

CIVIL SOCIETY AND DEMOCRATIC GOVERNANCE: THE CASE OF INDONESIA

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INTISARI

Perdebatan mengenai hubungan antara negara (state) dan masyarakat madani (civil society) sejauh ini masih terpengaruh oleh argumentasi Hegel, bahwa isu pentingnya terletak pada bagaimana menciptakan masyarakat yang lebih demokratis dan mencapai keadilan sosial bagi rakyat dan bukan mengubah sistem masyarakat menjadi negara sosialis. Kini, diskursus intelektual lebih terpusat pada bagaimana memperkuat dan meningkatkan kualitas masyarakat madani untuk menciptakan sebuah demokrasi yang baik, sehat dan berkelanjutan serta memenuhi harapan rakyat. Tulisan ini membahas peran masyarakat madani di Indonesia dalam mempengaruhi terbentuknya pemerintahan yang demokratis, terutama setelah tumbangannya rejim Suharto pada tahun 1998.

Di bawah rejim Suharto yang otoritarian lembaga non-pemerintah (NGO) dan intelektual merupakan elemen yang, kendatipun serba terbatas, mampu mengontrol penyalahgunaan kekuasaan oleh pemerintah. Namun karena mereka sekadar merupakan kekuatan moral, kekuatan mereka ini gagal mendemokratiskan Indonesia. Pada masa Habibie, sebuah sistem pemerintahan yang lebih demokratis telah muncul, setidaknya rejim ini berhasil mendorong partisipasi masyarakat madani yang cukup substansial. Salah satu prestasi positif adalah dibukanya kebebasan media dan pelaksanaan pemilihan umum yang demokratis. Akan tetapi, belum banyak yang dapat dilakukan bagi penciptaan good governance atau sistem pemerintahan yang baik, korupsi masih merajalela sedangkan penegakan hukum belum terlaksana. Selanjutnya pada masa pemerintahan Abdurrahman Wahid kekuatan demokratis semakin kuat dalam arti bahwa kekuatan masyarakat madani, dalam hal ini partai-partai politik, lebih kuat daripada pemerintah. Sepanjang pemerintahannya, Abdurrahman Wahid harus menghadapi tekanan-tekanan dari partai politik melalui parlemen hingga klimaksnya berakhir pada diturunkannya dia dari jabatan sebagai presiden. Pemerintah dan parlemen ternyata tidak mampu bekerjasama secara produktif. Ini sebagian disebabkan karena pola pemerintahan Abdurrahman Wahid yang cenderung tidak konsisten dan juga karena kecenderungan para anggota parlemen yang melindungi kepentingan-kepentingan sempit mereka. Pemerintahan Megawati muncul sebagai rejim yang mampu menurunkan suhu politik. Pemerintahannya tidak termasuk otoritarian, namun juga sulit untuk disebut demokratis jika itu diartikan sebagai responsif terhadap kritik yang disampaikan oleh masyarakat. Megawati juga harus menghadapi parlemen yang kuat. Tetapi, karena rejim ini berasal dari partai yang memegang mayoritas, yakni PDIP, tekanan-tekanan dari parlemen relatif dapat dikendalikannya dengan baik. Dapat dikatakan bahwa Megawati telah mengembangkan sebuah negara oligarki di mana pemerintah dan partai-partai politik memelihara status quo untuk melindungi kepentingan bersama mereka. Meskipun pemerintahan Megawati telah berhasil mendinginkan kehidupan politik di Indonesia tetapi mengingat masih buruknya kualitas partai politik serta visi politik Megawati yang lemah, pemerintahan ini belum mampu memberikan yang terbaik bagi rakyat negeri ini.

Kata kunci: politik pasca-Suharto, masyarakat madani, pemerintahan yang demokratis

STATE, CIVIL SOCIETY AND DEMOCRACY: INTRODUCTION TO THE THEORETICAL DISCOURSE

Democracy and Civil Society are almost like the two faces of the same coin. They always exist together. One can't be separated from the other. A country is democratic when there is a relatively strong and active civil society that limits as well as strengthens the state power. In a democratic society, the state has to seek the consent of the civil society in making and implementing its policies. The other way around is also true: the civil society needs an effective state to implement the policies they want to implement. Thus, in a good and effective democratic country, the quality of the state depends on the quality of the civil society, and the other way around as well.

