

CHALLENGES TO INDONESIAN DEMOCRACY IN POST-SUHARTO ERA

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Abstract

Indonesia's transition towards democracy has been facing lot of challenges, like power struggle between different groups, riots, terrorist attacks and the lack of democratic values, which have presented the greater threat to the stabilizing of democracy in the country. Since the fall of the New Order Regime Indonesia has been struggling to find the right path towards democracy and have been successful in changing their way from authoritarian to democratic rule. Although there is still powerful forces who are not willing to cut their power, but they are countered by the democratic forces who have grabbed this opportunity to ouster those forces from the power corridors forever. And democratic forces have been successful in some extent, but still there is the need of hard work to be done to make the country a democratic and prosperous.

Introduction

Indonesia is an archipelago state, which has 17,508 islands, and is situated at an important geo-strategic location. Indonesia is situated in between the two oceans i.e., Indian Ocean, and the Pacific Ocean, and is the world's largest populous Muslim state with a republican form of government. Prior to the independence Indonesia was Dutch colony and during the course of the Second World War it was occupied by the Japanese. At the surrender of Japan two days later Indonesia proclaimed independence, but the Dutch government refused them to grant the independence and tried to regain the control. But their efforts failed due to the resistance from the

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Indonesian Nationalists under the leadership of General Sukarno, and they were supported by the international community due to the process of decolonization. After the immense pressure from the international community and the resistance by the Indonesian people the Dutch were compelled to grant them independence.

Indonesia has got its independence on 27th December 1949 and since then they have been struggling to find the right path to democracy. Since their independence from the Dutch till 1997 only two persons have ruled the Indonesia, the first one was the General Sukarno who was responsible for the holding of the 1955 elections.

The 1955 election was held during what was short lived era of parliamentary democracy (1950-57). It was a democratic and open election... the result of the 1955 election failed to provide the political stability for which there was a dire need as the young country tried to improve its national economy. There were sharp disagreements between President Sukarno and the political parties, and between the PKI and the Islamic parties. Cabinets collapsed as a matter of routine, and new governments were formed... the military particularly the army, saw the conflict between Sukarno and the parties as a great opportunity to exert a more important role in politics...Pushed by military, Sukarno in 1959 issued a Presidential Decree which ordered... dissolution of the national parliament and the introduction of political system, Guided Democracy, that was to become famous.¹

Under his vision of *Guided Democracy* he ruled the country till 1966 with the help of the Communists and the military. But, he was removed from the power by another military general named General Suharto. General Suharto's rule is commonly known as *New Order*. *New Order Regime* was marked by the substantial economic growth and that's why General Suharto is known as the father of the Indonesian development. General Suharto ruled the country with the help of the Indonesian Armed forces (TNI) and has centralized all

the powers in his hands. His *New Order Regime* has been remembered for the corruption and injustice and it was due to the corruption that in 1997 he was forced to resign from the post of the Indonesian President and handed over the power to the Vice president A.J.Habibe. The basic causes for the collapse of the *New Order Regime* were:

- *The corruption*
- *The injustice* which prevailed among the different races especially to the non-Javanese, who were deprived from the power corridors
- *Absence of the democracy*
- *Failure of the policies of the New Order Regime*

These all factors weakened the *New Order Regime* and the 1997-98 *Asian Economic Crisis* further aggravated the situation which led the people to come out of their homes and protest against the government and consequently General Suharto was forced to resign from the presidential post. The downfall of Suharto in May 1998 was celebrated as heralding the birth of a 'new Indonesia' and a 'second independence from the oppressive rule of their own ruler...The change brought the rising expectation and hope that it would usher Indonesia towards democracy, good governance, transparency and accountability of its own leaders.² But their hopes continued to be degraded due to the Indonesian politics which was haunted by the different actors and factors.

Post- Suharto Era

With the fall of the *New Order Regime* Suharto's vice president A.J.Habibe took over the presidency, but he remained the controversial figure due to his connections with the former president Suharto. His policies were equally controversial although his government was only transition government but his decisions especially the holding of *East Timor Referendum* for their

independence has created the suspicion in the eyes of the people that Habibie government is not willing to transfer the power sharing process smoothly and fairly.

