

OPEN BUT DIMINISHES: CIVIL SOCIETY, POLITICAL OPPORTUNITY STRUCTURE AND DEMOCRATIZING SECURITY SECTOR IN INDONESIA

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Abstract

This paper seeks to analyze how Indonesians civil society organizations (CSOs) benefited political opportunity to democratize security sector reforms in Indonesia during reformasi which embarked in 1998. Using qualitative method and library data analysis and look at similar cases in Brazil and Chile as comparative cases, this article finds that in the outset of reformasi, the political opportunity to promote democratic principles in the security sectors is widely open. This was due to strong efforts made civil society to create consensus with political elites in abandoning the authoritarian legacy in the security forces. However due to the weakening enthusiasm of CSOs, the absence of shared vision between CSOs and political elites and the poor political will of the decision makers in the executive and legislative branch, the political opportunity to continue security sector reform diminishes. Indonesia cases is similar to that of in Brazil in 1981 and 1982.

Key Words; *Civil Society, political Opportunity, Security Sector Reform, Open Deminishes.*

INTRODUCTION

Civil society and the political opportunity structure are conceptually interrelated. In a changing society, civil society produces elites which then create and benefit the political opportunity and engineer social movements. By using Edwards definition, civil society in this paper refers to an associational life; that is, the part of the society which is situated between a market and a state. In this perspective, civil society is also called the third non-profit sector. As an associational life, civil society is defined as “all association, network of NGOs, churches and religious organizations, political parties, labor unions, professional and business association, community and self help groups, social movement and independent media (Edwards 2004).”

The role of the civil society in democratizing security sectors is vital in democratic countries. By looking at Brazil in particular and the Southern Cone in general, Alfred Stepan asserts that the role of civil society in the military oversight in democracy is indispensable. In spite of the fact, the degree of the receptiveness the military institution to civilian intervention depends on the capacity of civil society to take initiative or “knock the door of the barrack”. By pointing out the case of Chile in 1973 and Brazil in 1964, Stepan also reminds that the intervention of diverse civil societies might turn the military regime into bureaucratic authoritarian type for the interest of civil society (Stephan 1998)

The political opportunity structure can serve as the independent or the dependent variable of the social movements which is pioneered by civil society. As the independent variable, Eisinger defines political opportunity as the efforts made to gain channel and to manipulate the political system (Adam, 1996). As the dependent variable, political opportunity serves as an impact or a result from the opportunity created by social movements (Adam, 1996). Movement theorists agree on the four dimensions of political opportunity; they are: the degree of the receptiveness of the political institution, the existence and the nature of the elites in their relation to polity and the nature of the state in enforcing repression. The rise of social mobilization is the result from the change of the four dimensions, though the form of the mobilization will likely depend on the availability of the types of opportunity itself (Adam, Mc Carthy and Zald, 1996). Civil society as an associational life, serves as the important component, especially in the dimension of the existence and the nature of the elites. In this paper, by the elites I mean the powerful figures in the civil society and the state institutions (Cobuild, 2008). The powerful figure of the civil society refers to the leaders of associational voluntary organizations such as: religious, student, labor, professional and woman organizations.

Using qualitative method and secondary data analysis, this article seeks to discuss the role of civil society in Indonesia, as the independent variable of the political opportunity structure. Benefiting similar cases in Brazil and Chile as benchmark, It will elaborate how civil society elites interacted with the state institution in creating political opportunity to democratize security forces. I would argue that in the beginning of the political reform in 1997-1998, the political opportunity to bring about the democratization in the security sector was widely open, though there has been a tendency that such opportunity diminishes during the 10 years of democratization in Indonesia. Democratizing security sector means positioning security institutions (Military, Police, Intelligence agency) to fit with democratic standards such as professionalism, accountability, subject to civilian control (minister of defense, the office of the president and legislative) in order to effectively defend the nation, to protect and to serve the people (Yunanto, 2008).

To have deeper discussion, this paper will only focus on the dimension on the degree of the receptiveness of the political institution and the existence and the nature of the elites in its relation to polity and will ignore the dimension of the state repression. Brazil and Chile are two best contradicting examples on how elites created political opportunity which civil society then benefited to exercise the political pressures and to influence military regime. These two countries provide examples on how the nature and the coalition of the elites within civil society and between civil society and political power have successfully or unsuccessfully created political opportunity in enforcing military regimes. The coalition of civil society elites in Brazil in 1981 and 1982 successfully enforced political pressures to the regime to amend the law which allow tens million of voters to elect president directly (Alves, 2001) By the same token, the receptiveness of military regime in this country to amend the laws which allow the direct election was the result of the political pressures exercised by the interclass civil society movement comprised from grass roots organization, catholic churches, student movement and press association which was also backed by political elites in the opposition party (Alves, 2001).

On the contrary, In Chile, the absence of consensus and the coalition within civil society and political parties had limited "the impact of mobilization as political strategy. As the diverse civil society failed to consolidate their interest, their oppositional movement weakened. Worsened by the repressive measures of the military regime, such condition stimulated "expressive and emotional mobilization". Civil society was not successful in combining between mobilization and negotiation strategy (Garreton, 2001). Despite its limited success, if compared to Brazil, the mass protest in Chile had opened Pinochet regime eyes to bring about political change, by giving economic concession to the middle class and modifying the labor regulation and economic policies which adopt the "laizés faire model" (Garreton, 2001).