Civil society is defined as the non-state sector of a society. The history of this concept goes back to the classical debate among philosophers such as Thomas Hobbes, John Locke, Montesquieu. Later on the modern discourse was carried out by Hegel and Marx, and at present by the contemporary followers of these two great thinkers. (Budiman, 1999a: 3, 4)

Hegel theory on the state and civil society goes into two different directions. On one hand, Hegel is seen as providing the basis of a strong and even a fascist state. For Hegel civil society is the realm of the individual, with its private and egoistical interests. In contrast, the state carries the mission of the society, taking care of the "general will" serving the interest of the society as a whole. Therefore

civil society has to obey the state, because the state carries what is good for the whole society, while civil society deals only with various private interests of its members. Civil society will take the state into many different directions.

On the other hand, Hegel can be read as the philosopher championing democracy. He states that history of mankind is the history of human liberation. In the old days, only one person ruled (monarchy), later on several selected people ruled (oligarchy), and at present and in the future everybody will rule (democracy). So democracy is the more developed stage as well as the ideal state of human society, and we are moving into that direction. Following Hegel, Francis Fukuyama later on states that after the fall of the authoritarian socialist states in the Soviet Union and in Eastern Europe, we have now arrived to "the end of history" in which every country has become democratic, or is arriving to this final stage. (Fukuyama, 1989)

Karl Marx, a student of Hegel, challenges Hegel's theory on civil society. For Marx, the most important thing is not the division between the state and civil society, but between the capital owning and the working class. In a capitalist society, both the state and civil society serve the interest of the capitalist system as a whole, which gives benefit both to the private capital owners (the dominant class) and the bureaucrats of the capitalist state. Democracy in a capitalist society is a project of capitalism to give an image of equal rights and opportunity for the people, while in reality the system is manipulated by the dominant class for

their own benefit. The state is also under the control of this dominant class, because the existence and operation of the state is funded by the capitalists through the tax system. Hence, democracy that is produced within this society is basically a "bourgeois democracy," serving the interests of the bourgeoisie or the capitalist class. Therefore, in such society, what is good for the capitalists is also good for the state.

Democracy, therefore, is not the ideal "end of history," because exploitation still exists in a democratic society. The ideal society is a classless or socialist society, that can be achieved either through peaceful or violent way by the way of a revolution.1)

The debate on the state and civil society continues, mainly following Hegel's line. Namely, the main issue that is discussed at present is to democratise a society in order to achieve justice for the people, rather than to change this society into a socialist state. The present discourse mostly concentrate on how to strengthen and enhance the quality of civil society in order to produce a good, healthy and enduring democracy that serves all the people in the society. After the fall of the socialist countries in Russia and Eastern Europe in the 1980s, people seem to abandon, or at least to see it as not significant, the concept of a violent class struggle in enhancing the quality of society, whether it is a socialist society or something else. They believe that democracy, whereby the majority of people have the power to control public policies implemented by the state, will produce a healthy and good

society, including eradicating class antagonism if the majority of the people want it.

This paper discusses the role of civil society in Indonesia in influencing the creation of democratic governance. Democratic governance points towards a political system in which the government is responsible and serves the interest of the majority of its people. So, there are two components in the concept of a democratic governance: (1) the political process is democratic, involving the people in making public decision, and (2) the result is good, serving the interest and bringing justice to the majority of the people. Following Marx's criticism against democratic capitalism, we have to bear in mind that a democratic government does not necessarily always produce good result.

The paper will concentrate especially on the post-Suharto (after 1998) period, when Indonesian has regained its (relatively) democratic political system. How democratic were the subsequent governments following the fall of Suharto, and what was the role of the civil society? And, more importantly, was it successful in providing the people with political and economic justice? The period under Suharto (1966 - 1998) will also be discussed as a background.

DEMOCRATIC GOVERNANCE IN INDONESIA

Indonesia proclaimed its independence in 1945. However, it did not get its independence directly. The Dutch tried to come back and to rule this country again. The resistance of

the Indonesian people brought about a 5-year war that ended in 1949 whereby Indonesia got its internationally recognized independence. The country, since then, had gotten a democratic political system, until in 1959, tired of continuous unstable government, Sukarno, the then president, imposed a decree saying that Indonesia adopted a new system called Guided Democracy. It could be expected the system was more "guided" than democratic.

In 1965, the alleged Communist Coup occurred which resulted in about half a million people lost their lives. A military regime emerged under the leader of General Suharto, who stayed in power for 32 years and thus had become the second longest president in the world after Fidel Castro. (Castro has stayed in power since 1968 up till now.)

Suharto was forced to resign in 1998 (in the midst of Asian economic crisis that hit Indonesia) under the pressure of the civil society especially the students. Indonesia was succeeded by three presidents, Dr. B.J. Habibie (1998-1999), Abdurachman Wahid or Gus Dur as he is known popularly (1999-2001), and Megawati (2001 – now). These three governments, unlike the previous one under Suharto, have been democratic, in the sense that the civil society play a significant role in shaping the government's policies. Whether they also have given a good result, this will be discussed below.