Habibie government has to face the challenges especially the strengthening of the democracy in Indonesia. Right from the independence Indonesia has no tradition of the democracy, and right from the independence they were living under the authoritarian rule. The challenges faced by the government at the end of the *New Order Regime* and these challenges were:

- Holding the free and fair elections;
- Strengthening the democracy;
- Rebuilding the Indonesian economy, which was badly hit by the Asian Financial Crisis of 1997-98;
- Reinventing the Indonesian role in the regional and global politics;
- Eliminating the corruption ;
- Eliminating the role of military from politics;
- Fighting the separatist movements;
- Eliminating the influence of radical organizations like Jaamiyah Islamiyah; and
- Finally after 9/11, 2001 fighting the war on terrorism

These challenges were the difficult task for the Habibie government and the first task was to hold the free and fair elections and to hand over the power to the new elected government. Habibie's government was an interim government, but rather than doing its actual business it held the referendum on the separation of East Timor and East Timorese voted for their independence from Indonesia. The *Referendum* proved costly because the power players especially the Indonesia Armed Forces (TNI), were not happy to give the independence to the East Timor. As a result the referendum has led the riots in East Timor and thousands of the East Timorese died

in the military operations held by the TNI. The East-Timor referendum made the Habibie's presidency a controversial issue, and it was doubted that actually he is paving the way for another military coup. Post-Suharto governments have been careful in implementing their policies due to the difference of opinions within the parties. Habibie also embraced many democratic procedures, such as provisions for press freedom, free and fair elections, the decentralization of regional government and the release of political prisoners.³

Strengthening the Democracy

Indonesia has been in the hands of two men since its independence from Dutch. Sukarno became the first president of Indonesia, and he altered the nation's path from democracy to authoritarianism, and maintained his power with the help of the military, Islam, and the Communist Party of Indonesia (PKI). The rule of Sukarno was ended when Suharto took control and became the president in 1968. The main political force was Golkar during the time of the *New Order*, and initially it was found to counter the influence of the Indonesian Communist Party (KPI) in the 1960s. From 1973 only two state sanctioned opposition parties were permitted, the Indonesian Democratic Party (PDI), a coalition of Christian and nationalist parties, and the United Development Party (PPP), a coalition of Muslim parties.⁴ Both these parties were unable to stop the Golkar from dominating the Indonesian Parliament. General elections during the so-called New Order were consistently won by the state's own party, the Functional Group (Golongan Karya, Golkar)...⁵.

The Golkar party was able to muster the support from Suharto government, and it became so much powerful that even today it plays an important role in Indonesian Parliament, and is one of the major parties of Indonesia. *New Order Regime* was marked by the subsequent three decades of economic development due to the international support⁶ to regime which encouraged the foreign direct

investment in the country. However the *New Order* was accused of corruption and suppression of political opponents, and it was during the time of the *New Order Regime* that corruption was institutionalized. Regime came to an end in 1998 after the Asian financial Crisis which hit badly to the Indonesian economy.

Indonesia is a republic, and has the presidential form of government where the president is the head of the state and executive. 1945 Constitution gives the equal power to the President and the Parliament, and it does not clarify the relationship between both the branches of the government, but General Suharto has used the Constitution in his regime's favor. Until October 1999, the MPR only theoretically had a role in overseeing the functioning of government, as until that time the Constitution ensured that 'All power and responsibility [was] in the hands of the president.'⁷ The president was very much powerful until 2000 when the Constitution was amended to make the president more accountable to the DPR.

This has put the President under the sword of impeachment and Parliament became so powerful that it was threatening the President. The fourth Amendment to the Constitution of 1945 in 2002 has made the impeachment a difficult process. The 1945 Constitution has been amended only four times so that the democracy should be given a chance and the power of the certain forces should be cut especially the Indonesian Armed forces (TNI).

In 1999 the first free and fair elections were held since 1955. Corruption, nepotism and the promise to bring Suharto to the justice were the major issues focused by the parties in the 1999 elections. In 1999 elections the Golkar Party lost the elections and Megawatti Sukarnoputri's Indonesian Democratic Party of Struggle (PDIP) emerged as the leading party, but The People's Consultative Assembly elected Abdur Rahman Wahid as the president of the state rather than Megawatti. The parties which came to power didn't

fulfill its promises and they compromised not to bring Suharto and his companions under the justice. During the transition toward democracy in Indonesia, it is important to bear in mind that a compromise between authoritarian and democratic powers took place. The Abdurrahman Wahid government had to face one of the 'paradoxes of democratic transition', when New Order groups, both through parties such as the former ruling party, Golkar, and through powerful individuals, had to be accommodated because of their important political and economic roles.⁸

The parliament after 1999 elections became so powerful that Wahid was under the sword of the impeachment all the time. Political crises remained during the Wahid's government, which were marked by the clash of interests among the parties which were part of the coalition government. The *Bulog Scandal* has been the cause of the downfall of the Wahid's government. On 23 July 2001, legislators in the People's Consultative Assembly voted 591-0 to remove Wahid from the presidency. He has been charged with the corruption and incompetence...Megawati was sworn in as president immediately after Wahid's removal.⁹ Her presidency was even a failure and she was also unable to bring Suharto and co. to the justice. The new government has to face serious challenges like the recovery of the domestic economy, security problems, its role in War on Terrorism, and constitutional crisis. And her policies were also failed and it was the result of her failed policies that her party lost the 2004 direct presidential elections.

