

Changing Water Regime: Remunicipalization in Indonesia

under the Global Hegemony of Privatization

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The research analyzes the emergence of water remunicipalization as counterhegemonic movement under the global hegemony of water privatization in Jakarta, Indonesia. In doing so, the author applies Gramsci's theoretical framework of "Battle for Hegemony", in understanding the dialectical relationship between the hegemony of privatization and remunicipalization as its opposing idea within the context of Indonesia's water regime. Additionally, the author also uses the concept of "militant particularism" of Raymond Williams to explore the organization of remunicipalization as a counterhegemonic bloc. The opposing idea was materialized into diverse and particular struggles against privatization who connect themselves into one counterhegemonic bloc with a universal feature. Local struggles in Jakarta connected themselves under an anti-privatization movement or well known as the Koalisi Masyarakat Melawan Swastanisasi Air Jakarta (KMMSAJ). Later, KMMSAJ linked itself with a global struggle against water privatization with a counterhegemonic idea of remunicipalization. Nevertheless, the universality of remunicipalization does not necessarily eliminate the particularities of each struggle, as the dissemination of the idea and practice is appropriated to Indonesia's political-economic context. By analyzing the organization of remunicipalization, this article intends to move the tedious discussion of water privatization that has been centralized to moral or legal human rights claims to a more productive discussion that explores an alternative idea.

Keywords: Privatization; Hegemony; Remunicipalization; Counterhegemony; Jakarta.

Introduction

The surge of water privatization in the early 1990s has reignited the classic debate of state versus market which has been following the neoliberal reformation. The debate mainly surrounds differing views about the role and extent of private involvement in the management of the state's natural resources (Bakker, 2010; Beder, 2012; Barlow, 2002). Additionally, another mainstream theoretical debate on water privatization was the economic vs public good debate which concerns on

how water should be defined (Bakker, 2010; Beder, 2012; McDonald and Ruiters, 2005). Moreover, what trails after the economic vs public good debate were the ethical concern on privatization, such as the issue of social justice and human rights (Beder 2012; Moyo, 2013; McDonald and Ruiters, 2005; Barlow, 2001).

This article intends to move from these conventional debates by analyzing the subject of water privatization as an ideological project that transformed the relation between human-environment as well as state-society relations.

Situating water privatization as a hegemonic project of neoliberalization would allow us to indicate and analyze the resistance that emerges as its inseparable effects. It is also important to be highlighted that the resistance against water privatization is not a mere opposition. It is an opposing block with a counterhegemonic project of water remunicipalization that seeks to modify and alter the existing hegemony of water privatization. Like privatization back then, remunicipalization is also a growing global trend with 235 cases are reported for the last 15 years (McDonald, 2012).

The most notable case within this subject was the emergence of water remunicipalization project in Jakarta, Indonesia under the global hegemony of water privatization. Jakarta was one of the cities whose water services were privatized in the early 1990s. Critics and researches have been done towards water privatization project in Jakarta, but most of them have been central to the aforementioned debates while neglecting the organization of resistance against this hegemonic project and the possibility of an alternative (Kurniasih, 2012; Harsono, 2012; Zamzami and Ardhanie, 2015). With the growing momentum for remunicipalization (constitutional court decision in March 2015, and recent supreme court decision in October 2017), the need to explore this issue becomes more urgent than ever.

Therefore, by understanding the logic behind the emergence of remunicipalization and how its idea is organized against the dominant regime of privatization, this article intends to not only shifting the privatization debates to the possibility of an alternative, but also expanding the literature on remunicipalization, especially

in the global south. As of today, cases are more concentrated in developed countries, where 184 cities remunicipalized its water sector, compared to 58 cases in developing countries (Lobina, 2015). It was explicable due to the condition of water infrastructure in developing countries, where human and financial resources are more scarce (McDonald, 2012). Thus, by exploring the counterhegemonic strategy in constructing the remunicipalization project in Jakarta, this article also aims to provide a lesson-learned and inspiration for the remunicipalization project in the global south. Discussion is organized into two parts. First by exploring water privatization as an ideological project. Through the Gramscian concept of hegemony, this article will analyze how water privatization entered Jakarta water scheme, disseminated its idea and built the new structure that maintains its domination. Understanding those would indeed allow us to reveal the precondition of remunicipalization and what gives rise to its emergence, which originated from the opposition against privatization itself. In the second section, this article will explore how the counterhegemonic idea of remunicipalization was organized. Using the theoretical framework of Militant Particularism by Raymond Williams, the research would try to identify the particular actors in the counterhegemonic blocs and the interaction among them that later united them under one bloc. In the end, this article concludes by arguing that the rise of remunicipalization was a dialectical response of water privatization hegemony of which its construction was carried by connecting different particular struggles into one general struggle.

Methodology

As it has been stated, tools of analysis of this article were Antonio Gramsci's concept of hegemony and militant particularism by Raymond Williams. Within a differing and complex concept of hegemony, the author would only focus on the "Battle for Hegemony". It is an arena where ideas are constructed, disseminated, and contested which later form an interaction between antagonistic blocs. Hegemony in this article is seen as ideological domination ruled by consent and achieved through the building of alliance among particular classes. A consent that is based on common sense, a 'proper' way of organizing the social and political world and of which people validate their daily lives (Perkins, 2010). Meanwhile, Counterhegemony in this article is seen as a distinct form of subaltern resistance that seeks to disrupt the historical bloc, instill an alternative idea, and transform the existing social relations.