At this point, it is important to be aware that there are many different actors in civil society. The importance of the role of these actors changes from regime to regime. In general, the main actor in civil society are political parties, with other mass organizations

(student bodies, labour unions, woman organizations, etc.) play influencing roles in the background. However, during Suharto time for instance, political parties had been increasingly controlled by the government. After several years, the role of political parties were diminished, they only served as a decoration in Suharto's theatre of democracy. It was then the NGOs and the public intellectuals, although with limited power, that came forward and defended the interest of the people. (Uhlir, 1997: 97 – 105 & 111 – 116)

Who were the main important actor(s) in the democratic regimes after Suharto? How did they play their role, especially in their contribution to create a democratic governance? Were they able to provide justice to the people? We are now ready to discuss the performance of the Indonesian civil society in creating a democratic governance, first under Suharto and later under Habibie, Gus Dur and Megawati.

The Suharto Period (1966 – 1998): Strong Government, Weak Civil Society

Indonesia just got back its democracy (at least the process towards it) in May 1998, when Suharto was forced to step down. Since then, people have been able to express their opinion freely, censorship for public media has been lifted, many new political parties emerged. Suharto came to power in March 1966, when Sukarno gave him the authority to restore law and order after the bloody coup d'état in September 1965. Since then, slowly but surely, Suharto has

evolved into an authoritarian ruler. First, he outlawed the Communist Party and later on regulated that only three political parties were allowed (Golkar, PPP, PDI²), the media are controlled, and people had to be responsible for political stability (in order to facilitate economic development) by not expressing their opinion freely and openly.³) In order words, under Suharto's rule, civil society was kept silence.

Within this political system, the people had no friends. Golkar was the government party, backed by the military. It was regulated that all government employees were required to join Golkar, or they would lost their jobs. The other two parties were heavily under tight political control too. The government had to approve those who were elected as their leaders. In addition to this, all parties' candidates for parliament had to pass the security check-up conducted by the military intelligence. Within this system, it was quite logical then if the other two "non-government" parties were very vulnerable and dependent to the government to the extent that they were unable to criticise the government in order to maintain their existence.

Thus, there were two groups of people that had the courage to criticize the government and became "the friends of the people." They were the public intellectuals, and the NGOs. The public intellectuals lived in big cities and often expressed their criticism through the mass media openly. The power of their criticism was basically a moral, not political. Although they were able to create public opinion to a certain extent, but

since they did not have mass based organization to support them, their influence were quite limited. This may explain why the government tolerated them. (Uhlen, 1997: 88 – 92 & 94 – 97)

In addition to that, the public intellectuals had some international solidarity network that would react critically if some intellectuals in other countries were arrested. This could harm the image of the respective countries. Many repressive governments would prefer to control the media, in which the intellectuals could express their criticism, rather than controlling these intellectuals directly. It would be better also if the respective government let these morally strong but politically weak intellectuals expressed their critical views that for sure would not harm the political power of this government. A politically weak criticism by the intellectuals could be used also by the respective government to launch a campaign that in the respective countries democracy prevailed. (Southwood & Flanagan, 1983)

Similarly with the NGO. This organization is not a mass-based organization. NGO is an organization consists of a probably tens of people working for a specific project, for example poverty alleviation, legal aids for the poor, protecting natural environment, human rights watch, etc. In addition to this, similar with the intellectuals, many NGOs in Indonesia have international ties. As a matter of fact, almost all of them were funded by foreign funding agencies, by other NGOs in foreign countries. Thus, the government has to be careful in dealing with the NGOs, because, the international network would react

against the respective governments if NGOs are repressed in the respective countries. This international network of NGO has been even stronger than those of the intellectual. (On the Indonesian NGO movement, see Uhlin 1997: 97-105, 111-116; Ibrahim, 1996; Sinaga, 1995; and Eldridge, 1989)

In Indonesia, the case of the Kedung Ombo Dam is one of the most interesting illustration in which the Indonesian government had to give up its repressive method in dealing with the people. Kedung Ombo was a big dam constructed in Central Java in the late 1980s, funded by the World Bank. This project had to force many villages out of the area, and resettled hundreds of thousand of people, mostly peasants. The corrupt local government did not only used the military to those people who resisted to be resettled, but also corrupted the compensation money that were given to these affected people. The people, helped by several NGOs and the local student groups, made a campaign against the government. Some of the NGOs involved in this campaign belonged to INGI or International NGO Forum for Indonesia, an international NGO organization in which some NGOs from the Netherland (the initiator), the U.S., Germany, French, Japan, Australia and some other countries were involved. The campaign, conducted together with the international NGOs, reached the World Bank and the International Monetary Fund, as well as the Asian Development Bank. The issue was that the compensation funds were corrupted, and the method used in resettling people was repressive and violating human rights.