The Democratic Party (PD) was founded in 2003 and Susilo Bambang Yudhoyono is one of the founders of the Democratic Party. Mr. Yudhoyono was one of the favorite candidates to win the presidential elections of 2004, because he has promised to bring reforms and measures to deal with the corruption. Mr. Yudhoyono emerged a victorious and became the president of the state whereas, ... The Secular- nationalist PDI-P, led by Megawati Soekarnoputri,

remains the second largest party in DPR. However it lost its reformist image after failing to take measures against corruption during Ms Megawati's presidency. The party is deeply divided following its poor electoral performance in 2004, and is isolated in opposition to the current president. Its isolation is in part attributable to the personal grudge borne by Ms Megawati against Mr. Yudhoyono, who left her cabinet to run against her for the presidency.¹⁰

The Islamic parties failed to gain in 2004 election. The United development party (PPP) and Nationalist Mandate Party (PAN) lost its vote in 2004 elections to the secular parties, and the new fundamentalist Prosperous Justice Party (PKS). Mr. Yudhoyono continued his policies to tackle the corruption and strengthening the institutions to stabilize the democratic process. The next election is due in 2009, and the parties in the legislature are already distancing themselves from Mr. Yudhoyono as the power struggle has started for the 2009 elections. Although Mr. Yudhoyono is likely to win the presidential race but the parliament would be fragmented and he has to rule the country by forming alliances.

Terrorism

Since 9/11, 2001 incidents¹¹, terrorism has become one of the major problems of the states around the world. South East Asia is regarded as the second front in war on terrorism, and Indonesia being a largest Muslim populated state can play an important role in war on terrorism. While Indonesia is known as the secular, tolerant society that practices a moderate form of Islam, radical Islamists have gained momentum. US officials and terrorism experts worry about Al-Qaeda using Indonesia as a base for South East Asian front against "infidels," Jews and the United States.¹² Initially after 9/11, 2001 Indonesia didn't support the American War on Terrorism, and even denied the presence of terrorists' organizations except for the

GAM.¹³ President Megawati in her visit 8 days after 9/11, 2001 terrorists' attacks on the World Trade Centre announced her government's support to Americans in the war on terror, and included the GAM as a terrorist organization. When she returned home she showed little interest in fighting the war on terror.

Indonesian government strongly opposed the American war on terror, and president Megawati in her 2002 address to the DPR demanded that US should stop bombing on Afghanistan during the month of Ramadan, whereas in the same month the TNI continued its operations against GAM. And even the authorities didn't stop the Darul Islam, an extremist Islamic group from recruiting volunteers to fight against US troops in Afghanistan. On October 12, 2002, Jemaah Islamiyah terrorists blew up a nightclub in Bali, killing 202 people. Spurred by more terrorist attacks in Jakarta and other cities across the archipelago, the Indonesian police began to work closely with American, Australian, and international law enforcement organizations to track down the Bali bombers and their fellow terrorists.¹⁴

The Bali Bombings of October 2002 proved that Al-Qaeda is present in Indonesia and, since then the Indonesian government realized that the terrorism is the threat to the security of the state. It is believed that the local organizations have the links with the Al-Qaeda especially the organizations like Jemaah Islamiyah and Lashkar Jihad in Indonesia. ... since the economic crisis of 1997, Indonesia's per capita annual income has fallen from US\$ 1,300 to US \$ 650, leading to a great downturn in social stability and an increase in political violence resulting from anger, frustration, and primordial fears. Indonesians by and large had lost their faith and trust in their government.¹⁵ The effects of the former autocratic regimes have been so enormous that the society was unstable, and the terrorists have found their new recruits within the Indonesian society due to the government policies to crush all kinds of movements launched

against its authoritarian decisions. And even in some areas the terrorist organizations have found a way in entering the area and got sympathy from the local people. As Laskar Jihad did in Molocuss where it is present since 2000 when the Christians killed the Muslims in the area and the Laskar Jihad came for their help and started its jihad against the Christians with the help of the local Muslims.