Though Gramsci has provided a clear explanation on how hegemony is constructed, there is still inadequate explanation on the organization of counterhegemonic blocs. Considering that the focus of this article is to elucidate the construction of remunicipalization as a counterhegemonic force, there is indeed a need to adopt another tool of analysis. Thus in doing so, the author couples Gramsci's concept of hegemony with the theory of Militant Particularism by Raymond Williams. The adoption of this theory was due to its inability to provide a practical explanation on how different and scattered movements mobilize and organize into one antagonistic bloc with a transformative agenda to the existing hegemony.

Moreover, considering that the focus of this article is the organization of remunicipalization as counterhegemony, therefore data is mostly generated from analyzing counterhegemonic actors. In doing so, the author would use both primary and secondary data. Nevertheless, considering that there is limited literature on remunicipalization, the author would generate the data through interviews with actors who involved in Jakarta's remunicipalization project. The interviewees were composed of Koalisi Rakyat untuk Hak atas Air (KRuHA), Wahana Lingkungan Hidup (Walhi), Koalisi Rakyat untuk Peradilan Rakyat Perikanan (KIARA), Jaringan Rakyat Miskin Kota (JRMK) and Nila Ardhianie, the director of AMRTA Institute. These actors were selected due to their interest and the prominent role they played in the remunicipalization process in Jakarta.

Furthermore, in maintaining the objectivity of this article, the author would also see how the hegemonic actors react and respond to the emergence of counterhegemonic movement that seeks to challenge its foothold. The data for this section would mostly be generated from press releases, local and international news.

The Hegemony of Privatization

Privatization was firstly introduced in Indonesia in 1991 under World Bank Structural Adjustment Program. It came as part of a loan scheme, where Indonesia received \$92 million loans on the condition that it restructured its water and sewerage system by involving the private sector in the management. Through its introduction in Indonesia seemed to be

‘coerced’, privatization also constructed its common sense to generate the consent of Indonesia’s government. Constructing the common sense was started by transforming the idea of water as an economic good or what is recognized as the act of water commodification. One notable example of how water commodification was delivered was in Dublin statement 1992. The global summit of experts on facing environmental and development issues has blatantly announced that:

“Water has an economic value in all its competing uses and should be recognized as an economic good.... Managing water as an economic good is an important way of achieving efficient and equitable use, and of encouraging conservation and protection of water resources”
(Dublin Statement, 1992)

Moreover, the common sense bloomed in Indonesia as its water system was suffering from underdevelopment. The public pipe-water network, managed by PAM Jaya, was inherited from the Dutch. It was said, before 1991, only 45% of Jakarta’s residents had access to piped water, and most of it purchased their water from small water vendors or dug their own wells, which was practiced by the upper class (Harsono, 2003). Therefore, privatization, who carried with cost-benefit calculation, was argued to create a more effective and efficient water management, which would increase investment in the sector compared to public companies who suffered from corruption and lack of investment problems.

Jakarta, as most urban areas, has two sources of water supply, the informal and

formal water supplies. Informal water supplies, for example, are water from the groundwater, private wells or bottled water, meanwhile, the formal water supply is the pipe water owned by PAM Jaya. When privatization was implemented in the 1990s, the control over the groundwater pipe was transferred to the two water multinationals, Suez and Thames, who built each subsidiary called Palyja (Suez) and Aetra (Thames). With the support of Suharto’s corrupt regime, the two were granted the right to manage the western and eastern parts of the city respectively under the 25-year concession. The falling of Suharto era in 1997 did not lead to the annulation of the contract, instead of in 2001 the contract was renegotiated and further legally recognized act was taken. In 2004, the New Water Law, which ‘implicitly’ allowed the act of privatizing the water sector for development reasons, was stipulated. (UU No. 7/2004)

Nonetheless, the formal arrangements between the government and the two multinationals within the public water sector did not necessarily mean that water privatization instantly became the hegemonic idea in Jakarta. Hegemonic power is extended in part by institutions of political and civil societies that sanction an ensemble of organisms commonly called private (Gramsci, 1971, p. 12). He goes on saying that these organisms include churches, schools, trade unions, and organizations who instilled “common sense” among society’s non-ruling class (Perkins, 2011). In 2007, World Bank, together with the government has launched an output-based aid project, which was targeted to connect poor households to the public water

network (Menzies and Setiono, 2010). Another example was Palyja cooperation with Mercy Corps, a US-based civil society, called for various social programs such as community empowerment, water, and sanitation project, also program campaign (Menzies and Setiono, 2010). Though consent was not explicitly given by the people, through those strategies (policy enforcement, campaign, aid programs), the idea and practice of water privatization in Jakarta are left unquestioned.¹

The hegemony of water privatization has not only successfully implanted its idea into society, but also transform the relations between humans and nature. Water privatization which has excluded the poor from accessing has created an economic opportunity for other actors, such as water vendors and illegal water provider, to create the so-called water market. As one surveyed stated that one-third of Jakarta's households fulfilled its water needs through water vendors (Bakker, 2007, p.862). With such high demand, the water vendor was able to charge the buyers as high as Rp 15.000/jerry can, far higher compared to the public water tariff, which rests Rp 7.800/m³ at the highest (Transnational Institute, 2015). Additionally, illegal water providers also charged as high as Rp 2.000.000/installment and Rp 12.000/m³ for residents in slum area to connect themselves with pipe water.² Herewith, it was evident that water privatization has transformed human relation with water as initially

one part of life into a commodity whose management depends on market demand.

