

DAFTAR ISI

Bureaucratic Reforms in Four Southeast Asia Countries <i>Prijono Tjiptoherijanto</i>	168-189
Changing Spaces and Border Regimes: A Central Borneo Trajectory of 'Globalisation' <i>Dave Lumenta</i>	190-202
From China to Indonesia and to Australia: Two Stories of Struggle for Acceptance <i>Dewi Anggraeni</i>	203-220
The Human Trafficking of Cambodian Women and Children for Sex Industry: Internal and External Case Study <i>Betti Rosita Sari</i>	221-236
Islam, Identitas dan Minoritas di Asia Tenggara <i>Ahmad Suaedy</i>	237-252
<i>Cyber Clash</i> di Dunia Maya: <i>Cyberwar</i> dan <i>Conflict Resolution</i> Indonesia-Malaysia <i>Syafuan Rozi</i>	253-276
Understanding the Interplay between the European Integration and Political and Policymaking Process <i>Faisal Nurdin Idris</i>	277-291

Bureaucratic Reforms in Four Southeast Asia Countries

Prijono Tjiptoherijanto

Abstrak

Tata pemerintahan yang baik merupakan masalah penting selama dua dekade terakhir. *Good governance* telah menjadi paradigma baru menggantikan paradigma lama dalam administrasi publik yang dikembangkan oleh Max Weber. Model konvensional seperti administrasi umum 'semua tentang pemerintah' telah ditinggalkan dan diganti dengan yang baru, yang melibatkan kerjasama dari tiga unsur: pemerintah, masyarakat sipil, dan sektor usaha. Tata pemerintahan yang baik terjadi tidak hanya ketika politisi yang jujur dan akuntabel, tetapi juga ketika pegawai negeri sipil yang efisien dan produktif. Sejak awal, kualitas pemerintahan telah sebagian besar tergantung pada kualitas orang yang menjalankannya. Sayangnya, reputasi pejabat publik berbicara untuk dirinya sendiri di hampir negara-negara berkembang dengan tidak terkecuali di negara-negara Asia Tenggara. Ada persepsi umum bahwa birokrasi di negara-negara yang sebagian besar masih tidak efisien dan korup. Tulisan yang mengambil kasus di empat negara Asia Tenggara ini akan mengungkapkan situasi yang sebenarnya dari kualitas dan perilaku pegawai negeri sipil di negara-negara tersebut.

The true bureaucrat is a man of really remarkable talents. He writes a kind of English that is unknown elsewhere in the world, and he has an almost infinite capacity for forming complicated and unworkable rules".
(Henry Mencken; 1930).

Introduction: Why "Good Governance"?

Good governance entail sound public sector management (efficiency, effectiveness and economy) accountability, exchange and free flow of

information (transparency) and a legal framework for development (justice, respect for human rights and liberty) (World Bank, 1993). There is strong tendency among the international aid community to equate governance within the ambit of state institution and structures with an emphasis on corruption, transparency, participation and rule of law. The World Bank, as a major international donor, has constructed an index for “government effectiveness” composing the quality of public bureaucracy, policy making, and service delivery as index of six elements of a measure of governance.¹ When government effectiveness was tested against data from 175 countries, the analysis confirmed that government effectiveness contributed to higher national income (Kauffman, 2003)

Based on the World Bank’s index, the quality of governance in selected countries in Asia can be seen in Table 1 below. Any analysis of good governance would remain incomplete without acknowledge the prominent role of Washington Consensus ². In fact, good governance agenda is deeply embedded in the Washington Consensus.

Table 1. Quality of Governance in Selected Asian Countries

No	Country	Quality Index	Governance Quality
1.	Singapore	65	Good
2.	Japan	63	
3.	Malaysia	58	
4.	Republic of Korea	57	
5.	Sri Lanka	45	Fair
6.	Philippines	44	
7.	India	43	
8.	Thailand	43	
9.	China	39	Poor
10.	Indonesia	38	
11.	Nepal	36	
12.	Pakistan	34	

Source: Adapted from Table 2.1 of Jeff Hunter and Anwar Shah, 1998

-
- 1 The complete six indicators are: (1) Voice and Accountability; (2) Political Stability; (3) Government Effectiveness; (4) Regulatory Quality; (5) Rule of Law; and (6) Control of Corruption. See, Daniel Kauffman, Aart Kray, and Massimo Masturizzi, 2003, “Government Matters III : Government Indicator for 1996-2002 “, World Bank Policy Research Working Paper 3106, Washington D.C. Paper and data available at <http://www.worldbank.org/wb1/governance/govdata2002/index.html>.
 - 2 The term “Washington Consensus” was first coined by the US economist John Williamson to refer to policy package pushed by the powerful Washington-based institution, namely, the World Bank, IMF, the US Treasury and neoliberal think-tanks. Initially aimed at Latin American countries in the 1980’s, Washington Consensus was subsequently extended to the rest of the developing world. The important components of the Washington Consensus were fiscal discipline, trade liberalization, tax reforms, liberalization of foreign investment regime, privatization, deregulation, financial liberalization and capital account liberalization, market based exchange rate, labor reforms, and protection of property rights.

Combating Corruption and Local Governance*)

The good governance agenda places special emphasis on anticorruption measures. In Malaysia, for example, some of the corruption practices involved civil servants. In 1998 for example, among 300 cases reported by the Anti Corruption Agency (ACA) 186 cases, or 64 percent, involved civil servants.³ However, Malaysia is considered better than other Asian countries if bribing is the indicator of the corrupt practices among bureaucrat personnel. Table 2 summarized the situation in the Asia-Pacific Countries.

Table 2. Respondent who paid a bribe to obtain services in Selected Asia Pacific Countries, 2007

Ranking	Country/Territory	Percentage of respondents who paid a bribe
7	Japan	1%
8	Korea South	1%
18	Hong Kong	3%
23	Malaysia	6%
33	India	25%
40	Indonesia	31%
41	Philippines	32%
46	Pakistan	44%
49	Cambodia	72%
57	Singapore	*
58	Thailand	*

Note: *) Due to problems with data, result for Singapore and Thailand could not be used.

Source: Transparency International Global Corruption Barometer 2007. Percentage are weighted and calculated for respondents who came in contact with services.

The exclusive focus on corruption in public offices and institutions might fail to chronicle the large scale corruption practices carried out by private individuals and corporations. The involvement of western banks and transnational corporations in many corrupt deals in the poor and developing world is well documented. The extent of corrupt practice involving transnational corporation is so huge that during 1994-2001, the US government received reports of 400 International contracts worth US.\$200 billion that involved bribery (Kavaljit Singh, 2005).

Decentralization and local self-government constitute another important component of current governance agenda where reforms have

³ *New Strait Times*, 4 June 1999; daily newspaper in Malaysia

*) This a secondary data analysis research project which is mainly depend on published materials and deep interviewed with key persons, mostly from the government, in the respected countries studied.

been introduced in order to reduce poverty and achieve higher economic growth. Another dimension of good governance pertains to fostering popular participation. Hence, many goals are sets to make government close to public. In other popular words it is called “public-private partnership”. However the society as well as the international donor agencies also has different views on good governance. The summary of different perceptions on the good governance’s target is summarized in Table 3 below.

Table 3. The Importance of “Good Governance” Practices as seen from Different Views

Government/Formal Institution Perceptions	Community/Civil Society Hopes	International Organization/Financial Institution Demands
1. Combating Corruption	1. Better quality of life	1. Downsizing bureaucracy
2. Transparency	2. Equitable distribution of wealth, income and natural resources	2. Privatization of the state-owned companies (SOE)
3. Accountability	3. Full employment	3. Deregulations
4. Participation in decision making process	4. Better access to housing, health and education	4. Decentralization and encouraging local self-governance
5. Rule of Law	5. Restraining privileges of elite in politics as well as in wealth	5. Respecting human and property rights

Source: Compiled from many sources and field by the Author.

The above explanation does not mean that there are differences among three actors in the implementation of the “good governance” agenda. It is only to show the degree of importance of the so many goals and objectives involved in the practice of good governance which is sometimes considered as the “second generation reforms” to ensure smooth development of market economy.⁴

As consequent of this kind of reforms, promotion of good governance has become an integral part of the emergent global economic order. Since, this reform mainly deals with institutional and political reforms. The public service reform, and more specific “a civil service reform”, is the main pillar for a good governance practices, especially for the developing world.

4 The “Second Generation Reforms” refers to re-designing the state and institutions, while the “First Generation Reforms” mostly concerns with economic reforms to cope with globalization process. All of these reforms are in accordance with the “Washington Consensus” discussed earlier.

Malaysia: Vision 2020 through Malaysia Incorporated

Early efforts at administrative reform in Malaysia began in the 1960's. The government saw the need to improve the administrative machinery in order to carry out various socio-economy development programs as well as the increased responsibilities since independence in 1957 which were no longer confined to law and order. Consequently, there was a need to ensure that the public sector agencies had the capability and capacity to carry out their responsibilities effectively. The emphasis at the point was on effective institutional development to support development planning as well as the implementation. Thus, in 1965 the government with assistance of the Ford Foundation obtained the service of two-man team consultants to undertake a review of public administration and to suggest reform and innovation.

The recommendation of those two consultants which was known as the Montgomery Esman Report ⁵ led to the establishment of the Development Administration Unit (DAU). The DAU was entrusted with the responsibility for planning and guiding the reform efforts in the public service. It was instrumental in laying the foundation for public sector training policies and program while providing the focus for overall administrative and personnel developments.

The decade ended with a sour and tragic note with outbreak of the ethnic hostility on May 13, 1969. It became a watershed in the country's history. The government decided, after a great deal of study and interethnic consultancies, that to prevent the recurrence of another May 13⁶, the economic disparity between the Malays and non-Malays should be bridged. It is formulated and launched with the New Economic Policy (NEP), as a master policy for socio-economic development, in 1971, with the two-fold aims and that was to eradicate poverty irrespective of ethnic origin and restructured the Malaysian society in order to erase ethnic identification with their economic function. The establishment of the National Institute of Public Administration (INTAN) IN 1972 AND The Malaysian Administrative Modernization and Management Planning Unit (MAMPU) in 1977 were the main stone of administrative reform in the 1970's. While INTAN was set to replace the then Staff Training Center, MAMPU is put inside the Prime Minister's Department.

5 John Montgomery and Milton J. Esman, *Development Administration in Malaysia: Report to the Government of Malaysia* (Kuala Lumpur, Government Printer, 1966)

6 In November 25, 2007, Indians who make up less than 10 percent of the population of about 26 million in Malaysia and are disproportionately poor, led a protest march through Kuala Lumpur, the first large-scale ethnically motivated street demonstration in almost four decades since May 13, 1969. The police broke-up the demonstration with water canon and tear gas and arrested five representatives of a group called the Hindu Rights Action Force or HINDRAF, which led the protest. The five men are being held indefinitely and without trial under a Malaysian's International Security Law (ISA).