Under the pressure of these international institutions, the Indonesian government became more responsive. Although the Indonesian NGOs that were involved in this campaign were indirectly threatened and branded as "unpatriotic" by the government, nothing serious happened to them. (Budiman, 1995: 122-138) The government later on made a regulation that all NGOs had to report to the government where they got their funding from. However, this regulation was not politically effective, because the Indonesian government did not have a strong bargaining power vis-à-vis the international NGOs.

To conclude, under the authoritarian Suharto regime, it was the NGOs and the public intellectuals that could control, in a very limited way, the abuse of power by the government. However, because their power was mainly moral and not political, they failed to democratize the country. On the other hand, the mass-based organization such as the political parties, labour unions, peasant organizations, etc., were not able to do much, because they were under heavy political pressure by the government. The government did not give them any chance to become independent, free from state intervention.

So, what is the role of these public intellectuals and the NGOs in creating a democratic governance? From the above description it is clear that they do not have sufficient power to stop the government into becoming authoritarian. However, they succeeded in creating a strong public opinion, albeit repressed, that this authoritarian government was not the solution but the problem of their

miseries, and that this government could not go on. When the time was ripened in 1998, like the water that came very powerfully when the floodgate was opened, the flood of democratic forces was suddenly rushed out. Suharto could not stop it anymore, and since then, the possibility to create a democratic governance emerged as an option.

The Habibie Administration (1998 – 1999): Transitional Government with a Weak President

Suharto was forced to resign on 21 May, 1998, after the people power (mainly in Jakarta and other big cities in Java) led by the students went to the streets to demand his resignation. As could be expected, political parties only joined in at the later stage when it had been obvious that Suharto had lost his previous support. At that time the Indonesian economy was in turmoil as the result of the 1997 Asian Economic Crisis, and Suharto was still stubborn in defending his family business interests by refusing to implement the IMF/World Bank recommendation for economic recovery, which could damage his family business interest. Then everybody realized, including the military, that Suharto was part of the problem, not the solution. It was time to abandon this old man who had been in power for more than 30 years.

Together with the removal of Suharto, a strong civil society started to emerge. Following the constitution albeit against the people's will, Habibie, who had been the vice-president of Suharto, became the president. However, since he had been a loyal follower of Suharto, people

accepted him only as a transitional president whose sole duty was to conduct a democratic general election as soon as possible. This election was then prepared and was conducted in June 1999, over a year after Habibie was appointed president.

Habibie, because of his lack of political legitimacy, was a weak president. He did not dare to oppose whatever people (represented by the students and the public intellectuals who expressed their opinions through the media) wanted from him. In this sense, his government was a democratic one. He gave in to the demand of the people as much as possible. Only when the demand would be damaging seriously his interest, he then tried to resist it. He did this in a non-confronting way, by responding to the demand symbolically. For instance in responding to the pressure to trial Suharto, Habibie only set-up a committee for this trial, but this committee never concretely put Suharto on trial. The reason for this inaction was not only that he was still loyal to Suharto, but also this trial might take him into trouble also because he had been an important part of the Suharto regime for many years.

The same with the campaign on the eradication of corruption. No concrete step has been taken substantially. Again, the reason was that Habibie was part of the corrupt regime of Suharto. More seriously, when Suharto stepped down, the government bureaucracy was still occupied by the people loyal to Suharto and were involved in the corrupt practices of the regime. Therefore, albeit the pressure of the civil society utilizing the free media,

no concrete substantial results could be seen in the horizon.

However, when Habibie was pressured to free the media, he complied. Media did not need any licence anymore, there was no censorship and the government never banned anymore any critical media. It was impossible for Habibie to oppose the strong demand of the civil society to have its free media. Another case to be mentioned is when the government refused to admit, and to apologize to the rape victims during the anti-Chinese riots in Jakarta in May 1998. The government did not want to admit that such things had happened, because there had been no victims reported that to the police. Some NGOs, especially the feminist ones, and some public intellectuals, came to Habibie and put pressure to the president. At last Habibie visited and talked to the Chinese victims whose stores and offices were destroyed, and made a public apology. This is a case in which, under the pressure of the forces within the civil society (in this case, the NGOs and some public intellectuals), the government did comply.