Despite the well-entrenched idea of privatization within Jakarta's water regime, the hegemony of privatization in Indonesia only sustained until 2011, when it had to face the threatening contradiction that places its legitimacy into question. And once it lost its legitimacy, the hegemonic domination was exposed to a threat, or what Gramsci called "organic crisis". To make it clear, Gramsci has depicted organic crisis as the situation where the ruling class has lost its consensus, making it no longer leading but only dominant, in which it was only able to exercise its force alone as the masses have become detached from their traditional ideologies (Karriem, 2009, p.317). And this is the situation the hegemony of privatization within Jakarta's water regime is currently facing.

The organic crisis within Jakarta water regime was evident when the people started to question the logic of water commodification. Water commodification had indeed displaced the principle of social equity (the ability to pay) into economic equity ("benefit" or "willingness to pay principle"), which undeniably would limit human water consumption despite its importance in human life (Bakker, 2010, p.37). Thus it was human fear of losing access to water that motivates the people to question the existing common sense, organize opposition and seek for an alternative.

First opposition towards privatization was materialized in 2002 as KRuHA was created. It questioned the logic of privatization by bringing the human rights claim to water. As opposed to the idea of water commodification,

¹ Interview with Koalisi Rakyat untuk Hak Atas Air, January 24, 2017.

² Interview with Jaringan Rakyat Miskin Kota, January 18, 2017

the opposing group criticized the already existing practice of privatization as a violation of human rights. It was argued that by using economic ability as the determinants of access to water, there would be certain group that is excluded, despite the fact that everyone needs water to survive regardless their incomes. The idea was manifested in 2004, as the citizens challenge the New Water Law to the Constitutional Court, arguing that Indonesia's constitution recognizes the human right to water implicitly.

Moreover, the opposition towards privatization gained support as the hegemony of privatization experienced the organic crisis, which became the first momentum for challenging the idea of privatization. The organic crisis was visibly depicted with constant social dissents that were resulted from the water scarcity, which ironically was also the product of privatization. In March 2011, KRuHA organized a rally, along with WALHI and LBH Jakarta, demanded water to be distributed equally as they carried a slogan that said "let the water flowing, take the benefit, not the profit." (KRuHA, 2011) And it is important to note that water scarcity in Indonesia was not a 'natural scarcity', as Indonesia geographically has adequate water supply, rather it was a 'social resource scarcity' which means that the scarcity is socially constructed through the hegemonic project (Bakker, 2010, p.122). Privatization had indeed produced water scarcity in two ways, first with the exclusion of the poor from public water provision, and the second through the constant increase of water tariff and the lowering quality of delivered water.

First, the exclusive water service

provision has indeed oppressed the residence of slum area, in a way that it denied them from accessing water, as there was a lack of public water network expansion in those area. Additionally, the hegemony of privatization has created a social arrangement that makes it more expensive for the poor to fulfill its water needs, with illegal water vendors and hydrants. One of the representative from JRMK, Eny Rochyati, described the situation of water scarcity in Penjaringan, North Jakarta, as devastating condition. It was when Ramadhan 2016, where people lived in public housing did not get the water supply for 2 months and fulfilled their water needs by purchasing from water vendors with higher prices instead.³

Secondly, the increasing water prices and the poor quality have created the water scarcity in the area where public water pipe was connected. As a matter of fact, Jakarta water tariff was US\$ 0.12 per cubic meter at the beginning of the concession, and currently the tariff is as high as US\$ 0.51 per meter cubic. In addition to it, water received was often contaminated and muddy, not to mention the problem of water outages, with 40 000 complaints were reported in 2013 (AMRTA, 2016). However, it needs to be acknowledged that these problems were mostly problematic for the middle-lower class who still relied on the public water, rather than the middle-upper class who was capable of purchasing bottled water for their daily needs. Therefore, it could be seen from this situation, the hegemony of privatization had situated the poor and the

³ Interview with Jaringan Rakyat Miskin Kota, January 22, 2017

middle class under the shared grievance of water scarcity, which then stimulated the social dissent that challenged its domination.

Furthermore, in 2011, mobilization against privatization became more evident with the formation of *Koalisi Masyarakat Melawan Swastanisasi Air Jakarta (KMMSAJ)*, as a movement of movements which carries an antagonistic agenda. The formation of KMMSAJ became the second momentum for the opposing subalterns to challenge the hegemonic idea of privatization. As a coalition, KMMSAJ was composed of KRuHA, WALHI, KIARA, SP, JRMK, KAU, LBH Jakarta, Front Perjuangan Pemuda Indonesia, and also ICW. Through this momentum, KMMSAJ build the opposition from below where they disrupt the legitimacy of water privatization and generate political support for opposition through campaign, public discussion, and demonstration. With a large support, the coalition against privatization has expanded its agenda from mere opposing privatization into a more transformative goal with a new alternative idea and conception of social relations which was introduced as '*remunicipalization*'.