The Presence And The Nature Of The Elites Coalition In Indonesia

In the beginning of the political reform, political elites and civil society elites shared the same vision in abandoning the authoritarian legacy in the security forces. The amendment of laws in the security sectors was the result of the joint effort amongst the elites within civil society and between civil society elites and political elites, mainly in the parliament. Leaders of university student movements, religious groups, labor groups, fisherman and human right groups used multi strategies in enforcing their pressures. Leaders from student movement, labor movements and religious groups successfully mobilized their members to exercise political pressures through demonstration in the streets and outside the parliament building.

To respond the people's aspiration, political elites in the parliament welcomed the civil society elites and gave them opportunity to express their ideas in the hearing sessions. Benefiting this opportunity, the civil society leaders successfully provided inputs in the amendment of law in the security sectors. Some intellectuals worked together with the political elites in a special committee to scrutinize and to prepare the legal draft. Members of the parliament then followed up the political dynamics inside the parliament with public debates upon their visits their constituencies. University leaders and student leaders followed up the political dynamic by holding public debates in the form of conferences and seminars in their respected universities and in open forums. Civil society elites and political elites agreed to insert important points in the amendment of laws on security sectors such as: separating police organization from military structure, dismantling political privilege of the military and the police in the parliament, political neutrality of the military and police, the termination of military involvement in the business sector (IDSPS,2007).

A recent research by Institute for Defense Security and Peace Studies (IDSPS) classifies the involvement of civil society elites in democratizing security sector into three: think tank group, motivator group and pressure group. The think tank group consists of intellectuals, retired security forces and political entrepreneurs. This group uses consultancy approaches to strengthen the state in bringing about gradual changes. Motivator groups consists of elites from universities and pro democracy activists. This group disseminate the information to public to cultivate public awareness and to promote the constitutional criticism toward the government policies in the security sector. The pressure groups consist of elites from NGOs, in particular those working in the human right movements, legal advocacy and policy oversight. This group enforces policy pressures and oversees the accountability and legal enforcement to security actors who allegedly violate human right and conduct crimes.

The receptiveness of the political institution

The receptiveness of the political institution is defined as: "the relative openness or closure of the institutionalized political system" (Mc Adam,2007) to accept the aspiration from civil society. The demand for democratizing security sector in 1998 was echoed in a package with the demand for total political reform. Reform movements framed the demand for democratization into three big agendas: toppling Suharto, dismantling the dual functions of the military¹ and abolishing corruption, collusion and nepotism practices within the Indonesian bureaucracy. The idea to dismantle the dual-function of the Indonesian military had snowballed to the demand for abolishing political and economic role of the security forces, legal tribunal for the violent measures against the people, the human right violation during the authoritarian time and the development of the security forces into the professional apparatus who are subject to the civilian control (IDSPS,2007).

The collapse of the authoritarian regime, called the New Order Regime was initially caused by multi layers factors: the inability of the regime to tackle the impact of economic and monetary crisis which swept Asia, including Indonesia in 1997, the pressures from international economic institutions which sought to secure their interests in Indonesia and the pressures from international community to the Indonesian government to bring massive human right violation into tribunals. The

¹ Dual function means the role of the Indonesian military in defense and political functions.

inability of the government to handle this impact and these pressures then led to the domestic economic and political turbulence. With the massive support from interclass coalition across the country, reform movement successfully forced Suharto to step down and changed the regime from authoritarian order, which had been in power for more than 32 years, to the new one, which Indonesian people call Reform Order or reformasi. The authoritarian regime had inherited the nature of the security forces which are against the democratic standards.

The nature of the security institutions was similar to that of in the fascism regime. Military and police involved in formal and real politics. They got free seats in the parliaments, cabinet positions. They were also elected as regional government heads such as governors and other sub-regional heads. They also involved in economic sectors such as establishing military and police business institutions which were managed below the professionalism and the accountability standards. Intelligence services served as the extension of authoritarian power. Its role has been beyond the ears and eyes of the policy makers. Indeed, they involved in arresting, kidnapping and even murdering people, similar to that of the role of the secret agency in non democratic countries. Since the military had a strong influence in the politics, civilian leaders could not do much but endorsed the political interest of the military (Yunanto, 2007).