In the decade of 1980's, more program-oriented reform efforts were introduced. One and the most important of them was the launching of the Malaysian Incorporated in 1983.⁷ It was mooted at a time when the country was flush with the bold ideas of dynamic and invigorated new administration that was really to break from the mores of the old. The essence of Malaysia Incorporated was that the country would be run a single business corporation, with the private sector following its growth and expansion, and the public sector providing the all important support vital for the success of the corporation.

The Malaysian Incorporated was the realization of the Look East Policy which was introduced in 1982. The main objective of this policy was to promote the adoption of work culture, ethics and values from Japan and Korea. It is a known fact that Japan and Korea's work culture have contributed significantly to their economic success. Indeed, it was a time to looking east, rediscovering Eastern values and work ethics in order to push for quality improvement on all fronts of the public sectors to provide better services to the community.

Another significant reform was the Privatization Policy which was also introduced in 1983. Privatizations are a policy of allowing private sectors to manage service formally run by the government. The policy is contrary to nationalism in which government takes over the running businesses. This policy was in keeping with a shift in the role of the public sector from "rowing" to "steering" which become a new paradigm for the governmental bureaucracy in the early 1980's.

The launch of the VISION 2020, by the Prime Minister Mahathir Mohamad in conjunction with the launching of the Malaysian Business Council (MBC) in 1991, is generally seen as the starting point of a concerted and focused reform program for the 1990's. VISION 2020 is a statement of a goal for MALAYSIA to pursue in order to attain a developed nation status by 2020. It outlined challenges of changing political, economic and social scenario, both national and internationally to meet and to overcome basic challenges brought by the globalization era⁸

The decade of the 1990's also began with the government declaring October 31 as Civil Service Day or *Hari Q* (Quality Day). The objective is to reinforce values of quality culture in an organization. "Q Day" is celebrated

7 Malaysian Incorporated was inspired by the Japanese notion of "coordinated interdependence", a key ingredient of the famed Japanese teamwork, collective pride and high achievement.

8 VISION 2020 is best elucidated by Dato Seri Mahathir Mohamad then the Prime Minister of Malaysia, as follows: "By the year 2020, Malaysia can be united nation, with a confident Malaysian society, infused by strong moral and ethical values, living in a society that is democratic, liberal and tolerant, caring, economically just and equitable, progressive and prosperous, and in full possession of an economy that is competitive, dynamic, robust, and resilient "from" *Malaysia-Melangkah ke Hadapan* (Malaysia: Moving Forward)" a working paper delivered at the launching of Malaysia Business Council (MBC), February, 1991.

by holding “Open Day” talks on quality and other activities relating to productivity and quality of work in organization. In conjunction with *Hari Q*, the government launched national quality awards to give recognition to agencies for quality achievement. The awards are: (a) Prime Minister’s Quality Award (Public Sector); (b) Chief Secretary to the Government (KSN) Quality Award; (c) Director General of Public Service (KPPA) Quality Award; (d) Director General of MAMPU Quality Award; (e) District Office Quality Award; (f) Local Authority Quality Award; and (g) Human Resources Management Award. In addition, the government also introduced the Civil Service Innovation Award from 1991 followed by the Public and Private Sector Joint Research Innovation Award from 1993.

The introduction of the Client’s Charter in 1993 also helped to set the stage for more predictive standards of service delivery to private sector. The Charters have also become a focal point for the critical evaluation of an agency’s performance by the private sector. This was so, since the Client’s Charter is written commitment made by all government agencies with regard to delivering of services to their customer. It is essentially a declaration made by the civil service that services provided would comply with the declared quality standards, which is conformance with the expectation of public. Quality service would therefore include all counter services at government department as well. Furthermore, the public service embarked on the implementation of MS ISO 9000 in 1996 as a direct challenge to the needs of the private sector. The objective of implementing MS ISO 9000 is to develop an efficient and effective quality management system in order to provide the best service to the public. The implementation of MS ISO 9000 is also in relation to other major reform namely the implementation of Electronic Government (EG) and E-Public Service. E-Government is becoming a permanent feature of the public service as well as how it delivers service to the people of Malaysia. While E-Public Service, or E-PS, is one of the five thrusts to build a society infused with an IT-culture (information technology culture). The other thrust areas are E-Economy, E-Learning, E-Community and E-Sovereignty. The E-PS implementation plan will adhere to its motto: “Online, anytime, anywhere”.

Under quality management, since the introduction of MS ISO 9000 and E-PS, the public service also put in place for managing public complaints and grievances speedily and equitably. The implementation of the program so called “Meet the Customer Day” in 2001 throughout the public sector was seen as one of several actions to give better service to their costumers and the public. The program helped to strengthen costumers orientation within government agencies in providing an additional avenue for redress through face-to-face communication between agencies and their customers.

Administrative improvements and reforms have been going on in the public service since the early 1960’s, a few years after Malaysia gained “*Merdeka* (Independence)” in 1957. From the most mundane reform such as

name tags and systems to quality and emails, there has been no let up.⁹ One most credit the indigenous post independent government for its seriousness in implementing administrative changes led by political leaders, such as Tun Abdul Razak and DR. Mahathir Mohamad. However, supports from top leadership of the bureaucracy are also a crucial factor. There seemed to be meeting of minds between the political leadership and the top civil servants to deliver goods and services efficiently to the people.

The public service reform in Malaysia is one-going process backed by the high level authority. The seriousness of the top leadership to reform the bureaucracy can be seen from their concerns about future public service in Malaysia as summarized in Table 4. below.

Table 4. Proposal for Future Public Service in Malaysia

No	YAB Dato's Sri Abdullah bin Haji Ahmad Badawi "Five Principles to Increase Efficiency and Effectiveness of the Public Service Delivery"**)	YAB Dato's Sri Moh. Najib bin Tun Haji Abdul Razak " Five Elements or characteristics of a High Performance Culture Which Should be Adopted by the Public Service"**)	Jawatan Perkhidmatan Awam (PSD)**)
1	The need to have zero tolerance for substandard performance	3. To have personal and professional accountability	3. Keep pace with the speed of technology
2	To continuously seek accuracy, timelines and volume at work	2. To be quality focused in delivery the service to the public 4. To have commitment to continuous improvement	1. Raise service standard
3	The need to appreciate orderliness and cleanliness		
4	The need to be consumer focused	1. To be consumer focused	2. Adopt a more global outlook 4. Change the culture of the service to become more responsible; innovative
5	To adhere to the public service ethics	5. To have a team work spirit	

Note:*) Both speeches of Dato' Seri Abdullah Ahmad Badawi and Dato' Sri Najib Tun Razak were delivered in their position as a Deputy Prime Minister of Malaysia.

**) "Attitudes needed to Adapt to the Change for the Civil Service" based on the Research done by JPA (PSD).

Source:

- 1). Zulkarnain Hj. Awang and Muhamad Hamza (Ed), "Managing the National Economy in Challenging Times :Enhancing Delivery System and Mechanism". Proceedings of the Eight National Civil Service Conference, January 2004.
- 2). Hj. Malek Shah Hj. Mohd. Yusoff and Muhamad Hamzah (Ed), "Strengthening Public Service Delivery : Forging Ahead Together" INTAN-PTD, 2005.
- 3). JPA (PSD) "The New Ethos of Leadership for the Malaysian Civil Service Competence for the Future", Putrajaya, Malaysia, 2003.

⁹ E-mail becomes an effective way to build communications between public and government institutions. Even ordinary person can send complaints to the Ministries only through an e-mail. From the discussion with Mr. Darshan Singh, Director of National Consumer Complaint Center (NCCC) on January 16, 2008 in Era Consumer Malaysia's Office in Petaling Jaya, Malaysia.

The numbering of proposal was based on the five proposal developed at first in 2003 during the Eight National Civil Service Conference by then Deputy Prime Minister of Malaysia, Dato' Seri Abdullah Ahmad Badawi. Another two proposals are fitted to the first one. Therefore, the consistency of the reforms can be evaluated all together.

Thailand: Gender Equity

Along with the military and politics, the bureaucracy world has traditionally been highly male-dominated in Thailand. Even though in the civil service equity means to be open freely for everyone who needs to apply to civil service, but in fact there are some exceptions, especially in women and minority group. For example, some have points of view to treat women as always lacking qualifications to do the public works, such as fireman, deputy district and others. They consider physical qualities does not meet the job. This discussion become affirmative action in personnel administration and some technocrats call it "representatives bureaucracy".

Generally, by intention or not, women have chosen jobs based on their physical conditions. The activities such as child bearing, providing care, and socializing with children are mostly done and given to women. Therefore, it looks that females are inferior in terms of status and role. Men are determined as bread winners, whereas women are housekeepers. Such gender roles have been changing gradually since the late 1950's. Unlike the majority of countries in Asia, women in Thailand are participating in the economy, politics as well as public sector. However, the presence and participation alone do not necessarily mean that women's status in Thailand needs no further improvement or that Thailand has already achieved gender equality. At present the selection of personnel in the Civil Service is still prejudiced against women. In fact, common practice still means that some positions are not yet given to women. Even though, there are more women than men in the whole population. However, the number of women at the senior executive level in the public service in Thailand is less than a quarter as seen in Table 5 below.

Table 5. Number of Senior Executives by Level and Gender, 2006 (in person)

No	Position	Number			Percentage		%Female	
		Total	Male	Female	Male	Female	2000	2005
I	Senior Executive level 11	31	27	4	87.10	12.90		
	I.1. Permanent Secretary	19	17	2	89.47	10.53	7.14	10.53
	I.2. Secretary General	12	10	2	83.33	16.67	9.09	16.67
II	Senior Executive Level 10	210	165	46	78.10	21.90		
	II.1. Deputy Permanent Secretary	56	44	12	78.57	21.43	4.76	14.29
	II.1. Deputy Secretary General	42	27	15	64.29	35.71	14.63	40.48
	II.3. Director General	112	93	19	83.04	16.96	8.51	17.46
III	Senior Executive Level 9	269	201	65	74.72	25.28		
	III.1. Deputy Director General	269	201	65	74.72	25.28	13.76	32.22
	TOTAL	510	392	118	76.86	23.14	12.55	21.85

Note:

1. Senior Executive refer to head or deputy heads of agencies at the ministerial or departmental levels.
2. Not including Senior Executives of the Office of His Majesty's Principal Private Secretary and Bureau of Royal Household.