In spite of not having political legitimacy, the Habibie government continued to rule. At that time, people concentrated more on the coming election in 1999, therefore they did not bother to remove Habibie from the presidency, although this government never concretely carried out their substantial demands. It was believed then, a change of government would create more problems than it solves. It was better to wait for the election, which many people believed and expected would give them a legitimate

and effective democratic government. Habibie administration was perceived and accepted as a transitional government whose main function was to prepare for a general election.

To sum up, under Habibie, a democratic government, in the sense that it had substantial participation of the civil society in making public policies, did emerge. However, not very much was achieved in creating good governance. Corruption was still rampant, corrupt officials from the past regime were still at large, rule of law was still difficult to be implemented. The main positive achievement was the birth of a free media, and the coming of a democratic election.⁴) Civil society's actors were mainly the students, the intellectuals who expressed their opinions through the free media, and the political parties that were regaining their self confidence after being repressed for more than three decades. However, since the parliament has no real power (because it was still the old parliament that had lost most of its legitimacy), these increasing powerful political parties did not have political vehicle to pressure the government. Having no legitimacy also, Habibie simply did not dare to oppose the pressure of the civil society, at least openly.

The Presidency of Abdurrahman Wahid (1999 – 2001): A Strong Parliament with an Erratic President

Abdurrahman Wahid, known as Gus Dur, was the fourth president of Indonesia, but the first democratically elected president. Unlike Gus Dur, Sukarno, Suharto and Habibie were not elected by a democratically elected

parliament. Having this political legitimacy, would he then become the strongest president of the country? Gus Dur was a strong president due to two things. First, he had been a leader with strong personality and clear political vision, in spite of his erratic behaviour. Second, as president elect, he had a strong political legitimacy.

However, unlike Habibie, Gus Dur had to operate vis-à-vis a strong legitimate parliament. The parliament was the political vehicle for the suddenly strong political parties. As the result, during this period, two strong political institutions emerged: the presidency and the parliament. What would be the result? In order to answer this question, we have to go back to our previous statement which said that in a democratic country, the quality of the state/government depended much on the quality of the civil society. This was due to the fact that in a democratic country, the government had to work closely with the interests of the dominant socio-political groups in the respective civil society. After the 1999 election, the strongest actor representing the civil society was the parliament, that was controlled by the political parties. Let us look closely to these political parties that dominated parliament.

Before 1998, under the Suharto regime, the people who held their ideals and kept their personal integrity mostly distanced themselves from political parties. They worked as intellectuals, or in the NGOs, or simply refrained from political life. People who joined political parties were mostly opportunists, looking for social and economic benefits they could get (for instance if they were elected as

members of parliament), because they knew very well they could not influence the government.⁵) However, it is not an exaggeration to say that people in the political parties under Suharto regime were mostly fellow travellers looking for opportunities to benefit themselves.

The allergy of the intellectuals and NGOs leaders towards political parties were carried on during the Reformation period, the period after the fall of Suharto. Prior to the 1999 general election, when it was possible to set-up new parties, these people did not join in. Although almost a hundred parties suddenly emerged and participated in the election, hardly we could see well known intellectuals joined the parties. Parties were basically left to the people who were looking profits from these new enterprises.

These were the political parties that controlled the parliament. Now let us look closely to the figure of the president: Gus Dur! After the general election, the centre of power shifted to the parliament. It was the one that elected the coming president. With about 34% of the votes, Megawati's party, the PDI-P, was the winner of the election. However, this party was not fast enough to create a coalition, so it was by passed by a coalition of Moslem parties that succeeded in electing Gus Dur as president.⁶) (On the unexpected election of Gus Dur as president, see Kingsbury, 2002: 252-254)

Gus Dur was an erratic president. He almost had no skill in political management. Rather than distributing benefits to the Moslem parties that had supported him to become the president,

he went on his way to realize what he thought was good. Gus Dur did have good ideas. His first action was to dismiss General Wiranto from his cabinet, albeit the general had supported him for the presidency. Gus Dur was thinking then that to restore democracy, he had to marginalize the military. However, since the military was still important in dealing with the chaotic political transition of the country, Gus Dur's action was perceived by many people as not tactful.

Later on, Gus Dur committed the same mistake to the political parties. The Moslem political parties did expect Gus Dur to somehow accommodate their political agenda. However, Gus Dur ignored them. He irritated the Moslem parties by making a strong statement that Indonesia would establish a diplomatic relationship with Israel. His erratic behaviour brought him into sacking some popular ministers from his cabinet, making some unnecessary public comments, kept going abroad while there were some problems in the country, etc. (On Gus Dur's performance as president, see Budiman, 2001)

Very soon, he was isolated and later on, in July 2001, he was impeached by the parliament and removed from the presidency. These two institutions, the presidency and the parliament, could not work together during this period. Gus Dur was an example of a president in a democratic country who failed to accommodate the interests of (the leaders) of the political parties.⁷ Regardless of whether his ideas were good or bad, he failed to maintain his power and

carried out his political program which he claimed as populist.