Since the beginning of the political reform, almost if not all, political institutions accepted new ideas demanded by civil society to promote the democratic political and economic system. At the political level, for the example, Indonesia has enacted political law which does not constraint people to establish new political parties. For the first time, Indonesia has experienced the first direct presidential election and direct regional head elections. In the security sector, to respond the people's aspiration, legislative and executive branches have amended legislations inherited from authoritarian regimes which do not fit with democratic standards. The parliament has amended five laws pertaining to the separation between military and police, the job description between the military and the police, the depoliticization of military, the termination of the military involvement in business, the civilian control over the military, the general guideline of the defense system and the guideline of the work mechanism of the police organization.²

Following the law amendment, military headquarter formulated a new policy called "*Paradigma Baru TNI*" (new paradigm of the Indonesian military). In this new paradigm, The Indonesian military institution ensures its disengagement in politics and the organization restructuring within military as the important steps to achieve the standard of professionalism. The office of The Ministry of Defense also issues the Defense White Paper. This document stipulates guidelines of the Indonesian defense policy and the perception towards external threats. The national police also formulated the new policy called "*Paradigma Baru Polri*" (The New Paradigm of the Indonesian Police). This policy ensures the transformation the Indonesian police force from its old paradigm which was similar to secret police to the new one which reflects the spirit of democratization. Such transformation covers three aspects: organization structure, instrument and culture. There was no significant change in the nature of intelligence services though. Of the three security institutions, intelligent service remain the most problematic (Yunanto 2007).

The Diminishing Political Opportunity

The Indonesian civil society has achieved some of the indispensable components in democratizing the security sector, mainly in withdrawing military and police forces from political arena and setting the legal foundation for professionalism and civilian control. However, the 10 year of reform still leaves a bulk of residual problems in the realization of the security force which fit to democratic standards: civilian control over military is still ineffective, the ruling executive is slow in implementing the amended law, the military posture is still below the professionalism standard and the national police

². Parliament Decree NoVI/MPR/2000 on the separation between Military and Police Organization, Parliament Decree No VII/MPR/2000 on the Role of Military and Police, Law No: 2 / 2002 on The Indonesian State Police, Law No 3 / 2002 On the National Defense, Law No 34 / 2004 on The Indonesian Military and Defense White Paper issued by Ministry of Defense, 2001.

has too wide authority with minimum oversight. There have been also stagnancies in amending number of old laws such as the law on intelligence services. Compared to the authoritarian time, the nature of the intelligence service remains intact. It lacks professionalism, coordination, oversight and still involves in real politics. The involvement of intelligence service in the assassination of top notch human right activist, Munir bin Said, the communal conflicts and the repeated terror attacks in number of places in Indonesia are some of its bad impacts (Yunanto,2005)

This problem is arguably resulted in the diminishing political opportunity structure, especially in the nature and the structure of elites who have the formal and the moral responsibility in continuing the democratization. Their enthusiasm in continuing the effort weakens. There are at least four causes which explain this situation. First, political elites, military elites and civil society elites do not share the perception on the concept of democratization of security sectors. Military and intelligence elites, for instance, are still reluctant to accept the idea of civilian control. From the political stand point, this situation is caused by the small number of the “reformist officers” within military who have marginal positions. The majority of the reformist officers have left the strategic positions in the military organization.

due to the weaking enthusiasm, the absence of shared vision and the poor political will

Second, at the political level, the defense commission in the parliament, the president and the Minister of Defense do not have strong political will in continuing the reform. The defense commission is considered as slow in exercising their legislation function. Rather, they only respond the issues which particularly attract public attention. There has been an argument which looks at the fact that the majority of the retired conservative military officers who join political parties as the plausible cause. As a conservative group, they do not agree with the idea of the democratization of the security sector and influence their parties to discontinue the democratization through their representatives in the parliament. In addition to this, this commission also lacks relevant expertise needed to exercise their oversight function. The reluctance of the president to implement the laws is partly due to the fact that he is a retired military general who still relies on the political support from the retired and ruling conservative military officers who essentially do not agree with the idea of civilian control. In addition, the office of the Ministry of defense which formally assume the highest responsibility of civilian supremacy is now still controlled by officers from military headquarter who still support the conservative ideas (IDSPS, 2007).

Third, at the civil society level, the problem is even not less serious. The enthusiasm of the civil society elites in continuing the democratization in the security sectors also diminishes or weakens. It is likely that civil society loss their common enemy which formerly united their visions. Current movements no longer receive support from the diverse groups of civil society such as religious groups, student groups and labor unions. Like political elites, civil society elites split along their personal and organizational interest line. They also benefit the opportunity offered by the change, such as establishing new political parties or joining the existing political parties. In other words, only elites from professional NGOs and limited number of academicians still continue the advocacy activities with the support from international donors, albeit their limitation in expertise and technicalities (IDSPS,2007).

CONCLUSION

The structure and the nature of political and civil society elites in Indonesia, like that of in Brazil and Chile, matter in creating political opportunity structure in democratizing security sector. In the beginning of the political change, the Indonesian case was similar to that of the Brazilian case in 1981 and 1982, in the sense that they both have vibrant civil society which then consolidated themselves and with political elites to bring about the democratic change of the security forces. The current diminishing opportunity in Indonesia or after the 10 year of political reform is similar to that of in Chile in 1973 in that the role of society in enforcing political pressure to the government is weak. Both

cases show the diminishing political opportunity in term of unconsolidated civil society elites and the absence of shared perception amongst the political and civil society elites which creates the stagnancy. On one hand, some civil society elites in Indonesia have shifted their priorities to their personal and organizational interest. On the other hand, political elites lack strong political will. As the result, despite its achievement in amending the necessary political foundation of the security sectors, the democratization of security sector in Indonesia still leaves a bulk of residual problems.

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