Source: Office of the Civil Service Commission (OCSC), "Civilian Work Force in Thailand, 2006", Bangkok, 2007.

From table 5 above, it can easily be seen that even though the percentage of female in the top position has increased in the past six years. However, in 2006, there were only two women permanent secretary as well as two women at the secretarial general level. The data shows that there is still deprivation among women in some sectors. Men's career advancement is faster than women's pace. Women gain less change to be promoted to executive level than men. This condition is also revealed in the public service in Thailand.

In the study of the status of Thai women by Sasipat Yadpet and Surangrat Attasartsri (1981), their questionnaire survey of 574 female and 90 male civil servants found that women had fewer opportunities for entering civil services than men and fewer advancement opportunities. Moreover, the survey indicated that 66.1 percent of women civil servants were confident if they got promoted to executive position. They would have been able to work as equal as men or even better. The study also revealed that the acceptance of women from their colleagues and superior as well as family responsibilities were the major obstacles hindering women's equality to men. Therefore, the acceptance and support from the superiors were the crucial factor for the promotions of civil Servants in Thailand. Other factors that prevent women from home and difficulties in working at night. It seems women cannot give as much time to the job as men. Amindchai Konchan (2000:83) has found that working at night also barriers to female administrator's participation and ability to devote time to the job. The study on career advancement in the Thai's civil service was

done by Police Lieutenant Colonel Supaluck Liamvarangkoon in 2002¹⁰. In her study the time taken for promotion classified based on highest degree earned and gender and it is presented in table 6 below.

Table 6. Average Time Taken for Promotion of Respondent by Highest degree Earned and Gender (in years)

No	Promotion	Bachelor Degree		Master Degree		Doctoral Degree	
		Male	Female	Male	Female	Male	Female
1	From level 1 up to level 2	2.69	2.91	3.29	1.88	-	-
2	From level 2 up to level 3	2.66	2.99	2.84	2.55	3.50	-
3	From level 3 up to level 4	3.18	3.39	2.64	2.79	2.55	3.00
4	From level 4 up to level 5	3.64	3.98	3.37	3.62	2.89	2.67
5	From level 5 up to level 6	4.78	5.13	4.04	4.91	3.82	4.00
6	From level 6 up to level 7	4.98	5.09	4.26	4.96	3.57	3.00
7	From level 7 up to level 8	5.35	5.99	5.54	4.93	3.92	2.50
8	From level 8 up to level 9	7.50	8.65	6.35	5.79	5.05	6.50
9	From level 9 up to level 10	-	-	2.67	3.42	2.00	-
TOTAL		34.78	38.11	35.00	34.85	27.30	21.67

Source: Supaluck Liamvarangkoon, Table 6.2,p.124

From table 6 it is found that in general females take more time to be promoted than males. It is true especially for the bachelor degree if educational level is considered. However, in the advanced degree, master and doctoral degrees, more female civil servants take less time to be promoted than males. The result is consistent with the result of the study of Likit Dhiraregin (1985:162-163) who found that the highest degree earned play an important role in rapid promotion and has a positive effect on career advancement.

Therefore, the career advancement in the Thai's civil service depends on the highest degree earned. Other factors which also considered as important factors and similar to other countries in Asia, are the work experiences as well as line of career chosen by the civil servants. Since the issue of gender equality sometimes is closely linked with the process of democratization, it is important to explore Thailand's political development. Thailand provides a historical example of a country that started a process of democratic transition and then reverted to authoritarianism. Democratization in Thailand is affected by many problems, including those related to the continuing importance of the military within the state, weaknesses in party and representation system, political corruption, and widening social qualities.

After the crisis in 1997, Thailand entered a new era of democratic development. Democratization raised expectation for the adoption of new

10 Police Lieutenant Colonel Supaluck Liamvarangkoon." Effect of Gender Role on Career Advancement in Thai Civil Service" a dissertation submitted to the School of Applied Statistic, National Institute of Development Administration (NIDA), Bangkok, 2002, pp.123-126

political agenda and the evolution of Thai politics. The 1997 constitution was a mixture of many conflicting ideas, but turned out to be a reasonable successful balance among the diverse political forces of the time. The major reform pragmatism of the constitution in 1977 was significant and did bring a notable development of democracy.¹¹

The national election of January 2001, the first election after the financial crisis of 1997, brought Thaksin Shinawatra and his Thai Rak Thai Party to power. One of Thailand's richest men, Thaksin has been a successful businessman in the field of computer technology and telecommunications prior to entering politics. With his background, the new Prime Minister campaigned for popular support on grounds that officialdom served as a dog on economic growth, and that businessman ought to take greater change of the economy. The Thaksin government created an infrastructure for policy making which took his initiative away from the bureaucracy. Thaksin's predisposition, from his background as CEO of a personal business empire, was to challenge Thailand's deep-seated bureaucratic with the formal, stately and convoluted patterns of decision making, the publicly decried Thailand's bureaucracy as old fashioned and corrupt while extolling business virtues and entrepreneurial style¹². During Thai Rak Thai administration, 2001-2004, Prime Minister Thaksin reshuffled the cabinet ten times.

The administrative reforms have been conducted during the time that was so-called "big bang" bureaucratic restructuring.¹³ The bureaucratic reform of 2002 created six new ministries (an increase number from 14 to 20). Each provides with a permanent secretary and supporting staffs. Since the member of bureaucrats was fixed for the reform, transfer and promotions have been done to many existing bureaucrats. However, before the promotions could be made, the minister and senior bureaucrats were replaced. At that point, the officials lobbied their new seniors (from a different faction) for the promotions they had bought but they were refused. It was in that context that the allegations came to light¹⁴. Another characteristic of the Thaksin's reform was his decision in supporting the military and police careers of his old classmates who attended the military and police academics and other associates that his closest ally when he came to office. This decision has met resistance from other officers, since this kind of promotion is simply not in line with the professionalism in the army.¹⁵

11 Interview with Pasuk Phonpaichit, Professor of Economics. Chulalongkorn University Bangkok, on Monday, April 21, 2008.

12 *The Nation*, 12 February 2003.

13 *The Nation*, 2 July 2003.

14 *Bangkok Post*, 29 March 2003.

15 *Bangkok Post*, 16 January 2003. This condition also happened in other Asian countries. During the New Order Government in Indonesia, this practice was more common. However, it is still practiced in the present administration today.

This kind of new model of Thai bureaucracy will be more expensive than a cost-saving bureaucratic system. The government must allocate a budget for the administration of those new ministries. That includes salaries for ministries and their staffs, expensive administrative expenses as well as possible construction costs for new offices. Since the mid 1980s, the World Bank has been pressing Thailand to undertake a more general reform of the bureaucracy based on the principles of the New Public Management (NPM), meaning the adaptation of modern business management practice to the public sector, with an emphasis on setting goals, measuring results, rewarding performances, and punishing corruption and other abuses (Bidhya, 2004).

After the 1997 financial crisis, the World Bank with support from other international donors was able to push this agenda through to a comprehensive 1999 Public Sector Management Reform Plan, which supplanted an earlier 1997 Public Sector Reform Master Plan. This is a familiar mix of NPM and structural adjustment downsizing measures produced by the Office of the Civil Service Commission (OSCS). The recovered five main priority areas are as follow:

- (1) Revision of roles, function, and management practices of government departments;
- (2) Budget, finance and procurement management reform;
- (3) Personnel management reform;
- (4) Legal reform; and
- (5) Reform of cultural and public values, which is to eliminate corruption practices. (Bidhya, 2004; Painter, 2005).

In 2002, a Royal Decree on Good Governance was promulgated and in March 2003, the Thaksin government's administrative reform program was formally announced as the Strategic Plan for Thai Public Sector Development. The program was put under the charge of a new Public Sector Development Commission, with the support of an Office (OPDC). From that date on, Thailand has two institutions in charge of bureaucratic reforms. They are the Office of Public Sector Development Commission (OPDC) for budget and public service overall reforms and Office of the Civil Service Commission (OCSC) which mainly deals with civil servant's matters. The strategic Plan is a fact quite similar to the 1999 program, focusing on stream living and rationalization, restructuring and reorganization, budgetary and financial reform, human resource management and compensation reform, "work culture and values", modernizations through E-Government an encouragement of public participation. The creation of the "Senior Executive Service" (SES) started in 2001 and gathered pace in 2003, was one of the reforms movements. The creation of the SES was linked as well with proposals for performance review, merit pay and lateral recruitment processes.

Thaksin's "CEO-manager" style emphasizes a "risk and result" orientation as a desirable quality of a public sector executive. The long-term reform agenda favoured by the OPDC favoured such things as open recruitment, performance pay and contractual arrangements for top executives in order to hone the performance of an elite group of senior executive. In April 2003, a "fast-track" system of senior appointment, proposed by the OPDC, was approved to encourage external applicants. However, due to delays and obstacles in amending the civil service regulations, lateral recruitment from outside the ranks of the civil service was still born¹⁶. Thaksin also supported a proposal to encourage the movement of existing officials between ministries or department when vacancies occurred. Under the new policies, all vacant senior positions were supposed to be openly announced but in practice permanent secretaries and others involved continued to favor the insiders.¹⁷ In May, 2003, a disappointed senior agriculture ministry official shaved his head as a silent protest for the appointment of a commerce ministry official as permanent secretary of agriculture.¹⁸

The Philippines: Building "A Strong Republic"

In the Philippines the landmark of such administrative reforms was the introduction of the Integrated Reorganization Plan (IRP) in 1972. The IRP, which was the result of a two-year effort of the Reorganization Commission, a few trusted technocrats of President Ferdinand Marcos, promised the most extensive and wrenching effort at administrative reform in the country's history. The IRP provided for decentralizing and reducing the bureaucracy, and standardizing departmental organization. The IRP also sought to introduce structural changes and reforms to strengthen the merit system as well as professionalize the civil service system¹⁹. However, the stakeholder, who were to be affected by the program were not involved. For that reason, a sense of ownership of and popular support for the program could never have been achieved, especially when implementation faltered because erring political leaders and their cohorts increasingly undermined the system and violated set standards and procedures.

The restoration of government integrity and public confidence reorganization reform were introduced by President Corazon Aquino, basically with the creation of Presidential Commission on Public Ethics and

16 Interview with DR. Nualnoi Teerat, a senior lecturer in the Faculty of Economics at the Chulalongkorn University in Bangkok on Friday April 4, 2008.

17 *Bangkok Post*, 23 April 2003. This practice can also be found in Indonesia. However, in Malaysia this kind of transfer happened smoothly as part of their bureaucratic reforms.

18 *Bangkok Post*, 23 May 2003.