Remunicipalization as counterhegemony idea contradicts the idea of water privatization in three ways: first was the common sense, remunicipalization constructed the idea of water as a common good as opposed to the idea of water as an economic good which has been used as the basis for privatization. Second was the management that is based on social equality and sustainability instead of market notions of economic efficiency. The last and the most visible contradiction one was the stakeholders in water sector. Privatization

placed water wholly on the market under private control, on the other hand, remunicipalization assigned it back to the public sphere, where the government, the citizens, and the water worker cooperated within in constructing a successful public water system.

Moreover, the third momentum for anti-privatization movement came as Indonesia Constitutional court, in February 2015, denounced the idea and practice of privatization and annulled the water law no.7/2004, which had provided the legal justification for privatizing water sector. Additionally, the momentum was strengthened as Indonesia's supreme court also ruled out that the government and water service providers have been negligent in ensuring the fulfilment of people's water need in October 2017 (Gumilang, 2017). Indeed, the legal support has allowed KMMSAJ to challenge the only foothold of water privatization in Jakarta, which is the political power.

For the hegemonic actors, as its legitimacy has been questioned, they did seek greater political support to maintain their domination in Jakarta water regime. In doing so, both Aetra (Thames) and Palyja (Suez) have sold their stocks to other influential international and national corporations. In 2017, AETRA has 95% sold its stock to Moya Holdings Indonesia while Palyja transferred its stock to PT Mulia Semesta Abadi and Singapore's Future Water Ltd (Putri, 2018). And indeed those companies who are currently managing Jakarta's water was discovered to be under Salim Group, whose man behind was Anthony Salim, one of the most influential businessman in Indonesia and also Suharto cronies (Hanifan, 2018). Meanwhile on the government side, despite

the court's decision, they have not exhibited strong political commitment to annul water privatization in Jakarta. It is evident as current administration, Anies Baswedan and Sandiaga Uno, have not got any clear plan on how Jakarta would transition to remunicipalization. Additionally, PAM Jaya will to 'restructure' the water sector was only limited to change the ownership while the management and provision remain in the hands of private companies.

Another effort to maintain the legitimacy of privatization in Jakarta was also visible through various social programs and campaigns that were carried mostly in the water scarce area. For example in March 2018, Palyja and AETRA along with PAM Jaya and Jakarta's carried programs such as "Mari Berhenti pakai Air Tanah" campaign, "Penghijauan Rusunku" in Rusun Muara Baru and Marunda, Gerakan Ciliwung Bersih which intends to protect water sources (Palyja, 2018). It was through those programs that the hegemonic actors deliver their ideas, rebuild their images, and ensure the people that water privatization remains viable in Jakarta's water service provision.

Remunicipalization as Counterhegemony

As it has been discussed, the opposition towards privatization was not a homogenous mobilization, it was vast and diverse, in which overlapping actors, ranging from government and non-governmental actors, have interacted within the same battleground of ideas. Within this battle, those movements had conjoined into one coalition against water privatization, which was known as Koalisi Masyarakat Melawan Swastanisasi Air Jakarta (KMMSAJ). Nonetheless, unlike

its name, KMMSAJ has shifted from a mere anti-privatization coalition into a mobilization that carries a counterhegemonic project of remunicipalization. The process of this shift could be understood through the concept of militant particularism, which was developed by Raymond Williams and David Harvey.

KMMSAJ is composed of various movements and civil organizations, who hold different issue priorities even some are non-water related movements. For example, SP, the national women organization whose main concern is more on women empowerment or KIARA, the civil society who focused more on the welfare of the fishermen. But they managed to conjoin under KMMSAJ, whose main issue was opposing water privatization in Indonesia. Perceiving from the eye of militant particularism as Raymond Williams, has put it: "The unique and extraordinary character of working-class self-organization has been that it has tried to connect particular struggles to a general struggle in a quite special way. It has set out as, as a movement, to make real what is at first sight the extraordinary claim that the defense and advancement of certain particular interest, properly brought together, are in fact the general interest." (Williams, 1989 as quoted by Harvey and Williams, 1995, p.83)

To put it into another words, militant particularism perceived those different struggles were able to conjoin into one struggle due to their abilities to link each particular interest into one general interest which encompassed those particularities. And in the case of KMMSAJ, the general interest of those different movements and mobilization was opposing privatization, as privatization has

placed each of their constituents in detrimental position. Using one of the previous two examples, SP whose constituents are women, were in fact mostly harmed by the hegemony of water privatization. The lack of access to water has made it difficult for the women to carry household tasks, such as cooking and washing, not to mention their own sanitation needs which are more demanding during menstrual period.⁴ And KMMSAJ tried to reach these particular group and connect their particular struggle into its general goal, thus by doing so KMMSAJ managed to act as one coalition with different actors in it.