Terrorists' main targets have been the country's tourism industry and foreigners, and they have also tried to flame the sectarian violence in the state. The government has taken the harsh measures to tackle the menace of the terrorism and they have been successful in combating terrorism and as a result there have been no major attacks of terrorists in Indonesia since 2005 Bali bombings. Indonesians have applied multiple approaches to tackle the terrorists and this includes the *Soft Policy Approach*, which is based on following steps:

- 1- They have called the counter terrorism as their own campaign rather than American campaign as it is propagated by the fundamentalist Islamic groups.
- 2- Indonesia has included the former terrorists' in their campaign to convince the terrorists to give up their mission.
- 3- The police have led the fight against the terrorists rather than the Armed forces (TNI), because people view TNI from suspicion due to its past role.
- 4- Bring terrorists to the courts so that they can be punished according to the law, and for this they have brought reforms in the judicial system and improved the laws to combat terrorism.

There have been the different suggestions for improvement of the police and law enforcement institutions came from different corners

to combat the terrorism effectively and those suggestions are:

- 1- The new laws should be tested in the courts to fight the terrorists legally;
- 2- Prosecutors and judges should be paid enough and should be trained to tackle the terrorists and;
- 3- Police should be provided enough resources to combat the terrorists effectively.

In March 2003, the DPR passed a law that formalized the 2002 emergency decree. The new law provided for retroactive enforcement and authorized capital punishment and detention of suspects for up to six months without trial...the retroactive clause of the anti-terrorist law was challenged in the constitutional court, and the judges struck it down as unconstitutional.¹⁶ These anti-terrorist laws are although effective in some cases, but there is still the chance of misusing these laws by the certain groups specially the armed forces to recover their lost power. And even these laws are against the freedom of the people that they are deprived of their right to defend themselves in courts up to six months, and are held without any trial. This has created harm to the soul of the democracy.

Over the years JI has carried out several attacks inside Indonesia, and their main attacks are Bali 2002 and 2005 bombings and now they are on the run due to the effective policy of government to track down the terrorists. Indonesian governments have arrested more than 300 militants of JI, which including their supreme commander Zarkash and the head of the military wing Abu Dujana.

Indonesia also reformed its forces to combat terrorism effectively, and for that purpose they have created the *Detachment 88*, a special force in 2002, which is aimed to counter the terrorists' threats and help the police in investigating the different cases. It is due to the

Indonesian efforts that the terrorists are on the run in Indonesia, and the terrorists groups like JI who have the basic aim is to establish the Islamic state based on the Sharia have proved greater threat to the democracy in Indonesia.

The Role of the Armed Forces

Armed forces of the Republic of Indonesia ABRI (Angkatan Bersenjata Republik Indonesia) under the New Order and renamed TNI (Tentara Nasional Indonesia-Indonesian National Military) in 1999 consist of three military services, the Army, Navy, and Air Force and police (until its separation...).¹⁷ The armed forces of the Indonesia have played very important role in the politics of Indonesia in the past, and they are still the dominating group of the Indonesian politics. The military of Indonesia has played its role under the *dwi fungsi* principle during the *New Order Regime*. Although initially they have 75 seats in the Dewan Perwakilan Rakyat (DPR), but under 1999 deal their seats were reduced to 38, and constitutional reforms in 2002 have ended the military's 38 seats in DPR in 2004. For the first time the TNI personnel were given the right to vote in the elections. The TNI has also given up its *dwi fungsi* principle, and now if a military personnel wants to do the politics he should resign or retire from his post.

The role of armed forces has been still criticized in some corners due to the excessive use of their power. The human rights abuses and corruption still continues in the TNI. Although there is the defence minister with limited powers and, he is not above the military chiefs. Military chiefs as well as police chief directly reports to the president. This has created a question mark on the democratization process of Indonesia, because these forces are not under the authority of a minister. Although these forces are to some extent accountable but still there is no civilian control over the armed forces except for the one person, the president.¹⁸

TNI members are still not under the jurisdiction of the civil law, even though the military tribunals are under the Supreme Court. On September 1, 2004, the TNI courts were placed under the jurisdiction of Indonesia's Supreme Court,¹⁹ but the TNI members are only tried in military tribunals.

Although the Indonesian Armed forces (TNI) have been reformed since the fall of the *New Order Regime*, and as a process in 2002 the Police (POLRI) has been separated from the Armed forces (TNI). The new role has been assigned to both the forces, and the police was given the charge of internal security of the state, whereas the Armed forces (TNI) have been given the role of defending the state from external threats. Although the influence of the armed forces has been reduced but still they are the powerful players in the Indonesian politics.