19 For completed information on the IRP. See, Commission Reorganization (1972), "Integrated and Reorganization" Manila, Philippines March 1972.

Accountability and the Presidential Commission on Good Governance (PCGG). Civil Service Organizations (CSOs) became more active in participating in decision making and program implementation of the government. To downsize the bloated government, one of the steps undertaken during the Aquino administration was the removal of thousand civil servants from their positions. Although the step was justified, ironically, the number of civil servants and political appointees in the government increased, thus blurring the principles of merit and fitness of the civil service. Moreover, public agencies and offices grew which caused the extended and fragmented government structure (ADB, 2005).

While reorganization effort was minimal during the tenures of Ramos and Estrada Administrations, President Gloria-Macapagal-Arroyo (GMA) continued the initiatives to streamline the bureaucracy in the Medium-Term Philippine Development Plan (MTPDP) 1994-2004.²⁰ The present administration had adopted the "Reengineering the Bureaucracy for Better Governance Program", inherited from the Estrada's Administration. The Presidential Committee on Effective Governance (PCEG) created by President Joseph Estrada was likewise reactivated upon the President's assumption to office. It serves as the ad-hoc body that shall be the local point of administrative reforms in the Civil Service. In October, 4, 2004, the Department of Budget Management (DBM) and the Civil Service Commission (CSC) pursued the objective of the Program. The aim is to conduct a strategic review of all department/agencies of the Executive Branch on their operations and organization with the purpose of focusing care public functions, improving the efficiency of government services within affordable levels, and in the most accountable manner. In accordance with MTPDP, the Civil Service Commission (CSC) also formulated a comprehensive and strategic plan to address gaps and weaknesses in the bureaucracy²¹. The SCS plan calls for paradigm shift in the government mindset and attitude in terms of role, function, structure and process as summarized in the following Table 7 below.

20 More elaborated information. See, National Economic and Development Authority (1999), "Medium Term Philippine Development Plan 1999-2004", NEDA. Manila, Philippines, 1999.

21 See, Civil Service Commission. Undated. The Civil Service: Building Its Own Integrity, The Civil Service Commission Strategic Plan for 20002-2004, CSC. Manila, Philippines.

Table 7. Required Shifts in Paradigm

Area of Concern		Paradigm Shift	
		From	To
1.	Role of Civil Servants	Follower/Implementator	Source of expertise and institutional memory
2.	Recruitment of Civil Servants	Aptitudes / Skills	Service value orientation and integrity of character
3.	Role of 3 rd level officials	Administration/Managers	Visionaries/Technocrats/Experts
4.	Appointment and promotions to 3 rd level	Bias for managerial skills	Competitive process/insulated from politics. Major consideration are : character competence, and potentials. Competence encompass managerial and technical skills
5.	Management style	Subservience to hierarchy/Authoritarian	Participatory/Consultative
6.	Operating perspective	Regulation	Assistance and service
7.	Civil Service relationship with other branches of government	Being an adjunct of other branches	Autonomy from the will of political regime

Source: Sto Thomas and Mangahas (2002: 14)

To keep total client satisfaction, the CSC also introduced the so-called “*Mamamayang Muna, Hindi Mamaya Na*” Program or MMHM Program (G de Leon, 1999). The MMHM Program translated literally in English as “Citizen Noe, not later” is essentially a client feedback mechanism meant to improve the delivery of public service. Launched in 1994, it is designed purposely to minimize if not totally eradicate discourtesy, arrogance and inefficiency in the public service. In essence, the program operates this way: a client who feels dissatisfied with the service of government agencies can bring a complaint to the attention of CSC, which in turn, mediates between the client and the agency towards effective resolution of the complaint. Conversely, a client can report a satisfactory service, which when duly verified by the CSC, can merit the employee who rendered that satisfactory service, a citation of reward.

Since the inception of the MMHM Program, the number of reports received and acted upon is summarizes in Table 8 below.

Table 8. Progress of the *Mamamayan Muna, Hindi Mamaya Na Program, 1994-1998*

Year Received	Total Report	Number of Report Acted Upon	
		Complaint	Good Service
1994	573	561 (97,91%)	12 (2,09%)
1995	4,950	2,363 (52,56%)	2,636 (47,74%)
1996	9,092	2,104 (23,14%)	6,988 (76,86%)
1997	3,495	3,069 (87,81%)	426 (12,19%)
1998	2,941	2,626 (89,29%)	315 (10,71%)

Source: G.de Leon (1999: 4)

of administration reform exercises that hardly produced tangible and lasting results. Lack of acceptance of and commitment to the need for reform by political authorities and different affected entities and lack of stakeholder appreciation and agreement concerning administrative reform. Being a long, strategic and continuous process was among the reasons its failure. Another stumbling block is the practice of corruption and cronyism in Philippine, even before the independence. Therefore, a strong and sincere leadership is needed. In other words, building strong and democratic governance is a must.

Indonesia: Institutional Approach

The United Nations Development Program (2003) describes civil service reform as developing the capacity of the civil service to fulfill its mandate by addressing such issues as recruitment, promotion, pay, number of employees, and performances appraisal, and this still constitutes the bulk of national programs concerned with public administration reform. Civil service reform has historically focused on the need to contain the costs of public sector employment through retrenchment and restructuring, but has broadened its scope keeping the longer term goal of creating a government workforce of the right size, with the appropriate mix of skills, and the right motivation, professional ethos, client focus, and accountability (United Nation Development, 2003).

Furthermore, in a report for the Indonesia government, the World Bank (2001: 10) indicates that: the civil service reform strategy should include changes to the incentive system, size of the civil service, recruitment, performance management, remuneration and probity ". Indonesia government is planning to launch a number promising initiatives in these areas. For example, pilot reform initiatives have been planned for the ministries of Finance and Education, including new merit-based pay initiatives under Teacher Law No. 14/2005. If it is successful, these initiatives could be scaled up to the nation level. In addition, an independent remuneration commission will advise on pay scales and on modernizing the pay structure for senior officials; a review of the legal framework for the civil service is ongoing; a number of sub-national reform initiatives are taking place in Yogyakarta, Jemberana in Bali,

Solok in West Sumatra, and elsewhere; a cabinet-level unit to help implement reforms is planned (World Bank, 2006).

To have an effective and efficient public service, most governments have set up a special institution responsible for human resource management. This body is often referred to as the civil service commission (CSC) or public service commission. In the Republic of Korea, established in 1999, the CSC has been leading the country's major civil service reform initiatives. In 2004, those personnel management functions that still remained under the purview of the Ministry of Government Administration and Home Affairs were transferred to the CSC, thereby resulting in a single, central personnel authority for the Korean Government (Kong, 2006). In New Zealand, in 1999 the state service commissioner asked to be given responsibility for developing a solution to the lack of corporate capacity in the public service. Since that time, New Zealand's public service has increasingly moved to address a wide range of service and human resource management issues from a corporate perspective (United Nations, 2005).

Once a CSC has been set up, questions frequently arise pertaining to the commission's relationship with line ministries and agency. Thus, once a government decided to establish a CSC, it must clearly delineate the division of responsibilities in relation with resource management among central government departments and agencies. In many countries, responsibilities for human resource management in the civil service are along the line shown in Table 9 below.

Table 9. Responsibilities in Central Government Agencies

Agency	Function
Office of the Prime Minister	Overall government policy
Ministry of Finance	Pay and pensions
Ministry of Public Service	Deployment and condition of service for public servants
CSC	Appointments, promotions, transfers and discipline
National Administrative Staff College	Staff training and development

Source: Adapted from United Nations (2005, Table 6).

The structure outlined in Table 9 resembles the model prevalent in the Commonwealth Nations, especially with respect to the role of the CSC but countries such as Korea and Thailand have similar arrangements in place. Indonesia does not yet have a CSC. Even though Law No. 43/1999 of 2000 stated that a CSC should be established, the government does not currently have any plans to establish such body. Therefore, the division of responsibilities in relation with human resources among line ministries and other public sector entities is as shown in Table 10.

Table 10. Institutions Responsibilities for Human Resource Management in Indonesia

Agency	Function
Office of the President (State Secretariat and Cabinet Secretariat)	Overall government policy
Ministry of Finance	Civil service pay and pensions (state-owned enterprises under the supervision of the State Ministry for State-Owned Companies).
Ministry of Administrative Reforms	Supervision, coordination, monitoring and evaluation of all civil service matters, including supervision and coordination of the National Agency for the Civil Service and the National Institute of Public Administration.
National Agency for Civil Service	Appointment, promotions, (except at the highest levels, which are managed by a team chosen by the President), and transfer
National Institute of Public Administration	Education, training and development

Source: Author

Thus, as shown in Table 10 above, the management of human resources in the civil service is not being carried out by an independent body that reports directly to the president, but by institutions that are part of the government's bureaucracy.

Ensuring that civil servants give high priority to honesty, responsibility, and integrity in relation with their day-to-day activities and routine duties, it can be done through well-planned human resource development. Human resource development for civil servants starts with their recruitment and continues until they leave government service. Recruitment should undertake job and requirement analyses before undertaking recruitment activities. Furthermore, to allow the civil service to select the best candidates, the recruitment process should be fair and open. The next step in human resource development for civil servants in education and training should be provided regularly for those at every level, as it is already done in the armed forces. An objective and selective recruitment process combined with integrated and systematic education and training during the period of service, can enhance the quality of government employees. Several Asian countries have adopted such approach, for example, China, Japan, Korea and Malaysia. Furthermore, the government should also provide higher education scholarships both in the country and abroad for exceptional government employees. Such policy is not only good for the individuals concerned, but also for the government and perhaps for the country in the future (World Bank, 1993).

Concluding Remarks: Where We Go?

Since the 1980s, many countries, including Asian countries, have engaged in major efforts to promote administrative reform, focusing on the openness,

transparency and accountability in government administration. All countries regardless of their economic situation or stage of development need good governance. For some Asian countries this becomes particularly important after the 1997 Asian financial and economic crisis.

Reform of the Civil Service should be designed to reduce corruption. If officials are paid much less than people with similar training elsewhere in the economy, only those who are willing to accept bribes will be attracted to the public sector. The rest will work in private enterprises or emigrate. In spite of the low pay, positions in the state bureaucracy can be valuable assets. In some developing countries, there is a lively market for bureaucratic positions that generate large bribes. Positions in corrupt police departments are likely to be especially valuable (Phongpaicht and Piriyaangsan, 1994). Civil service pay should be set at least equal to pay for equivalent position in the private sector so that it is possible to serve without resorting to corruption.

