

IN SEARCHING THE ROAD TO QUALITY OF DEMOCRACY TEN YEARS INDONESIAN PERSPECTIVE (1999-2009)

By: Nikolas Simanjuntak¹

Email: nsplaw@ yahoo.com; M.P. +62 811988612

Reflecting on the circle down effects made by Indonesian multi-crisis during 1997-1998, it should reach the edge, at the recent 2009 general election for Indonesian Parliament members and the Presidential seat. The road to quality of democracy, thence, is going on to be achieved. Such kind of expectation, is properly being laid down the good track on Indonesian perspective conferring to the current socio-political situation?

1. Democracy Implication during the General Election

The system of general election nowadays in Indonesia might be the most unique one implemented along the world. It's nearly all the systems being in practice every five years period. *District* system is integrated within the *proportional* system of election for national and local parliament members. *Direct* election by the whole citizens is implemented for Presidential seat and the Governor of regional Province as well as the Head of County and Major. Since Indonesia comprises of 33 Provinces and about 450 Counties and Major local authorities, you may imagine, therefore nearly every day general election is in practice on the whole area of Indonesia, which consisting of 17000 islands (large and small) at the similar long distance from London to Teheran in west and eastern area. You may imagine too, on the socio-cultural perspective there is only one *Bahasa* Indonesia as an official language, of course, but there are about 250 local dialects surrounding 300 regional tribes/clans. On those various conditions of context, the 2009 general election was implemented with many implications to the quality of democracy. However, there is the road of *democracy in procedure* with the rest of it to be done.

As for instance, the implicated end-result of the newly election process of 2009 in Indonesia may still emerge. There is the rest within electoral complaints and the frauds due to disfranchisement of the millions voters rights. But anyhow, power gesture has shown the feeling that complicated rest will be evenly neglected during the days ahead. Even though two of the President Candidates (Megawati having about 27% voters and Jusuf Kalla, about 12%) with their supported Parties having not more than 40% cumulated voters will be going on to confront the final result of this presidential election process. But it is obvious to the observers, even before the commencement of the election, silent and intelligent movement has been cultivated for the **looser bashing**. The latest media news has informed a political signal of support from President Obama appraising the election in Indonesia with peaceful and good condition implementation. It means, again, will deny any quality of process made by complaints and frauds.

2. Switching the Moral Outrages?

¹ Nikolas Simanjuntak, 55 year, is professional Practical Lawyer since 1987, Lecturer since 1997 at Jakarta Atmajaya Catholic University on the subject for Human Rights, Legal Proceedings, and Alternative Dispute Resolution; former activist on several civil societies movement such as Indonesian Working Forum, Bhumiksara human values developments, ISKA as the active member of Pax Romana/ICMICA Indonesia, et., and since 2000 being the Expert Staff at the National Parliament on the function for legislation, government polciy controlling, and state budgeting.

Nevertheless, there has been a very significant development of democracy building in Indonesia nowadays. During the time being in the past, I was involved within this social movement since 1990s, and until now is being engaged in the battle of idea engineering and political discourses, formulating legal policy made, and consulting within decision makers surrounding the National Parliament and the relevance.

Formerly ten years ago, **civil disobedience** of ordinary people and students is one of the peak performance possessed by the grassroots movement towards the domination of military co-opt power under Soeharto regime. It has taken him successfully falling down from the Presidential seat on Thursday in May 21, 1998. That is precisely the celebration day of the Christ Ascent. It is still being fresh on the memory that several days before the latest general election in 1997 under Soeharto, there was a Lenten Pastoral Letter publicly published by Indonesian Bishop Conference. It contains the formulation for the recent situation conferring the multi-crisis emerging in Indonesia. And there was firmly stated that it is the outcome of moral outrages in all sectors with its paramount is the economic and socio-political crisis.