Outside his own party (the PKB) and religious organization (the Nahdatul Ulama), Gus Dur was more popular among some intellectuals, student groups and NGOs. However, the power to remove him is in the hands of the parliament, in which his party is only a minority, which got only 13% of the votes in the 1999 election. Among the general population, he was fairly popular also. The media gave a critical support for him, which unfortunately was perceived by Gus Dur and his men as being hostile and opposing him.⁸ It is not easy to evaluate the support of civil society to Gus Dur presidency. What is sure is that the political parties' leaders did not like him, especially those of the Moslem that had played the key role in making him a president.

What do we get from this situation? There was democracy in the sense the power of the civil society (namely political parties) was stronger than the government. The president kept denying pressures come from political parties through the parliament, until it culminated into removing him from his power. So, the role of civil society was very substantial vis-à-vis the government. Is this good for the entire society? From the above description, the answer tends to be negative. The government and the parliament failed to work together productively. Partly because the president was erratic, did not have the skill in political management, partly also because most of the parliament members were protecting their personal interests so they failed to support some government good

policies, for example in combating corruption. During that time, almost nothing did work.

Gus Dur was impeached by the parliament in late July, 2001. Following the constitution, his vice-president, Megawati Sukarnoputri with whom he did not cooperate well, succeeded him and became the new president.

Megawati: The First Woman President (2001 – Present)

Megawati is known as the quiet president. She keeps silent most of the time. She doesn't deal with media quite well. Even when there was a crisis, she tended not to say or do anything, until the crisis went away. Some people do think that she does not have any political concept, nor political vision. She simply becomes president because she is the daughter of the great Sukarno, whom many common Indonesians worship.

In 2001, when parliament was fed up with Gus Dur, Megawati became its heroine. Even the Moslem parties, that had denied her based on the Islamic principle that woman was not allowed to be the leader of men, agreed to support Megawati as the next president. Some even made a promise not to do anything against Megawati until the next election in 2004. It is proper to say that the mood at that time was "as long as it is not Gus Dur, other reasonable replacement will be alright." Megawati was considered then as this "reasonable replacement."

During the formation of her cabinet, she did listen to the leaders of political parties that had supported her, as well as the economic technocrats

that she trusted. The result was she got a reasonably good cabinet. She also moved closer to the military, at least by not shaking this institution too much albeit there were still many close-to-Suharto generals holding some strategic positions. Even the general who had a very bad human rights violation record, and who led the attack against her party in 1994, has been left untouched in his strategic position as the governor of Jakarta.⁹) Megawati leaves the status-quo in tact, by her no-action and no-talk style of leadership.

However, after the noisy and turmoil style of Gus Dur's leadership, the people seem to welcome Megawati because she has succeeded in giving them a calm and quiet time, albeit without a sense of direction. Except for the routine things, the government only takes some action if it is pushed very hard. For instance, after a strong pressure by the U.S. government to take action against some alleged Moslem terrorist organization, suddenly Jafar Umar Thalib, the leader of Laskar Jihad, a Moslem paramilitary group that has fought against the Christians in the Molucca islands, was arrested in May 2002. On the other hand, Megawati administration has played deaf in dealing with the corruption case of Akbar Tanjung, the head of Golkar and the speaker of parliament.¹⁰)

So, is Megawati administration a democratic and good governance? Like Gus Dur, Megawati seems to be not too sensitive to pressure from the civil society. Her non-action attitude tends to play deaf to this pressure. However, unlike Gus Dur, she doesn't seem to have any concept or vision on what she

is doing. She always prefers to maintain the existing status-quo, never wants to rock the boat and only doing the routine things. Only when she is pushed very hard and very strongly, like in the case of Laskar Jihad, she then makes a move. This doesn't happen very often.

Control coming from the political parties is weak, because PDI-P, Megawati's party is the winner of the last election in 1999.¹¹) To oppose the government effectively, the other parties have to work together, which is unlikely to happen. Especially because up till now PDI-P has worked closely with Golkar and the military (who has a significant number of seats in the parliament), and to a certain extent with the Moslem party PPP (the head of PPP is the present vice-president). These three parties consist of 67.36% of the total votes in the 1999 election, without counting the military. Albeit not fully, Megawati's administration can, more or less, control both political parties and hence parliament. In this sense, PDI-P, Golkar and the military act as a political oligarchy.

