense, added the Ministry's position by asserting the mobilization nature of the Bill, mentioning that the reservists would receive training. This underlined the importance of militarization of certain sector of the society. That is why the ensuing polemic hovered around the potential of human rights violations, and even the divide-and-rule policy towards the people.

Leonardi's comment heightened the debate. He focused the Bill as the regulation regarding the use of people only in the military. His comment concealed other ingredients of the reserve components, namely non-human resources components, as stipulated in the article 6 point 1. It is a big question mark why during the debate regarding the DCA and after the agreement was abrogated, nobody raised the importance of this controversial bill in relation to the

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<sup>49</sup> *hukumonline.com*, Friday, 20 February 2009.

non-human resources components. The DCA itself did not contain “people,” but it was obvious that it contained the “interest of the people,” namely their property and their livelihood.

One with a good grasp of Indonesian politics could sense a curious phenomenon here. “For the people” always becomes the mantra to legitimize policy, including defense policy. The mantra guarantees the support from the public. But curiously, this mantra was omitted in the defense diplomacy that intensively exploited lands. For the record, since the release of the Indonesian Defense White Paper of 2003 to the DCA, Indonesia had conducted 60 defense cooperations with other countries.<sup>50</sup> None bar the joint training with the United States in March 2006 in the Sulawesi waters, exploited the Indonesian territory intensively, and directly affected the people, like the proposed DCA. So, if the government and the political elite are serious about protecting the people's interests, they should raise and discuss publicly about the Reserve Components Bill, prioritize the issues of non-human components, and

downplay the human component as the militarized actor!.

### **Concluding Remarks**

Defense policy focuses on how the state prepares for countering threat(s). The preparations include military-related or military preparedness, providing laws regarding the state defense, as well as preparing society, along with the people and their environment to face the worst-case scenario, that is armed conflict. Those preparations are one of the duties that government must perform for its people to ensure their security.

The Indonesian defense planners, as other governments do, prepares the state defense militarily and legally. And learning from the struggle for independence, they incorporate people and their environment in the so-called *Sishankamrata*. It is a total defense in practice, preparing the Army and the people to counter the military threat. In any case, the regulations regarding the involvement of the non-military component(s) in the defense system were not clear-cut. Luckily, Indonesia never needed to

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<sup>50</sup> Syawfi, 2009.

put the system into service in the post-independence years.

As *reformasi* wishes to have everything in order and democratic, development in the security sector reform has not yet fulfilled the agenda of *reformasi*: currently, government and the parliament passed the controversial bill (the Law on the State Intelligence) and put forward the other controversial one (the Reserve Components Bill). Not until the latter Bill created uproar did it occur to me that DCA of 2007 was *virtually* connected. The DCA exposed the confusion in regulating the place of people and their interests in the defense policy. The people and their environment in the state defense are regulated in the Reserve Components Bill as human and non-human components.

Connecting them exposed many contradictions: *first*, regulation related to international defense cooperation does not mention or link the people or their involvement or their environment, though they are part of Sishankamrata; *second*, potential ill effect to society emanated from the cooperation contradicted the [beneficial]

cooperation; *third*, this (supposedly democratic and legitimate) government is not sincere to its society, as seen from *fourth*, the more relevant issue was downplayed, and the polemic was led to the less relevant issue. All things considered, raising the less relevant to the more relevant issue parades a case of neglect of wider interest, namely public or people's interests.

Developments in the security sector, including defense policy, become the antithesis of *reformasi*. *Reformasi* as a political development and a new chapter in the Indonesian history has made the political participation increased through elections and open public voice. People can control the government behavior, as never been before. But *reformasi* and development in defense issues drift apart. In spite of democratization, and Sishankamrata, in regards to defense matters, people are isolated. Bear in mind Sishankamrata, the increased opportunities to participate in the election and to voice their preference stops dead when it comes to defense matters.

Back to the big picture of *reformasi*. A well-functioning democracy requires an



ability to publicly debate and disagree—important matters of state. It assumes a common understanding of citizen's right *and* responsibility. In a wider context, in a democracy the mantra is “for the people,” the policy dedicates to the people. Inappropriately, in the Indonesian political context, this phrase becomes an empty mantra or just a slogan; in practice it becomes an alien. That empty slogan adds to a grim fact: facing endemic corruption and other persistent problems in the country, people feel that the state no longer exists to help, guard, or protect them. It is a big question mark, then, whether the defense policy is a policy for defending the people and the country.

DCA is inseparable from other cases in Indonesia. It is a model for other cases that neglect people, and make use of the people. It is said that every policy is for the people, but at the end, it neglects people and its environment or livelihoods. Moreover, the people have to find its own protection or to help themselves out of their predicaments. That is why if you live in Indonesia nowadays, you are aware of the disturbing trend: the erosion of people's trust in the government as the state is conspicuously absent in matters involving the

people's predicaments, from traffic jams, price hikes, unavailability of the proper educations, or the protection of the religious minority. It seems that the people are not included in the political equation other than numbers during the elections. Therefore, unsurprisingly, what the government conveys regarding, say, corruption eradication is responded with skepticism by the public.

Furthermore, in Indonesia, the government and the people are two separate entities, both are at worlds apart. Both works following their own logics. For that reason, the policy is not aimed to satisfy people, or to fulfill their needs. The output of the political system is not people-oriented policy. The policy is aimed to aggrandize policy-maker(s) and bring advantage to their cronies. The people never expect *any* policy gives them refuge, bar it benefits the makers.

In this *pasca reformasi*, “people-disorientated” policy is still the name of the game!.

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