Therefore, with a range of diversity within the coalition, KMMSAJ tend to be loose and unstructured, in order to adapt itself with the interaction within the coalition. As Muhammad Reza, the representative from KRuHA, has stated:

*“KMMSAJ is dynamic, because the composition of the bearer is diverse, there are lawyer, researchers, activists, villagers, workers, etc. We evaluate those diversities in order to determine the role we can play in the coalition. For example, KRuHA, we can be the facilitator of this coalition.”*⁵

As a facilitator, KRuHA itself has provided a forum for those diverse actors to negotiate the goal and the strategy of this coalition, for example through organizing policy discussions or monthly meetings

between the coalition. With well organized communication and coordination among movements, KMMSAJ managed to mobilize as one actor within the struggle against the hegemony of privatization.

Nonetheless, the ability of KMMSAJ to sustain as one mobilization does not necessarily mean that there was no conflict within this coalition, considering that each movement in KMMSAJ has their own particular issue concerns. One example of conflict was different opinions regarding the priority of the issue, some speak of state control over water resource, meanwhile some concern more on people access to water.⁶ And in dealing with those differences the coalition always go back to their shared goal, which is to end privatization. As Susan Gui, representative from KIARA, has stated:

*“Differences in coalition is normal. In the coalition, the dynamic mainly surrounded the priority of the issue. For example, we KIARA, surely wanted to raise the concern of the fishermen in regards with water privatization. And in dealing with that, we always tried to go back to our initial mission. Because our involvement in this coalition is one form of commitment to our constituents.”*⁷

Being as one coalition, KMMSAJ was able to raise their bargaining position as political agent in Jakarta water regime. This statement was

⁴ Interview with Jaringan Rakyat Miskin Kota, January 16, 2017

⁵ Interview with Muhammad Reza Sahib, representative from Koalisi Rakyat untuk Hak Atas Air, January 24, 2017

⁶ Interview with Dwi Sawung, Representative from Wahana Lingkungan Hidup, Januari 23, 2017

⁷ Interview with Susan Gui, Representative from Koalisi Rakyat untuk Peradilan Perikanan, 25 Januari, 2017

proven as KMMSAJ won its citizen lawsuit which was submitted to the Central Jakarta District Court in 2012, as the judge demanded the defendants (government, public water company, and the two private operators) to annul the water privatization in Jakarta. The lawsuit later successfully attracted the government's attention as Joko Widodo, the then governor of Jakarta, declared in March 2013 that water privatization would be ended (Zamzami and Ardhianie, 2015, p. 42). Thus, it could be seen that by being a unified political actor, KMMSAJ managed to bring their general interest into the political agenda.

Moreover, once KMMSAJ successfully brought their antagonisms into the political agenda, it developed into a counterhegemonic force when it was expanding its opposition from a mere anti-privatization coalition into remunicipalization movement. Remunicipalization in definition, referred to the return of water sector, from previously private management back into public hands. It is considered as a counterhegemonic idea as it actually provides an alternative idea and practice that alter the existing hegemony of privatization. Indeed, as a counterhegemonic idea, remunicipalization reconstructs a new common sense of water as the commons and designs an innovative water management based on democracy and social justice (Lobina, 2015, p.7).

Furthermore, KMMSAJ development into counterhegemonic bloc could be seen as their political agendas have expanded not only to annul the practice of water privatization but also to transfer the water regime back into the public hands or what is termed s

remunicipalization. Public, within the context of remunicipalization, is not necessarily a state in this regard rather a continuously redefined term that include different stakeholders in water sectors (McDonald, 2012). As it has been stated previously, momentum for remunicipalization came as Indonesia Constitutional Court deemed water privatization as unconstitutional and annulled the existing water law. KMMSAJ has created a policy draft which was designed to supersede the existing water law into new water law that perceives water as 'res commune' whose management should be based on 'the sovereignty of the people' (Gunawan and KRuHA). Nevertheless, it is important to realize that the idea of remunicipalization was not developed locally, instead it was adopted from global experiences of remunicipalization, which indeed has been currently and increasingly occurring in many parts of the world.⁸

The adoption of universal idea of remunicipalization into national struggle on anti privatization was where another essence of militant particularism could be indicated. It was when national struggle tried to connect itself with global struggle who contains a more universal idea in order to broader its outreach and strengthen its force. According to David Harvey it was indeed a crucial strategy if one movement desired to challenge global hegemony, as he assured:

"In the face of the neoliberal challenge, social movements can either remain place-based and ignore the potential contradictions inherent

⁸ Interview with Nila Ardhianie, The Director of Amrta Institute for Water Literacy, Januari 16, 2017

in transnational coalitions; or treat the contradictions as a nexus for creating a more transcendent and universal politics, combining social and environmental justice, that transcends the narrow solidarities and particular affinities shaped in particular places.” (Harvey, 1996)

The work of connecting the struggle was chiefly carried by Amrta Institute for Water Literacy, a nonprofit, research-based advocacy group working on water resource issue. It has been working with various international research institute with similar concerns such as Transnational Institute (TNI) and Public Service Institute (PSI). Initially, remunicipalization indeed was the form of opposition to privatization, but it was arranged and constructed as an alternative idea and practice to privatization by David Hall and Emanuel Lobina. Amrta coordinated well with the two researchers in documenting the new global trend of remunicipalization, even the director of Amrta Institute, Nila Ardhanie, participated in coining the term remunicipalization. As she told:

“To introduce the concept of remunicipalization in Indonesia was quite a difficult work, because there is no term municipal itself in Indonesia. Thus the more favorable term for our mobilization was anti-privatization, as it was terminologically easier. Which is why the coalition was called *Koalisi Masyarakat Anti Swastanisasi Air Jakarta*. I think it was in 2012, the turning point from anti-privatization to remunicipalization movement. As Paris successfully remunicipalized its water sector. Since then we started to document the remunicipalization surge at the global level and introduce the idea to Indonesia. We assure that

remunicipalization is possible.”⁹

Relating to what Nila Ardhanie has stated, indeed adopting the concept of remunicipalization in Indonesia was quite difficult. Even until today, many people involved in the struggle are still unfamiliar with the word of remunicipalization but this is where the dynamic lies. Considering that people joined in this struggle was varied, they have different interpretations on what the struggle against remunicipalization is. For example, Walhi translated this struggle as “putting water back to public hands”.¹⁰ Meanwhile, representative from JRMK tend to see this struggle as “reclaiming water as public service” or what academicians would tend to say as “de-commodification”.¹¹ However, KRuHA as the facilitator of this coalition was able to define this struggle as remunicipalization, the form of opposition towards neoliberalisation tide.¹² Nevertheless, despite different translation, Amrta managed to successfully scale up Indonesia’s struggle against privatization into global struggle of remunicipalization, which could be seen from two aspects: First was the communication between KMMSAJ and movement for remunicipalization in other parts of the world, as told by Muhammad Reza:

⁹ Interview with Nila Ardhanie, The Director of Amrta Institute for Water Literacy, Januari 16, 2017

¹⁰ Interview with Dwi Sawung, Representative from Wahana Lingkungan Hidup, Januari 23, 2017

¹¹ Interview with Jaringan Rakyat Miskin Kota, January 18, 2017

¹² Interview with Muhammad Reza Sahib, representative from *Koalisi Rakyat untuk Hak Atas Air*, January 24, 2017

*“KMMSAJ was initially organized by local civil society, young people and villagers. We then connect ourselves with people with the same experiences of opposing privatization, including the people from Europe. Then discussion about remunicipalization was developed and Jakarta case was included. Because, KMMSAJ was considered as successfully encouraged the government support in the process.”*¹³

Second was the use of remunicipalization case in Paris and South Africa as the inspiration to construct the similar idea and practice in Indonesia, which could be seen in the policy draft that is currently being arranged by KMMSAJ. Using the case of Paris and South Africa experiences of remunicipalising its water sector, it seeks to understand how the two countries build the normative and institutional arrangements of water rights (KRuHA, 2016, p.61).

Equally important, by connecting local struggle against privatization into global struggle of remunicipalization, Jakarta anti-privatization movement gained two advantages that were essential for its struggle. First was by adopting the idea of remunicipalization, KMMSAJ became more than a mere opposition. It transformed into a counterhegemonic force with a clear political agenda which was to enforce the idea of remunicipalization. As an idea, remunicipalization did not solely oppose privatization but also provided an alternative practice with a reconstructed common sense.

¹³ Interview with Muhammad Reza Sahib, representative from Koalisi Rakyat untuk Hak Atas Air, January 24, 2017

And KMMSAJ transformation from a mere antagonist mobilization into counterhegemonic actor was clearly visible in the direction of the policy draft whose aim is:

“The changing of water paradigm as a commodity into the common good belonged to the people equally and the transformation of liberalization of water commercialization into public-controlled water management.”
(Gunawan and KRuHA)

In addition to it, the second advantage that KMMSAJ gained by joining the global struggle of remunicipalization was the transnational support, which was crucial to raise the national and global attention. As Muhammad Reza as stated:

*“KMMSAJ started as an outsider. It has no access towards government institution, that time it was difficult for civil society to be acknowledged by the government. Which was why we asked our transnational partner, such as Water Justice for example. They provided a great help to pressurize the government, through reporting to UN bodies or creating global petition. In putting our agenda to government attention, KMMSAJ was really helped by the transnational partner.”*¹⁴

And currently, KMMSAJ has cooperated with various transnational partners with the same ground of remunicipalization, such as Transnational Institute, Public Service Research Institute, etc.

¹⁴ Interview with Muhammad Reza Sahib, representative from Koalisi Rakyat untuk Hak Atas Air, January 24, 2017

Therefore, as what militant particularism has suggested by connecting local struggle of anti privatization into global struggle of remunicipalization, KMMSAJ moved from its particularities at the local level into universalities with global goal. In which this act of universalizing the local struggle has provided them with essential support for their mobilization, such as alternative idea and transnational support.