Civil service reform is expensive and politically difficult, and it may seem beyond the capacity of many underdeveloped countries. Yet, it cannot be avoided in any credible reform effort. While citizens expect fast and immediate action on their request, they do not care about government's internal conflicts.²² Therefore, structural and administrative reforms which have been introduced in most developing countries should be directed to free the civil service from politics and the civil servants from political pressure. This is the primary reason for the merit-based civil service reforms in which entry into the service is qualification-based determined and among others, it is based on competitive examinations where promotion to higher positions are based also on performance, competence, other merit-based standards and not on connections. ●

References

- Amendchai, Kongchan. 2000. "Factor Affecting the Career Advancement and Barrier of Women Administrator", *Chulalongkorn Review*, 13 (49), pp.77-92.
- Asian Development Bank. 2005. "ADB Country Governance Assessment: Philippines", Manila, Philippines, 2005.
- Bidhya, Boworn Wathana. 2004. "Thaksin Model of Government Reform : Prime Ministerialisation Through 'A Country is my Company' Approach", *Asian Journal of Political Science* 12 (1), pp. 135-153.

22 The paradigm of governance is "make or take" which means makes reform or just follow the present system, while in economics the paradigm is "make or buy". Adopted from the guest lecture given by Prof. John V. Nye "The Rise of the Modern State" delivered at the School of Economics, University of the Philippines (UPSE) on July 7, 4 and 21, 2008, UP Diliman Campus, Quezon City, Philippines.

- G de Leon, Corazon Alma. 1999. " Innovations and Best Practices in the Philippine Civil Service Commission", paper presented during the World Conference on Governance, 2 June 1999, EDSA Shangri-la Plaza Hotel, Manila, Philippines.
- Hunter, Jeff and Anwar Shah. 1998."Applying a Simple Measure of Good Governance to the Debate on Fiscal Decentralization," World Bank Policy Research Working Paper 1894, Washington D.C, USA, 1998.
- Kauffman, Daniel. 2003."Governance Redux : The Empirical Challenge", World Bank Policy Research Department Working Paper, also available at: [http://www. Worldbank.org/wbi/governance/pubs/gouredux.html](http://www.Worldbank.org/wbi/governance/pubs/gouredux.html).
- Kong, D. 2006. "Reinventing South Korea's Bureaucracy toward Open and Accountable Governance", Paper presented at the Asian Public Reform Forum, Nanning, China.
- Likit, Dhiravegin. 1985. *Thai Politics: Selected Aspects of Development and Change*.; Bangkok: Tri-Science Publishing House.
- Painter, Martin. 2005. "Thaksin : A Thaksinocracy or Managerialization? Reforming the Thai Bureaucracy", City University of Hongkong, Working Paper Series, No. 76, May 2005.
- Pasuk Phong Paicit and Sungsidh Piriyangsan. 1996. *Corruption and Democracy in Thailand.*, Chiang Mai: Silkworm Books.
- Sasipat Yodpet and Surangrat Attasartsri. 1981. "Problem and Desires of Female Civil Servant" (in Thai). Unpublished paper for the Task Force of Long-Range Women's Development, Bangkok, Thailand.
- Sing, Kavaljit. 2005. *Questioning Globalization*, , Pulau Pinang: Citizen International,
- Sto Thomas, Patricia A and Mangahas, Joel V. 2002. "Public Administration and Governance : How do They Affect Government Efficiency and Effectiveness?" Paper presented at the International Conference on Public Administration Plus Governance, 21-23 October 2002, Manila Hotel, Philippines.
- Supaluk Liamvarongkoon.2002."Effect of Gender Role on Career Advancement in Thai Civil Service", A Dissertation submitted to the School of Applied Statistics, National Institute of Development Administration (NIDA), Bangkok, Thailand.
- United Nations. 2005. "World Public Sector report 2005: Unlocking the Human Potential for Public Sector Performance", New York, Department of Economic and Social Affairs, UN.
- United Nation Development Program. 2003. "Public Administration Practice Note", New York: Bureau for Development Policy, UNDP.
- World Bank. 1993. "The East Asia Miracle: Economic Growth and Public Policy", Oxford, UK : Oxford University Press.

World Bank. 2001. "Indonesia: The Imperative for Reform", Report 23093-IND, World Bank, Jakarta.

World Bank. 2006. "Country Assistance Strategy Progress Report for Republic of Indonesia", Washington D.C. World Bank, USA.

Changing Spaces and Border Regimes: A Central Borneo Trajectory of ‘Globalisation’

Dave Lumenta

Abstract

Introduction

Outside the ideological connotations of ‘globalisation’, Southeast Asia has always been ‘global’ throughout its history. Strategically situated on the major maritime trade routes linking ancient Europe, India and China, Southeast Asia has a long dynamic history marked by shifting power and the intense movement of people, commodities and cultural flows. The region’s fluidity and cosmopolitanism is amply demonstrated by the abundance of cross-cultural influences, shared within the region, such as technology, religious syncretism, language, diaspora, and even food.

The arrival of colonialism and the subsequent emergence of postcolonial nation-states in the region have significantly reconfigured and reordered the patterns of human flows within the region. Border regimes have become prominent regulators for the movement of people and commodities across boundaries, such as the establishment of customs and immigration controls, designated for international routes and port of entries.

On the other hand, numerous upland regions across mainland Southeast Asia, peripheral maritime regions such as the Sulu Sea, the Celebes Sea, and the internationally-partitioned island of Borneo, remain quasi-open and fluid spaces where people and commodities traverse international boundaries *relatively* unchecked by border controls. This indicates that states rarely reach that idealised omnipotence to exercise total and coherent power over space and societal mobility. This is especially true for postcolonial states around the world. State borders throughout Southeast Asia have generally been established in an arbitrary fashion, where ethnic, linguistic, social and economic borders never neatly intersected with formal state boundaries drawn on maps. As a result, shared ethnicity, language, identities and economic interconnectivity remain to transcend many state boundaries. As such, the nation-state remains to be an alien and contested idea in many upland borderland regions around Southeast Asia (see Scott, 2009; Van Schendel, 2005). However, this does not imply that national identities have made no inroads in these seemingly 'stateless' and 'unruly' backyards. Even a remote but culturally fluid region such as central Borneo has not escaped, since the 1980s, the onslaught of identity differentiation between 'Indonesians' and 'Malaysians'. I have chosen to follow a materialist approach linking the differentiation of national identities to the process of capitalist globalisation, based on a multi-sited ethnographic study focused on mobility history conducted from 2000 to 2007 among the Kenyah, an ethnic group residing in central Borneo.

The history of Kenyah mobility from the Apokayan highlands (in today's Indonesia) into Sarawak (Malaysia) provides a tragic example of how an ethnic group became gradually alienated from Sarawak's social and economic fabric in which they were an integrated and of which significant part. My final examination looks at the capitalist-based structural ordering of the Sarawak space itself, which has been an effective substitution to any organizational power of the state in bringing social demarcations between 'Indonesians' and 'Malaysians' in central Borneo.

Theoretical Setting

Traditional mobility practices and spatial orientation of the most remote communities throughout the world were often tied to efforts in seeking shorter and favourable trade routes to the nearest markets. **The persistent mobility** practices in borderland regions in defiance of today's state boundaries are often rooted in ancient trade routes that may have been the most efficient

links between supply regions to regional markets. These very same routes may be as efficient as today and as it has been in the past, serving the same purpose under contemporary capitalist modes of development and it has been under maritime-trade regimes of the ancient past. During the early stages of mercantilist capitalism in Southeast Asia, traditional mobility practices such as trading expeditions were increasingly suppressed by colonial power exactly because it was all too compatible and responsive to the demands of the capitalist system itself – bypassing trade monopolies, colonial tax barriers and inefficient trading routes.¹ Up to this point it appears that both capitalism and people who freely move around are not conveniently compatible to state projects – each having their own logic and praxis of space.

Nation-state spaces operate on the principle of fixity and bounded homogeneity. It is indeed the inherent obsession of states to tie people down into places and to assign them coherent identities, or ‘geobodies’ (e.g. Scott 1998; Migdal 2004; Thongchai 1994). While states are inherently constructed to function as spatial barriers, capitalism on the other hand perpetually strives to annihilate spatial barriers. (e.g. Marx 1973) One major theme to the discussion of border regimes often revolves around two dialectical historical trajectories – partitionary nation-state building that calls for spatial partitions and sedentarization of people on one hand; and capitalist-driven globalisation calling for open borders to facilitate the unhindered circulation of capital and labour on the other hand.²

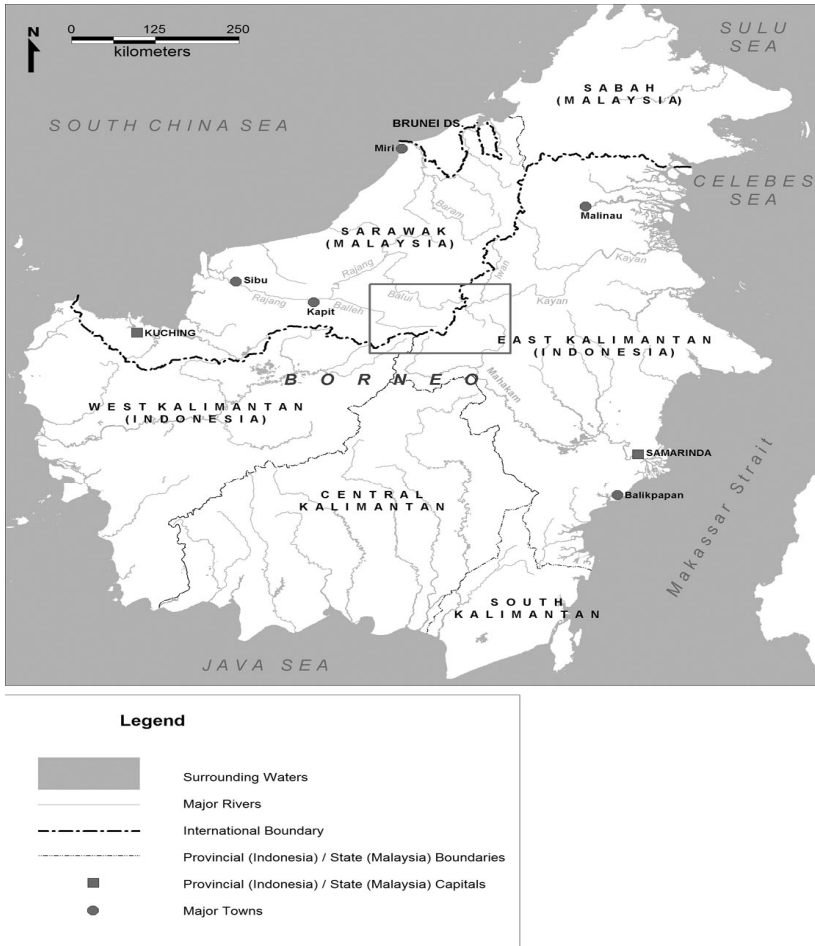
The particular focus of Marxist geography (e.g. Lefebvre, 1974; Smith, 1984) has been the mechanisms through which space is appropriated – how it is constructed, visualized, designated, and seized, and projected back – to serve capital (or class) interests. In order to overcome natural barriers in the landscape to accelerate the extraction of resources, the re-organization of space is then a prerequisite. Capitalism requires its own efficient order of space that is relatively autonomous from the inefficiency of national space orders on one side; and natural barriers on the other side. The invention of new modes of production, technology and collaboration with states enable the speedy reconfiguration landscapes to accelerate the efficiency of bringing resources from its natural deposits to markets. Terrestrial developmentalism has been a major undertaking throughout the world. The invention of roads, logging roads, ports, dams, towns, the sedentarization of human settlements, transmigration schemes are all manifestations of capital drive to subject the landscape. With these inventions come the embedded social structures that are designed to conform to the maximization of capital accumulation.