Along the last 32 years under Soeharto regime, as it is called *Orde Baru* i.e. New Order, **monolithic obedience** was dogmatized to the people in performing to only three goals i.e. **continuation** of the national leadership, economic **growth**, and stabilization of the **state security**. It was thereof implemented, that at least qualified three issues as real *common enemy* to the regime should be affronted by national force, i.e. *human rights*, *democratization*, and the *sustainable development* movements. Thence, social movement struggled only thru and by underground ways, collaborating with the students and non-governmental organizations to implement their activities against this dominated unseen power. The 1999 general election has ceased the situation and thereafter people trying their utmost to remove the whole undemocratic and the former monolithic power into newly way of national life, as it is nowadays called **reformation era**.

Having contribution confronting the unseen powerful domination during the past, many previous activists involved, establishing and/or joining political parties as well as other socio-political instruments in national leadership. They are ever since the floor leaders in government branches and parliaments circumstances. But how are they handling to switch previous moral outrages off the public sphere? Or, are they being the actors in the new ways of degradation to the morale of democracy? It may be simple to say, that the road to quality of democracy is being at stake on their current liability.

What are they doing? As for instance, until today, there had been produced many reformed and modified mindsets into newly concepts of legal political policies. The Indonesia Constitution of 1945 has been amended four times, especially in making the **human rights** become the **constitutional rights** ever since the year of 2000. Our national fundamental norms embedded historically in *Five Principles*, as it is called *Pancasila*, being maintained and then **unity of the State** is being retained. Separatist movement revolt is successfully denied. More than 300 Articles/Laws and relating regulations on national and regional level are promulgated. I am having been involved in consulting and assisting the Parliament members along the legal policy process for less or more than 50 Laws. Most of the new regulations made comprise human rights, democratization, decentralization to local autonomy, national economic mindset rebuilding with accountability and transparency in control, etc. But it has resistance to the main stream, since nowadays there at least 150 local regulations being contravened to the human rights and about hundreds of them being unhappy to the **investors**. Recent movement for **corruption eradication** and prevention has come into quite successfully role played ever since with vast magnitude effects made by the National Commission.

But, there are many public officials being threatened in suspect to be sentenced. Public control in criticizing is to be done for best efforts and best practices in all aspects.

3. The Legacy of Detrimental Effect?

Then, how are we trying to see the picturesque of today's Indonesian democracy? The former one lost generation of democracy development has shown to us significance **detrimental of legacy**. Complexity was emerged to define the streamlines of recent democracy development stages. It may be the rise of impetus as a unique impulse to the whole vast area of multi-cultural society and multi-stages of developments. Factually, Indonesia consists of some territorial areas and islands with a very fast growing society consuming the benefits of high technology and economic growth in various developments. Besides, there are some remote areas with lack of similar developments and benefits. Even, those are **illiterate**, living as poor peasant as inhabitants of boundary villages. They are the most, **more than half** of the whole people. In democracy of similarity and egalitarian perspective, as it is one person one vote, thence they should be the winner in possessing the power to hold by them. Is it in practice? Since in democracy practices, the smaller and fewer is **elite**. Thence they are the ruling class.

Such kind of exercise may be the way to read the development of Indonesian democracy in numeric figures of the election result. During the Soeharto's regime there was only three Political Groups, within the only *Golkar* Party always every five years won the general election more than 50%. And the final result of the election means the President should be Soeharto, and only he was. As soon as the falling down of Soeharto, thence the winner of general election in 1999 is Democratic Party for Struggle (*PDI Perjuangan*) under Megawati Soekarnoputri who collected about 35% voters. But the final result promoted by the political elite in National Parliaments is to render Presidential seat for Abdurrahman Wahid (Gus Dur) while he is, *pardon*, in physical handicap blind on eyes. The only rest of more than two years Presidential tenure is then given by political elite for Megawati as President until 2004.