In this situation, the NGOs and public intellectuals are both marginal players. Some public intellectuals and the students have appeared in the media calling the government to act against corruption, and put the people involved in it on trial. NGOs such as the ICW (Indonesian Corruption Watch), IGW (Indonesian Government Watch), and YLBHI (Legal Aid Foundation) have done the same thing, together by providing the media with some data. This group of people have been very active in pushing a change to the present situation, without any significant result. After the 1999

election, these civil society actors can only play in the margin, because they do not have any official position. They only act as moral forces.

It is true that, unlike Suharto, Megawati does not stop them voicing their different opinions and expressing their strong criticism against the government. However, their voices and criticisms can't produce concrete results. They may create public opinion to a certain extent, but then the government's response is by not paying attention. So, nothing happens, at least not immediately. In the long run, dissatisfaction may be piling up, the image of the government may be damaged, and in the coming election of 2004, PDI-P may be defeated. But in the short run, nothing is happening.

Therefore, Megawati administration for sure is not authoritarian, but she is not democratic either, if by democratic we mean it is responsive to the criticism voiced by the civil society. She doesn't give a good result, but her performance is not bad either, especially in providing the people with some kind of social order. The economy is not improving rapidly, but it is not deteriorating either. Everything seems to be floating, it doesn't go up and it doesn't go down, at least up till now. It is a very mediocre government. It is not erratic like Gus Dur's administration. After the great tempest of a bumpy process of transition to democracy, people start to think that this may be the thing that can be realistically achieved, and therefore, maybe this is the best situation the Indonesian can get at this moment.

CONCLUSION

This paper discussed the role of civil society in bringing about a democratic governance in Indonesia after the fall of Suharto in 1998. By democratic governance, it is meant not only the process of decision making of the government (in the sense that the creation of public policies have to be negotiated with the forces of the civil society), but also the result is good (meaning that public policies produce justice, including economic justice, to the majority of the people). It is assumed here, a democratic government does not necessarily bringing justice to the people, because it could become a "bourgeois democracy" in which an oligarchy of elites rules.

The main actors of civil society in the Indonesian context discussed here are the political parties, NGOs and public intellectuals. These actors' influence to the state differs from regime to regime. It is argued here, under Suharto, it was the NGOs and the public intellectuals that play the relatively important role in controlling the government. However, their influence was very limited.

After Suharto, we can divide two periods of time: before and after the 1999 general election. Before the 1999 election, it was Habibie who was the head of the state. During this time, the NGOs and the public intellectuals played a very important albeit limited role. Their influence was even greater than before under Suharto administration. This was because, Habibie as an ex loyal follower of Suharto, did not have political legitimacy, therefore he was a very

weak president. At that time also, the political parties had yet to consolidate their power. The parliament was also weak, because it was still the old parliament produced by a manipulated 1998 election by Suharto, so it also had no political legitimacy. A democratic government, "controlled" mainly by the NGOs and public intellectuals, did emerge, with some substantial results, such as the lifting of media censorship.

After the 1999 general election, the political parties ruled. They have consolidated their power, and they rebuilt the parliament. They let any government know that since then on they are the master. This situation created many difficulties during Gus Dur's presidency. Gus Dur has a strong character, and he was a legitimate president elected democratically. Indonesia was ruled for more than thirty years by a very strong state under Suharto, in which parliament practically had no role. The government was always strong and powerful. So, still influence by this long tradition, albeit he himself was a democratic leader, it was not easy for president Gus Dur to give up just like that to the parliament. During that time, both the government and parliament were looking for the right political format to operate effectively. The result was a quite chaotic political life during that time, added also by Gus Dur notorious erratic behaviour. Gus Dur was then removed from office. 12)

Megawati came as a fresh wind that cool down the political temperature. She too had to face a strong parliament. However, since her party, the PDI-P, has a relative majority in the parliament, the hostility

against her could be more under her control. Rather than confronting parliament, Megawati seemed to embrace them and tried to work together. It would be right if people say Megawati has developed an oligarchic state in which the government and the existing political parties kept a status quo to protect their common interests, namely to remain I power. 13) Megawati's personality who prefers to always be quiet most of the time, have helped to cool down the previously turmoil political life.

So, after the 1999 general election, democracy has come back to Indonesia, in the sense that political parties through parliament can influence and control the government. However, in term of a good result, it is yet to come. This is due to the fact that the quality of the political parties, is still at best very doubtful. At the same time, Megawati capacity in term of her political vision, is also at best very doubtful. The result of this kind of political arrangement has been so far accepted by the people, however, because at least they can take a rest and having a relatively quiet political life.