1 For example, the diaspora of Bugis merchants towards the Malacca Strait was at a certain stage the direct result of Dutch efforts to suppress direct trading links between Makassar and British merchants which undermined Dutch trading interests in the region (see Poelinggomang, 2002).

2 Ishikawa (2008), for example, referred to these two forces as ‘the organizational power of the state’ and ‘the structural power of capitalism’.

**Riverine Spaces:
Central Borneo’s Past Social, Economic & Political Organization**

**Figure. 1. Research Site: Central Borneo
(the Apo Kayan plateau marked by the square box)**



State borders throughout Southeast Asia have generally been established in an arbitrary fashion, where ethnic, linguistic, social and economic borders never intersected neatly with formal state boundaries drawn on maps. As a result, shared ethnicity, language, identity and economic interconnectivity remain to transcend many state boundaries.

The island of Borneo is not only a fitting example of these arbitrary state partitioning processes (being partitioned into three different nation-states), but it serves as an ideal site of inquiry to examine the seemingly absence of

effective state border regimes and the far penetrating effects of the capitalist reordering of the landscape.

The area of inquiry is focused on a continuous geographical and social space that I will loosely define as central Borneo, which encompasses parts of the Malaysian State of Sarawak and the Indonesian province of East Kalimantan (see Fig. 2.). This region constitutes a transnational social-cultural continuum that is rooted in the continuing flows of people, commodities and ideas between river basins for at least three centuries. The colonial partitioning of Borneo by the 1891 Anglo-Dutch Boundary Agreement was primarily based on the division of river basins.³ It soon became evident that the mere division and control over river basins did not effectively brought the smooth integration of these basin societies into the sphere of colonial states consistent to the partition agreement.

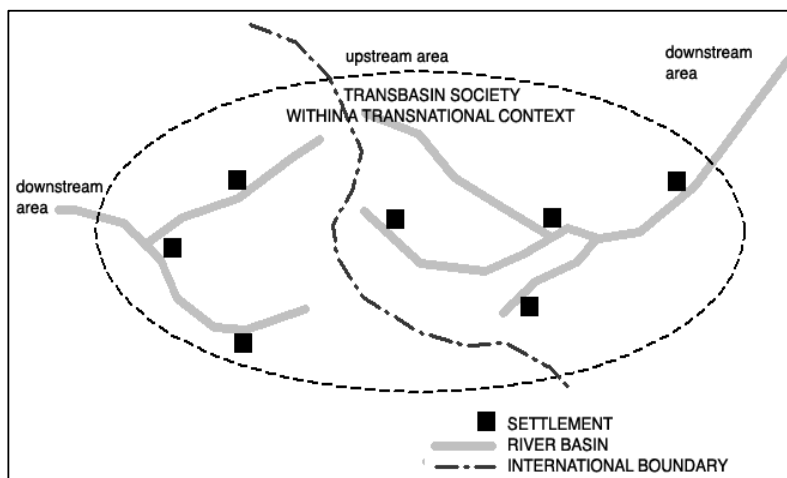
Social and economic transbasin relationships between present day Kalimantan and Sarawak, characterized by interbasin trade oriented westwards – hence, through Sarawak – towards the South China Sea, was a feature that pre-existed the arrival of colonial states in Borneo. Forest and animal products such as *gutta percha*, India rubber, rhinoceros horns, bezoar stones and later eaglewood were primarily catered towards Chinese market demands throughout Southeast Asia. Social networks surrounded these chains of commodity flows, which in turn determined the mobility orientation of many interior peoples in Central Borneo towards the South China Sea (see Ooi Keat Gin, 1997). This may also explain why many borderland communities in present day of West and East Kalimantan on the Indonesian side of the border, maintain closer social affinities with riverine communities in Sarawak. In addition, the absence of any hegemonic Sultanate on Sarawak's coastal estuaria may also have been an attraction for the westward flow of trade. This is in total contrast with Borneo's east coast where coastal Sultanates like Kutai, Bulungan and Berau heavily taxed commodities coming from the interior. For example, as our case study will demonstrate, the Kenyah of the Apokayan were particularly reluctant, if not defiant, to Dutch efforts in the early 20th century to reorient their trading activities eastwards away from Sarawak. (Elshout, 1923)

Colonial Sarawak (1841-1946) on the other hand, under its regime of three successive 'White Rajahs' (James Brooke Charles Brooke and Vyner Brooke) sits as an anomaly among its colonial contemporaries. Compared to British and Dutch colonies in the region, Sarawak was immensely poor in terms of mineral deposits (oil was only discovered in the 1920s) and soil fertility. Lacking significant export revenues, Sarawak's bureaucracy was small and

3 See "Convention Between Great Britain and the Netherlands Defining Boundaries in Borneo - Signed at London, June 20, 1891" in *Staatsblad van het Koninkrijk der Nederlanden*.

underfunded. As a result, its style of governance was largely personal and informal, enabling Sarawak officials to have close rapport with its indigenous subjects. Viewing themselves as protectors for the status quo of ‘native’ traditional ways of life, the Brookes resisted any attempt to bring Sarawak under the influence of land-hungry British plantation capitalists. They believed that loss of native lands to capital interests would bring turmoil to Sarawak. The sole solution to Sarawak’s dire economic situation was to promote the free trade of jungle products – which the Brookes believed would bring a sensible and nondestructive pace of ‘civilization’ to the native ethnic groups of Sarawak. The logical prerequisite to boost the free trade of jungle products was to keep transbasin traffic of people and commodities open.⁴

Transbasin trade, interethnic social interactions and migrations have been a constant feature of social organization among Central Borneo’s communities (Rousseau, 1990; Sellato, 2001; Eghenter, 1999). Rousseau (1990: 301-302) suggests that Central Borneo societies can be better analysed as river basin societies instead of as closed village units. Rousseau’s model can be applied to transnational transbasin societies to analyse many Central Borneo groups that have extensive transbasin relations under the current international partition.



The establishment of the international boundary had for a longtime, at least until 1985, failed to disrupt the close social and economic interconnections between the the Apo Kayan plateau with Sarawak. In fact, continuing trade with Sarawak was a major income for the Kenyah that enabled them to pay Dutch door-taxes. The dismal possibilities for integrating the Apokayan’s

4 See Reece (1988), Ooi Keat Gin (1997)

economy into the Dutch and subsequent Indonesian space has so far rendered the region as an economic liability, and all successive governments on the Dutch / Indonesian side tacitly acknowledged that the Apokayan's economic survival rests largely on profits and revenues generated from neighboring Sarawak.⁵

Kenyah Mobility from East Kalimantan to Sarawak (1900-2007)

The Kenyah, an umbrella ethnic identity for several swidden agricultural groups who are culturally, historically and linguistically related, constitute the majority of the population in central Borneo, a large area encompassing the Indonesian province of East Kalimantan and neighboring Sarawak. Originating from the Baram river basin in Sarawak, the Kenyah have dispersed into other river basins, resulting in their current distribution in both Indonesia (approx. 40,000 - estimates in 2000) and Malaysia (7,000 in 2000).

The cluster of Kenyah groups occupying the Apo Kayan plateau in East Kalimantan, for short 'the Apo Kayan Kenyah', is one among numerous 'Dayak' groups who have witnessed the state-partitioning of their homelands since the emergence of colonial states and boundaries. What places the Apo Kayan Kenyah in a geographically unique situation is their close proximity to at least five major Bornean rivers (the Baluy, Balleh/Rajang, Kayan, Baram and the Mahakam), and their extensive transbasin extent of social relations encompassing the international boundary.

Being strategically located at the headwaters of major river basins that flow from the Apokayan - Iran highlands in centrifugal directions to Borneo's west and east coasts, the Kenyah played a central role in bringing forest products (and later agricultural labour) from the interior to downstream commercial centers. This was undertaken through a traditional mobility practice, principally undertaken by males, called *peselai* (lit. 'to go on a long journey'), which was previously rooted in both headhunting trips and the prolonged collection of jungle produce. *Peselai* also evolved into massive trading expeditions wherein 100 to 500 males would usually participate in completing 3 - 6 month roundtrips to coastal areas by canoes.⁶ A *peselai* trip was socially significant to the education of young males, not only as a rite of passage where they could prove their bravery and worthiness as future husbands, but also where they learned about the social world at large, the intricate networks of rivers, ethno-history, commerce and dealing with other ethnic groups.

The Apo Kayan's centrality to the flow of jungle products flowing from the uplands was noted by Charles Brooke, the second 'White Rajah' of

5 Lumenta (2008: 112-132).

6 See Lumenta (2008), Whittier (1973), Conley (1978).

Sarawak. He invited several Kenyah leaders on a *peselai* expedition to Kuching in 1899 and encouraged the Apo Kayan Kenyah to migrate to Sarawak under his protection. In turn, the Kenyah leaders who looked at the advantage of trading with Sarawak in the west as opposed to the Kutai sultanate in the east, welcomed Charles Brooke's invitation. The Apo Kayan's integration into Sarawak was coincidentally cancelled due to the arrival of Dutch explorer, Dr. Nieuwenhuis in early 1901, who offered direct Dutch protection for the Kenyah against Sarawak Iban raids, which the Kenyah leaders duly accepted.⁷

Despite Dutch reservations, Kenyah *peselai* expeditions from the Apo Kayan persisted in trading with Sarawak, although intertribal hostilities, particularly with the Sarawak Ibans, remained a major obstacle that reached a peak in 1921 when major headhunting incidents occurred.⁸

The 1924 Kapit Peacemaking Agreement between Sarawak, Dutch, Iban, Kayan and Kenyah leaders had far-reaching impact for the Apo Kayan Kenyah. Peace with the Sarawak Ibans not only secured the liberalisation of Kenyah access to Sarawak river basins and coastal markets, but also enabled the Kenyah to enter sharecropping agreements with Sarawak Ibans, and the labour markets in Sarawak's coastal logging and oil industries.