In 2004 general election, Megawati and her Political Party, has unsuccessfully retain the power. While the winner is the Golkar Party of about 22% and the Megawati's Party had only less than 20%. Thence, by this first Presidential direct election, the people voters rendered their preference votes of around 60% for President Susilo Bambang Yudhoyono (SBY) who was previously the Minister of Megawati's Presidential tenure. The SBY's Party itself (Democratic Party) during the 2004 election only obtained around 8% people voters. More or less, the 2009 election reflects a quite similar phenomenon to the former symbolic political groups. But there is a phenomenal rising tendency to the winning stage of the SBY' Party from 8% in 2004 threw into around 22% on 2009 and it elevates Presidential seat to SBY by more than 50% voters in only one round election. [It is the conclusion of the Quick Count, not officially yet until today in writing].

During the beginning of reformation era and the whole 32 years era of Soeharto, it was deeply dogmatized that the very serious threatens of Indonesian state **unity is precariously endangered**. And it is the way to rationalize the militarism and monolithic power in publicly promoting the only *Golkar* as nationalistic Party as the winner. **Religious fundamentalism** and **separatists ethnic** is extensively socialized as being the common enemy. Nowadays during the reformation era it is has been leaved backwards and trying to create that **free market fundamentalism** as the political policy enemy confronted to '*the ordinary people economy*'. It was the focus campaign by the whole three President Candidates before the balloting day.

Anyhow, it is recently obvious in the program enhance publicly, that co-winners of legislative election by three Parties in Golkar, Democratic for Struggle (*PDI Perjuangan*) of Megawati, and Democratic Party of SBY and coalition mates having around 50% voters in 2009 are factually as the melting pot of the people followers in nationalism streamlines resources. Religious fundamentalism Parties, as PKS (Moslem) and PDS (Christians) and their running mates, has only not more than 15% voters.

4. From Ironic to New Generation Development of Democracy

But analyzing this above recent situation of Indonesian democracy comes to an **ironic development**. One of the ironic is why the three nationalism Political Groups compete by themselves for Presidential seat? And even Megawati's Party is looked alike always unhappy to collaborate with SBY Party, although they possess similarity in ideology. What is going on in nationalism political movements since there is no separatism endangered afterwards? What substance is arising in the question marks?

Considering along the way of the incumbent campaign concerning his success in government policy, it is looked like **beauty contest** in his gesture of the whole body language during the public adherence. **Political imaging** in styles and modern public relation method is firmly created to become **marketing politic**. Thence, political realm is factually becoming **political business industry**. It is in turn, the essence of politics is that materialism and money politics going on into practices along the vast lower level areas. Thence, the 50% more of the ordinary people as the poor is playing in practices on their own home ground. They are being stir on their own business as usual. The public sphere of political agenda in democracy faces the rich being the leader.

Many observers and intellectuals indicate such kind stage of democracy is being **formalistic democracy in procedure** without substantive inherent quality. It is democracy itself, again, to be at stake. Instead of (in my mind) it is an arising in **rationalization and demythologization of democracy** (in terms of old ages). New development in geographical and territorial nationalism is nowadays being on formulating by the new emerging generation. They are the youngster boys and girls born in 1970s. The moment and the sign of this age is being emerged. They prefer to leave the whole old ages symbols, terminologies, and jargons. They are **internets** and **laptops generations**, needing to refer their aspiration no more in the old age figures and patronages of former political system and way of styles. It is quite rational to them for no concern any more in the symptom era of Soekarno, as the founding father of Indonesia (in 1950s) as well as no to Soeharto era within communist endanger situation (in 1960s), as for instance.

It may be realistic to their concern in **new terms of trans-national** development of democracy, as it is implied to solve the complexity in problems of this age. Their new issues are being created into **new universal ideology**, which may be called such as democratization in plural **open society**, humanitarian and the public policy actions for income disparity, **millenium development goals** (MDGs), **human rights** and the gender equality rights, sustainability in **post-development** for all, **people to people international relationship**, and many others relevance correlating to such kind of issues.

It may be affronted also the similar international common enemy such called as fundamentalism in any primordial, traditional and **irrational behaving** as it is in fundamentalism of free market economy dominating the poor ordinary people's access

and resources. It may be the signs of hope for newly democracy development for the days ahead. ***