Notes:

- 1) Marx and other classical Marxists believe that a socialist society can only be achieved through a violent revolution, because the dominant capitalist class will not surrender its lucrative position voluntarily in a peaceful way. The neo-Marxists, starting from what is called as Euro-Communist movement in the 1970s believe that in the modern world, socialism has to be achieved through a democratic way. Preaching violent revolution will turn people away and alienate the Socialist movement.
- 2) The existing political parties had to merged into three parties allowed to exist by the

government: Golkar (Golongan Karya), the government and military backed party; PPP (Partai Persatuan Pembangunan), the Moslem party, and PDI (Partai Demokrasi Indonesia), the nationalist party.

- 3) Later on when Suharto regime got very corrupt and authoritarian, people who express their criticism were arrested in the name of "maintaining political stability."
- 4) The last democratic election was conducted in 1955. After that in 1959, Sukarno declared that Indonesia adopted a "guided democracy" system, in which no election was conducted. (Feith, 1962) The next several elections starting in 1971 under Suharto were manipulated elections. So, the 1999 election was the second democratic election this country has ever known since its birth in 1945. (Blackburn, 1999)
- 5) It has to be noted also that they were some idealists also who joined the party. They were prepared to work hard to change the party, and subsequently the government policies. Kwik Kian Gie from the PDI was an example of such person, who joined he party in the 1990s. He had been known as a man of integrity, very honest, and now he is the Head of the National Economic Planning Board in the present Megawati administration.
- 6) Gus Dur is a Moslem cleric whose ideas are very progressive and modern. He was then accepted by the Moslem parties as well as the non-Moslem, because of his pluralistic attitude towards the non-Moslem people. The Moslem parties were upset that a non-pious-Moslem woman (Megawati is a Moslem) would become the president in a largest Moslem country in the world, so they tried to stop Megawati. They would have preferred other Moslem leader as president if possible, because Gus Dur with his progressive ideas was not a man of their taste. However, a Moslem president was much better for them, with the expectation that Gus Dur, owing his presidency from the Moslem parties, would give them what they expected to get.
- 7) Gus Dur kept claiming that he was acting based on the interest of the common people, who was the silent majority. He kept denying that the interests of (the leaders of)

- the political parties were similar to those of the people. However, since power rested in the hands of political parties embodied in parliament, and also because the military was on the side of the parliament, Gus Dur was too weak to win the political battle.
- 8) This is also another problem with Gus Dur. In his Islamic organization Nahdatul Ulama, Gus Dur has an unconditional support. He has been even perceived as a "wali." Among his followers, he is perceived as something like a saint that has superhuman power and therefore has to be supported because he is always right. (See Greg Fealy, 2001: 5-14) As the Indonesian president, a modern leader in a modern country and modern world, the media has treated him differently. Gus Dur, not being able to transform himself from a traditional leader to a modern one, failed to realize this. So, he perceived the media of being hostile to him because of their criticism.
 - 9) According to George Adicondro, an Indonesian public intellectual, now teaching in an Australian university in an interview with Australian television SBS on 18 July 2001, the fact that General Sutiyoso is still holding his position as governor of Jakarta could be explained because he has been a friend of Megawati's husband, Taufik Kiemas. Kiemas is known as a political and business broker for his wife. Kiemas needs General Sutiyoso to smoothen his big business deal in Jakarta.
 - 10) Megawati needs the support of Golkar to stay in power. The need has become less after Megawati moves closer to the military. However, in the case of Akbar Tanjung, the present head of Golkar, Megawati seems to back him up. It is quite clear that Tanjung was involved in a corruption practice when he was working under Suharto. When the parliament wanted to set-up a commission to examine this case, Megawati gave a signal to her party not to support this move. As the party that controls the biggest number of seats in parliament, without this party support, the motion can't take off the ground. Tanjung is also a good friend of Taufik Kiemas, the president's husband.
 - 11) The four parties that got more than 10% votes in the 1999 election were: PDI-P (33.98%), Golkar (22.60%), PKB (12.69%) and PPP (10.78%). (Budiman, 1999b: 13)
 - 12) Gus Dur failed to get the support of the military. This was due to the fact that Gus Dur did not really have the skill in managing politics. He was more a moral leader rather than a political one, he acted based on what he thought was right or wrong without really calculating his own political strength before taking the action. During the crucial battle between the president and the parliament, the military was taking the side of the parliament and without the military support, Gus Dur could not use his constitutional power to dissolve the parliament.
 - 13) Including the interest of the people who previously joined the Suharto's administration. These people were represented by Golkar. Many of them were involved in corruption, including Suharto himself and his family. To keep the status quo, to create political stability, Megawati does not seem to be interested in stepping into this sensitive area also, in spite this is the mission of the Reformation Movement.

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