Despite having adopted the idea of remunicipalization and befitted into one part of global struggle. KMMSAJ as militant particularism did not necessarily lose its particularism, as the pursuit of remunicipalization in Jakarta was appropriated with the particular circumstances where it was transmitted. In which those determining social and political circumstances were: the natural resource that had been disrupted, the government that was not accountable, and the people that were ill-informed.¹⁵ Thus, with those particular conditions, the universal idea of remunicipalization became particularized again in its materialization. As what militant particularism has suggested that:

“Universality always exists in relation to particularity, one idea once established as generally accepted idea became particular again as it is actualized through particular actions in particular circumstances.” (Williams, 1989 as quoted by Harvey and Williams, 1995, p. 194)”

To describe, the particularism within Indonesia

case of remunicipalization were manifested in two aspects of the struggle, which were the norm and the strategies used to achieve the goal of remunicipalization. Firstly, the norm that exposed the particularism of Jakarta remunicipalization project. Indeed, remunicipalization was built under the common sense of water as the commons. However, the construction of remunicipalization as an idea need more than just the universal common sense of water as the common, it required its own particular norm which has been appropriated with the social and political context where the counterhegemonic idea was constructed (Gunawan and KRuHA). In doing so, KMMSAJ introduced a new concept of ‘Semesta Air’ as the particular norm to construct the idea of remunicipalization. According to the policy draft, the concept of ‘Semesta Air’ comprehends:

“Water that exists in the air, in the above-ground and underground. Water consist of water sources and natural resources that are contained within it. Water is the source of life, the life itself, and sovereignty.” (Gunawan andKRuHA)

What is more, the second aspect that indicated the particularism within Indonesia’s struggle for remunicipalization was the strategy used by KMMSAJ in carrying the counterhegemonic project which combined the litigation and non-litigation approaches. It was unique in Indonesia case because most of the bottom up remunicipalization project were taken through non-litigation approaches, such as protest and public referendum.¹⁶ For example, remunicipalization in Bolivia, that was pursued through propaganda from village to village in order to build the mass mobilization

¹⁵ Interview with Muhammad Reza Sahib, representative from Koalisi Rakyat untuk Hak Atas Air, January 24, 2017

that was capable of directly confronting the state. When Muhammad Reza tried to compare Indonesia version of remunicipalization with the one occurred in Latin America, he stated:

*“In the context of opposing privatization, let’s learn from the strategy of KMMSAJ. We have succeeded in arranging citizen lawsuit, which was considered by our friend in Latin America as unique. They laughed at our strategy of using litigation approach to attack privatization. For them, it was a bit strange. But we explained that we were combining.”*¹⁷

The litigation and non-litigation has each own function and target within the counterhegemonic project of remunicipalization. Litigation approach was used to challenge the authority of privatization from above, especially by annulling the concession, which has been designed to sustain its hegemony in Jakarta water regime. The Director of Amrta, Nila Ardhianie, believed that the most strategist approach to attack the hegemony of privatization in Indonesia was by annulling the contract, and the only way was by submitting the citizen lawsuit. Which was why in 2012, KMMSAJ submitted its citizen lawsuit to the Central Jakarta District Court. In addition to it, as it has been mentioned previously, the litigation approach helped to raise the bargaining position of KMMSAJ within the politics of Jakarta water. And the

most compelling evidence was the winning of citizen lawsuit in 2015 as the court ruled that: “The defendants have been negligent in fulfilling the human right to water for Jakarta’s resident” and continued “the court orders the defendants to end the privatization of water in Jakarta and return the operation of water distribution in Jakarta to city owned water operator PAM Jaya.” (Ellyda, 2015)

Moreover, in carrying the counterhegemonic project, of course litigation approach was not the only strategy, it has to be coupled with non-litigation approaches, which were crucial to mobilize the mass from below. In doing so, there have been various non-litigation approaches that are taken in the construction of remunicipalization in Jakarta’s water regime, to make it easier to understand, those approaches could be divided into three main categories. The first one was public campaign which was done through protest in public areas or social media, this was crucial to raise the awareness of the people towards the issue. As Susan Gui, representative from KIARA, described:

*“People’s awareness in water issue is relatively low. And indeed we need a long process to actually raise the awareness. In doing so, we have done several protests in strategic place in Jakarta. For example, we took a bath in Bundaran HI to show how we suffer from water scarcity.”*¹⁹

Additionally, the second non-litigation approach was coordinating with the religion organization. Considering that most Indonesia religious organizations have the belief of water

¹⁷ Interview with Muhammad Reza Sahib, representative from Koalisi Rakyat untuk Hak Atas Air, January 24, 2017

¹⁸ Interview with Nila Ardhianie, The Director of Amrta Institute of Water Literacy, January 16, 2017

¹⁹ Interview with Susan Gui, Representative from Koalisi Rakyat untuk Peradilan Perikanan, 25 Januari, 2017

as God's blessing for human life and it was human duty to protect nature, it was possible to invite them in the same battle against privatization. The most compelling evidence was the involvement of Muhammadiyah in the remunicipalization process by submitting another citizen lawsuit to the constitutional court in 2013. Muhammadiyah, who has been experienced in participating in the politics of natural resources in Indonesia, was successfully won the case as the constitutional court deemed the practice of privatization as unconstitutional.²⁰

The involvement of religious organization such as Muhammadiyah, within the political process, was another unique characteristic of remunicipalization process in Jakarta, as Muhammad Reza stated:

"People in other parts of the world was surprised with the involvement of Muhammadiyah in the process. They wondered how such a religious organization played a role in the politics of natural resource. But it is the political context in Indonesia, and it is what I think one of the uniquenesses of Indonesia."