The period from 1924 to 1985, with brief disruptions during the Japanese occupation (1941-1945) and the *Konfrontasi* (1963-1966) marked the 'golden years' of *peselai* expeditions from the Apo Kayan into Sarawak. The Kenyah not only established themselves in the aforementioned important economic niches, but also managed to exert important cultural influences over other indigenous ethnic groups throughout upriver Sarawak. *Peselai* groups from the Apo Kayan brought not only influence over the arts (to a point where they were even invited to decorate the walls of the Sarawak Museum in Kuching in 1959-60), but also influence over religion.⁹ The Bungan faith, a reformed version of the original Kenyah belief system invented in the Apo Kayan, quickly spread and won massive converts in Sarawak from 1947 to 1955. This was soon followed by Christianity, which Christian Kenyah from the Apo Kayan brought over to Sarawak during the same period. They were also responsible for the translation of the first Kenyah-language Bible, sponsored by the Borneo Evangelical Mission, widely used in Sarawak until today.¹⁰ As agricultural and logging labourers, the Apokayan Kenyah enjoyed equal status as Sarawakians, particularly during the British period where they were paid equal wages as Sarawakians, received health benefits, and legal protection as workers. It was easy for those coming to Sarawak without border passes to secure work permits from British residents.

7 See Beccari (1904), Sarawak Gazette (March 1, 1901), Smythies (1955)

8 SG (October 1, 1924)

9 See Langub (1997) for example.

10 See Prattis (1963) and Sidang Injil Borneo (1988)

During the mid-1970s *peselai* teams began to experience the effects of the increasing criminalization of 'illegal' entry through tightening of immigration controls, marked by the increase of police checks at major logging towns, such as Sibu, Bintulu and Miri. It was during the early 1980s when local Sarawakians, mainly Ibans, Kayans and local Kenyah, started to gradually pull out from hazardous positions in logging jobs (i.e. chainsaw operators), which further compounded labour shortages in Sarawak's logging industry.¹¹ Improved education among Sarawakians also resulted in their upward mobility in occupying middle to higher level positions in the logging camp hierarchies. This left an increasing vacuum in the lower rank positions, which were most of the part plugged by the increasing numbers of Apokayan Kenyah workers from Indonesia.

Nationwide Malaysian police raids on illegal migrants, starting with *Nyah* ('Get Rid') Operations in the mid-1980s, restricted Kenyah labour migrations from heavily patrolled urban areas. Nonetheless, many Indonesian Kenyahs could pass off as local Sarawakians and police officers were usually unable to distinguish them from the local Sarawak Kenyah populace. Some even cut their hair in traditional Kenyah fashion to blend in.¹² In addition, significant proportions of the local Sarawak populace did not possess Identity Cards themselves. The ongoing citizen registration process in upriver areas was an opportunity for Indonesian Kenyah migrants to naturalize themselves with the help of local Kenyah hosts acting as guarantors. A local Kayan politician with links to Kenyah leaders in the Apokayan, Tajang Laing, accordingly provided 200 Indonesian Bakung Kenyah plantation workers at Sepakau with Sarawak Identity cards around 1985.¹³ Following nationwide crackdowns on illegal immigrants, the role of Sarawak Kenyahs and politicians who had personal or kinship relations with *peselai* team members became more prominent in providing protective measures against police checks. This, however, placed many Apokayan Kenyah in asymmetrical power relations with their Sarawak kin through debt-bondage, servitude, the rise of patronage, and the creation of an Indonesian Kenyah 'underclass' in general.

Two developments have come to alter significantly the social-economic relationship between the Apokayan Kenyah and Sarawak. First, the successive timber booms in Sarawak, which peaked in the 1970s and onwards, has marginalized the longstanding trade of jungle products into and from Sarawak. Losing one of their primary economic niches, the Apokayan Kenyah's role in the Sarawak economy was relegated to supplying the pool of labour under

11 Inadequate insurance and compensation rendered logging jobs more and more unattractive in the face of better jobs that Sarawakians could find in urban areas.

12 The traditional Kenyah hairstyle is marked by a long pigtail in the back. This has gone out of fashion in Kalimantan since the 1960s, but preserved among the Sarawak Kenyah until quite recently.

13 Interview with Dato' Tajang Laing, Kuching, March 2003.

the vast hierarchy of the timber industries. In addition to being relegated to the lower strata of the production hierarchy, the increased formalization of the Malaysian – Indonesian border in the 1980s placed them within the category of ‘illegal migrants’ without access to insurance and labour rights. It is no longer safe for Apokayan Kenyah to enter towns in Sarawak to cash in their wages at local banks without the risks of being apprehended by the increasing police checks in downriver regions. They often have to rely on camp canteen managers to cash it for them, subject to a 5% commission.

Hitching on logging pickup cars is not always a convenient undertaking. Sarawak Iban drivers, higher in the ranks within the camp hierarchy, often refuse to take the Apokayan Kenyah workers on their rides unless they pay a hefty fee of RM 50 (although camp regulations explicitly forbid any form of payments or bribes made for the utilizing of logging vehicles).

Their insecure status as illegal migrants has also affected the changing preferences of cross-border marriages even among the Kenyah. It was common up to the early 1980s for Apokayan males to marry Sarawakian females. By the 1990s cross-border marriage rates in central Borneo have gone down. Even in the small numbers of recent marriages, the trends have reversed to Sarawakian males marrying Indonesian females.¹⁴

Recent younger generations from the Apokayan arrive in Sarawak with scant knowledge of the geography, such as village locations, rivers. Being confined to the logging camps, they have little contact with the outside world. Although the extensive logging roads have made travelling around Sarawak, especially to logging towns much easier, they no longer meander through the riverine clusters of Kenyah and Kayan villages that used to function as transit sites, social safety nets or sites for socializing in the past. The cosmopolitanism of previous Kenyah generations, who could freely move around, interact, socialize, negotiate, absorb and transmit cultural ideas, has been lost among the younger ones. *Peselai* journeys of today are reduced to labour migrations to logging camps.

From Riverine to Terrestrial Space Ordering: the New ‘Borders’

The history of Kenyah mobility into Sarawak demonstrates the changing nature of space ordering. Since the arrival of colonial states and the resulting impact, it has cross-border social relations and the emergence of state border regimes. The early Sarawak state under the Brookes chose to adjust itself

14 For example, in the village of Long Mekaba, a Kenyah settlement in the Baram, there was a time around 1978 when six Indonesian Kenyah males managed to legally marry with females from the local populace. Only one cross-border marriage occurred in 2000 when a Sarawak Kenyah male married an Indonesian Kenyah female, but given the lack of the bride’s birth certificate or passport, the Sarawak authorities refused to legalize the marriage. (Interview with Ingkong Lahang & William Ukeng, Long Mekaba, January 2003.)

within the indigenous riverine-based social order. It did so by facilitating the improvement social relations between riverine communities that extended from Sarawak's west coast up to the Apokayan in Dutch Borneo. Pacification of the interior and the liberalisation of human traffic through open borders and rivers were viewed as essential for the Sarawak economy. By basing itself on this riverine-based governance over space, the Brookes considered the Apokayan as an integral social and economic space of Sarawak. This entailed that Sarawak under the Brookes had little interest in upholding the Anglo-Dutch international boundary. This longstanding riverine space order existed well into the transitional period under British rule (1946-1963). The Kenyah of the Apokayan were not viewed as 'Indonesians' or 'aliens'.

Conditions started to change with the resurgence of Sarawak's logging industry which spread inwards to the interior after *Konfrontasi* ended in the late 1960s. The logging industry, Sarawak's major revenue earner, is basically a terrestrial enterprise that partitioned lands into neatly bounded concession areas. The accessibility to timber requires the introduction of new transportation modes and infrastructures such as trucks, pick ups and land roads. The extensive network of logging roads not only changed the physical landscape throughout Sarawak, but it has also increasingly shifted social organization away from the quasi-egalitarian order of riverine relationships to the highly hierarchized world of logging camps. The social order in Sarawak has gradually shifted from riverine to terrestrial based relations.

It is within this hierarchy world of logging camps where the national borders are created and reproduced. Far from being a territorial border, the border separating Indonesians from Malaysians in the central Borneo context is manifested through asymmetrical power relations in everyday life experiences: wage differences, the dependency on Malaysian Iban drivers, the small prospective of finding a Sarawakian spouse, illegal deductions from salaries, and the narrowing access to a wider social world outside logging camps in general.

Embedded in the history of Kenyah mobility is the shifting context from Sarawak as an open and fluid riverine-based on social space under colonial rule to a closed and stratified social space ordered by capital logic. It is hoped that the presented case study reverses some assumptions on the linearity of postwar 'globalisation' and its saturated jargonism about the creation of a 'borderless world' by providing contrary evidence that latter-day globalisation in the form of capitalist development has increasingly created new border regimes that increasingly equates national identities with differentiations of class.

With the blurring between nation-state and corporate interests, the most effective border regime to support the maximization of profits and minimization of (labour) costs would be a model that operates on hierarchical

rather than territorial / spatial containment. The two historical trajectories, that of the nation state and capitalism, have found a working equilibrium marked by the containment of people, not through spatial partitions and borders, but through their containment within fixed hierarchies of capitalist production. ●

References

- Beccari, O. 1986 [1904]. *Wanderings in the Great Forests of Borneo*. Singapore: Oxford University Press.
- Chew, D. 1990. *Chinese Pioneers on the Sarawak Frontier, 1841-1941*. Oxford: Oxford University Press.
- Elshout, J.M. 1923. *Over de Geneeskunde der Kénja-Dajak in Centraal Borneo in Verband met Hunnen Godsdienst*. Amsterdam: N.V. Johannes Müller.
- Ishikawa, N. 2008. 'Centering Peripheries: Flows and Interfaces in Southeast Asia', Kyoto Working Papers on Area Studies No. 10 (G-COE Series 8), Dec, 2008.
- Langub, J. 1997. "Padan, Tusau, 1933-1996. A Memorial", *Borneo Research Bulletin*, Vol. 28,.
- Lefebvre, H. 1974. *The Production of Space*, (D. Nicholson-Smith, transl.). Oxford: Blackwell.
- Lumenta, D. 2008. 'The Making of a Transnational Continuum: State Partitions and Mobility of the Apokayan Kenyah in Central Borneo, 1900 – 2007'. Ph. D Dissertation. Graduate School of Asian and African Area Studies, Kyoto University.
- Marx, K. 1973. *Grundrisse: Foundations of the Critique of Political Economy (Rough Draft)*. (M. Nicolaus, translation). London: Penguin.
- Migdal, J. 2004. *Boundaries and Belonging: States and Societies in the Struggle to Shape Identities and Local Practices*. Cambridge: Cambridge University Press.
- Ooi Keat Gin. 1997. *Of Free Trade and Native Interests: The Brookes and the Economic Development of Sarawak, 1841-1941*. Kuala Lumpur: Oxford University Press.
- Prattis, I. 1963. "The Kayan-Kenyah "Bungan Cult", *Sarawak Museum Journal*, Vol. XI No. 21-22 (New Series) July - Dec 1963.
- Scott, J. 1998. *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*. New Haven: Yale University Press.
- Scott, J. 2009. *The Art of Not Being Governed: An Anarchist History of Upland Southeast Asia*. New Haven: Yale University Press.
- Sidang Injil Borneo. 1988. *Buku Cenderamata Sidang Injil Borneo Sarawak*. Miri: Sidang Injil Borneo.
- Smith, N. 1984. *Uneven Development: Nature, Capital and the Production of Space* (second edition, 1990). Oxford: Basil Blackwell.