On June 30, 2004, President Megawati introduced a bill on changes in military...The TNI bills retain the military's territorial organization, which is accused of using for political and economic control, and permits active duty officers to hold government positions in non-defence ministries. Officers holding positions in civilian ministries would still report direct to the TNI chief, a poorly disguised return of *dwi fungsi*. The bill also permits the military to make decisions on military deployments without consulting the president.²⁰ The public opposed the bill. Megawati governments due to the opposition from different corners have stopped the bill until its fate would be decided by the next government.

The role of the Armed forces has been reduced by the establishment of an Act under which the military courts would come under the jurisdiction of the civilian courts. But since the terrorists' threats prevail in the Indonesia the Armed forces enjoy the relative freedom in exercising its powers under the banner of war on terrorism.

Conclusion

The democracy in Indonesia has been challenged by different factors from time to time. The earlier governments of the Reformasi era have to tackle the problems of corruption and the political role of the TNI. The political role of the TNI has been reduced to some extent in 1999 when they reached an agreement to cut the number of TNI seats in the DPR from 75 to 38 and finally in 2004 the TNI has also withdrawn from those 38 seats.

But since 2001 menace of the terrorism has been constantly haunting the democracy in Indonesia, although the governments have been successful to some extent to reduce the threat of terrorism. The laws to combat terrorism have been exploited by the military to gain its lost power and this had created a difficult situation for the governments.

The biggest challenge to the democracy in Indonesia is the political system which still lacks the democratic values as it was seen in 1999 general elections that Megawati was deprived of becoming president, although her party was the leading party in the general elections. But since then 1945 constitution has been amended four times and as a result the direct presidential elections were possible in 2004 for the first time in the Indonesian history. These amendments have also balanced the power between the executive and the parliament, and made the presidential impeachment a difficult process otherwise the president was under the sword of impeachment and the case of Abdurrahman Wahid has proved that the parliament was stronger and very powerful.

Indonesia's democratic transition could have a major impact on Muslim world and it will encourage the other Asian countries who are facing the challenges to democracy can also work for the transition towards the democracy on the patterns of Indonesia

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- ⁴ "Political Forces", *The Economist*, July 3rd 2007, <http://www.economist.com/countries/Indonesia/profile.cfm?folder=Profile%2DPolitical%20Forces>
- ⁵ Hans Antlov and Sven Cederroth (eds.), *Elections in Indonesia: The New Order and Beyond*, Shamsuddin Harris, "General elections under the New Order", Routledge Curzon, New York, 2004, p.19
- ⁶ The New Order Regime was supported by the international community due to the Cold War between the two superpowers. Western powers were providing the support to contain the Communism in the ASEAN region, and because Indonesia was one of the powerful countries of the region so without her help it was difficult for the Western powers to fight the Communism in the region especially after the US defeat in the Vietnam War (1954-75).
- ⁷ Damien Kingsbury, *The Politics of Indonesia*, Oxford University Press, Oxford, 1998, p.58
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- ⁹ Timothy L. Gall (ed.), *World Mark Encyclopedia of the Nations: Asia & Oceania*, vol.4, 11th edition, The Gale Group, Inc., USA, 2004, p.202
- ¹⁰ "Political Forces", *The Economist*, July 3rd 2007, <http://www.economist.com/countries/Indonesia/profile.cfm?folder=Profile%2DPolitical%20Forces>
- ¹¹ On 9/11, 2001 the terrorists have attacked the twin towers of the World Trade Centre in New York, and the Pentagon (the defence headquarter building of US located in Washington D.C) building with the help of the

passenger planes, and as a result more than five thousand people died. These attacks were blamed on the Al-Qaeda an extremist Muslim organization. And as a consequence the US has waged the war on terrorism and invaded the two states i.e., Afghanistan in 2001, and Iraq in 2003.

¹² *Terrorism: Heavens*, <http://www.cfr.org/publication/9361/>

¹³ Free Aceh Movement (GAM) is an organization which is fighting an armed struggle against the Indonesian forces for the independence of Aceh from the Indonesian rule.

¹⁴ Dana R. Dillon, *Democratic Indonesia as a Security Partner*, <http://www.heritage.org/Research/AsiaandthePacific/bg1800.cfm>

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¹⁸ The current president Susilo Bambang Yudhoyon is also the retired military general.

¹⁹ Dana R. Dillon, *Democratic Indonesia as a Security Partner*, <http://www.heritage.org/Research/AsiaandthePacific/bg1800.cfm>

²⁰ Ibid.