The importance of religion in Indonesia has indeed allowed the involvement of religious organizations in the political arrangement, especially in this case is Jakarta water regime. Uniquely, the religious organization who played in the remunicipalization was not limited to Islamic organization. Despite the fact that Indonesia was Muslim dominated country. The

²⁰ Interview with Dwi Sawung, Representative from Wahana Lingkungan Hidup, Januari 23, 2017

religious organization who played in the process was also coming from Catholic and Protestant groups.²¹ And the coordination with the religious organization was done by approaching the clerk of the group and communicating with the group at the community level.²²

The last yet the most crucial non-litigation approach was community empowerment. Beside making the people aware of the issue, it was also important to equip them with adequate knowledge on the issue, so they are aware of their significance as agent of idea or philosopher as Gramsci would have said. Empowering the community is indeed the central strategy within the remunicipalization project in Indonesia because what it aims is public water regime based on democracy and social justice, and in pursuing so a politically active citizen became an essential component. Politically educated and active citizen is perceived as a pre-requirement for transforming the hegemony of privatization in order to enforce a government that is accountable and transparent.²³

The step to empower the community was commenced by approaching them through visitation and informal dialogue, especially in the are where water was scarce, and it was not easy considering the situation they had been facing. As the National Coordinator of KRUIHA described:

²¹ Interview with Dwi Sawung, Representative from Wahana Lingkungan Hidup, Januari 23, 2017

²² Interview with Dwi Sawung, Representative from Wahana Lingkungan Hidup, Januari 23, 2017

²³ Interview with Muhammad Reza Sahib, representative from Koalisi Rakyat untuk Hak Atas Air, January 24, 2017

*“The first time we came to the village, we were not welcome, and when we speak of change, they were so cynical. Water did not even come out, and now we spoke of changing the state. But we built dialogue with them, especially the housewives, from then on the coordination was constructed.”*²⁴

The success of KMMSAJ in raising the consciousness of the people was visible with the active participation from the people in remunicipalization project through public protest or policy discussion. And most importantly, they have eventually developed a perspective based on the idea of remunicipalization, as Gugun, the citizen in Penjaringan stated:

“We fight for our water rights, so water is managed with a new management system. A system based on social justice, instead of business. Water is basic needs; it can not be commercialized.”²⁵

Nevertheless, it is important to be noted that, though litigation and non-litigation approach has different function and target, they can not be carried separately. As it has been said that the fight for remunicipalization was carried by combining the two different approaches, in which both are interrelated while at the same time play each function and connect to each target. Moreover, though KMMSAJ has achieved several successes in its counterhegemonic project of remunicipalization, its fight against privatization is still continuing. Considering

that privatization has become a hegemonic idea in the society, the struggle to challenge its domination was not an easy and instant task. It was instead a difficult task with a protracted process of raising consciousness, renovating the common sense and restructuring the traditional social relations, which are what KMMSAJ has been doing for several years. But one thing that KMMSAJ has find it the most challenging within its struggle was to raise the awareness of the people towards water issue. As Susan Gui representative from KIARA has stated: “Honestly, to raise the saliency of water issue is a difficult task. Because people have been thinking that water, though everybody needs it, has to be bought. Maybe they have gotten used to with Palyja and Aetra. And the most difficult task is to invite young people to this issue. Water issue is old people issue. Because most of the people involved in this issue are middle aged. And the movements within this coalition are the movements of 25 years or above.”²⁶

Conclusion

This research has done an ideological discussion on the water privatization project in Jakarta. With the help of Gramsci’s concept of “battle for hegemony”, this research has successfully indicated the ideological opposition that emerged within the hegemonic project itself. Having explored on how water privatization was introduced in Indonesia, how the hegemonic actors built its allies, and how it disseminated its ideas through the consent and coercion; we are then able to map out the opposing actors who later become the counterhegemonic bloc with its revolutionary agenda of remunicipalization.

²⁴ Interview with Muhammad Reza Sahib, representative from Koalisi Rakyat untuk Hak Atas Air, January 24, 2017

²⁵ Interview with Jaringan Rakyat Miskin Kota, January 18, 2017

Moreover, not only does this research map out the counterhegemonic actors, we also have discussed on how these actors organized themselves in carrying their agenda within the hegemonic of water privatization itself. The concept of militant particularism, which grounds itself on the idea of ‘connecting struggle’, has provided a practical explanation on how opposing actors organized themselves, especially in the case of remunicipalization. It was evident in two ways; first through the formation of KMMSAJ, which was done through connecting different particular struggle under the shared grievance of privatization. Second was the shift of KMMSAJ from anti-privatization coalition into a counterhegemonic force with counterhegemonic project of remunicipalization by connecting its local struggle to a more general struggle with universal goals such as democracy and social justice for water access.

To conclude, through this research, we have tried to move from the dualism of state vs market and public vs private debate, which have always been covering the subject of water privatization. Having explored water privatization as an ideological project and indicated the emergence of opposition have brought a fresh air with the possibility of an alternative. In the future, we hope that there would be more literature that explores on the organization of counterhegemonic movement, not only within the context of remunicipalization, but also in any other form that could solve the issue of water access in many parts of the world.

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