- Smythies, B.E. 1955. "Dr. A.W. Nieuwenhuis. 'A Borneo Livingstone'", *Sarawak Museum Journal* No. 29.
- Thongchai Winichakul. 1994. *Siam Mapped – A History of the Geo-Body of a Nation*. Honolulu: University of Hawai'i Press.
- Rousseau, J. 1990. *Central Borneo*. Oxford: Oxford University Press.
- Van Schendel, W. 2005. "Spaces of Engagement: How Borderlands, Illicit Flows and Territorial States Interlock" in *Illicit Flows and Criminal Things: States, Borders and the Other Side of Globalization* (W. Van Schendel & Itty Abraham, eds.),
- Whittier, H.L. 1973. *Social Organization and Symbols of Social Differentiation: An Ethnographic Study of the Kenyah Dayak of Kalimantan (Borneo)*. Ph.D. Dissertation, Michigan State University, East Lansing.

From China to Indonesian and to Australia: Two Stories of Struggle for Acceptance

Dewi Anggraeni

Abstrak

Pada kurun waktu beberapa abad, orang China meninggalkan kampung halamannya dalam jumlah besar didorong oleh sebab dan niat yang berbeda-beda. Mereka yang berlayar ke selatan mendarat di kepulauan yang kemudian menjadi bagian dari Republik Indonesia. Ada juga yang tiba di benua selatan yang sekarang dikenal sebagai negara Federasi Australia. Meski beragam, gambaran mental mengenai etnis Cina sangat dibatasi oleh stereotip yang sempit. Di Indonesia, etnis Cina digambarkan sebagai orang-orang yang tanpa ampun mengejar laba, seringkali dengan mengorbankan orang-orang di sekitar mereka, dan enggan membantu kesejahteraan masyarakat tempat tinggal mereka. Di Australia, gambaran etnis Cina yang ada di tengah masyarakat luas berkaitan dengan adaptasi, kebiasaan, dan filsafat kehidupan, yang berbeda dari kebanyakan penduduk yang bertatar belakang etnis dan budaya *Anglo-Celtic* dan Eropa. Tulisan ini berusaha mengangkat ke permukaan dan menganalisis titik-titik gelap dari topik ini, yaitu aspek-aspek tentang diri mereka yang luput dari pandangan-diri etnis Tionghoa, sekaligus aspek-aspek yang lolos dari radar masyarakat luas yang non-Cina.

Indonesia: How many Chinese?

The number of ethnic Chinese in Indonesia has been debated for a long time. Leo Suryadinata, Arifin and Ananta (2003:73) speculate the number to be around 1.45 to 2.04 percent. Suryadinata et al (2003:76) explain the need for inference and speculation in coming to the figures.

It is not easy to estimate the number and percentage of ethnic Chinese in Indonesia. Discussions on the quantitative aspects of the Chinese relied mostly on information from the 1930 Population Census (Suryadinata, Arifin and Ananta 2003:76).

Suryadinata continue that while the 2000 *Population Census* distinguishes between the ethnic Chinese with Indonesian citizenship and those with foreign citizenship, it still does not provide a full and complete picture in terms of the number of ethnic Chinese (with Indonesian citizenships). Only 11 provinces, covering 68.45 percent of the total Indonesian population, contain the figures. The rest of the ethnic Chinese is not one of the eight largest ethnic groups in those provinces.

In any case, if the figures representing such a small segment of the population seem disproportionate to the definite profile in the country's social and political landscape, a brief investigation into what creates the profile has revealed colourful and complex accounts involving many parties. Interestingly, the profile has been largely created by the popular belief that the ethnic Chinese have dominated Indonesia's economy, complemented by the accompanying stereotype which prevails and persists until today.

They are mostly depicted as business operators, (whatever size business they operate), who are ruthless seekers of financial profit and often with complete disregard for, even at the detriment of, the majority of people around them. On top of that, among the mainstream population they are perceived as 'rootless', hence having no loyalty to the country in which they live, in this case Indonesia. Related to that, it is also widely believed that they are still loyal to their motherland, China. This perceived loyalty is often seen as the reason for their exclusivity and it is reflected in their preponderance to socialize among themselves also their avoidance of interracial marriages

Like most stereotypes, that of ethnic Chinese does contain some truth, *albeit* not the whole truth. Having been reduced into the scale of a caricature, the stereotype does not reveal the complexities of causes and consequences behind it. If we isolate two major elements of the stereotype, and analyse them even briefly, we may find some interesting overlap of myth and fact.

They Are All in Business

During Soeharto's New Order government (1966 - 1998), increasing numbers of ethnic Chinese turned to private enterprise of varying sizes, not only because many indeed fit naturally into this field, but also because they were shut out of most other avenues¹. If the situation had been allowed to develop naturally, many more ethnic Chinese would most likely have entered other

1 To deprive ethnic Chinese of their social, cultural and economic space there were laws and regulations as well as widespread practices on the part of the authorities which had no legal base yet accepted as a given. Among the latter was the 'unofficial quota' imposed on ethnic Chinese entering civil service, military service, employment in state-owned enterprise and academia. These restrictions also applied to ethnic Chinese entering state universities, pushing them into a situation where only those who, or whose parents, were able to afford private university fees, were able to continue to tertiary education.

professions such as lecturers, politicians, public services domain, or artists, where a small number have indeed found their vocations.

Ethnic Chinese have not been hard-wired to only operate businesses. This assumption is certainly not historically based. The Chinese who came at different times to what is now Indonesia had widely different vocations. Lynn Pan (1990:6) recounts the circumstances, social and political, which brought private merchants/traders, hunters, artisans and farmers from the southern provinces to flee south. Based on available documentation of the later years on the occupations of the ethnic Chinese, it might be inferred that those who came and settled in the archipelago before then were of the same vocations and occupations. As the varied vocations of the immigrants indicate, they were not all merchants and traders, and naturally they did not all go into business

Chinese, asserts Wang Gung-wu (1994:22), had been sailing to Southeast Asia since the time of Song Dynasty, though written records about Chinese migration would only become available from the beginning of Ming Dynasty. Wang (1994:4-20) sees that the migration follows four patterns: the trader pattern, the coolie pattern, the sojourner pattern, and the descent and re-migrant pattern. The first three being the most relevant to the situation in Indonesia. I will borrow Wang's categorisation in my review and analyses of the occupations of the ethnic Chinese in Indonesia.

The trader pattern, which was the dominant pattern by the 18th century, refers to traders, miners and other skilled workers who left China for various reasons. They sailed in different directions; they arrived in various lands, including in Southeast Asia, where some of their numbers then decided to stay. For the purpose of this article, I will focus specifically on the areas of the archipelago in the region which is today's Indonesia.

The coolie pattern refers to mostly men of peasant origins, landless labourers and urban poor who went in large numbers to, among other places, such as North America and Australia. During the gold rushes, they looked for gold as well as work in plantations, railway construction sites, and other openings where manual labour was needed. It occurred in Southeast Asia also, though in a much smaller scale. In terms of the archipelago, the most significant segment of this pattern is the Batavia chapter. Even prior to the existence of Batavia, according to Susan Blackburn, writing then as Susan Abeyasekera (1987:6), Chinese had been living in the place, then known as Jayakarta. Dutch accounts described Jayakarta, as

'...a provisioning port where ships could anchor in an excellent harbour and find good drinking water, local timber for repairs, and arak (rice wine) produced by the Chinese who had settled there. (Abeyasekera 1987:6)

The documents were obviously referring to the time prior to 1619, the year Jayakarta was demolished by the Dutch. The Chinese then, were already set up in small businesses, and were known as eager and serious workers. When Jan Pieterszoon Coen of the Dutch East India Company (known as VOC) eventually began to build Batavia, he saw that to really create a European society in the town he needed more workers, the best and easiest to get, he observed, being the Chinese.

So keen was he to build up their numbers quickly in Batavia that in 1622 he sent ships to China to kidnap people on the coast. Once the port became established... Chinese traders came of their own accord, bringing poor coolies from the south of China. (Abeyasakere 1987:23)

The sojourners pattern is very different from the previously mentioned ones. In the beginning of 19th century, this pattern has ideological and political undercurrents. The sojourners were teachers, journalists and other professionals who came to Southeast Asia, including the archipelago a large part of which had then become the Dutch East Indies. Most of the sojourners, according to Wang (1994:6-7) were keen to promote a greater awareness of Chinese culture and the socio-political development in the country. A much smaller number of this class of people were known to have sailed on to Australia and New Zealand.

The peasants, landless labourers and urban poor were driven out of China by immediate forces created by the political situations of that time which generated more widespread poverty among those who were already poor. Wherever they landed their first priority would be to build a better life. In the case of those who settled in the archipelago, many inevitably were unable to find what they were seeking. They remained poor and landless, in the Dutch East Indies in particular. Colonial policies then making it difficult for Chinese to acquire land. The more fortunate however, would have moved on to better positions in life, such as various small businesses. Those who were able to find local indigenous or other Chinese women and build better lives, would encourage their descendants to move further up the social rungs. Nowadays, the only region with a significant ethnic Chinese farmer population was West Kalimantan. Most in the other areas do not live off the land.

Rootless: Loyalty to China Rather Than Indonesia

It is not useful to confuse the meaning of 'rootless' with the notion of 'maintaining links with ancestral land'. Many Indonesians from north Sumatra who now live in Jakarta for instance, feel they have roots where they live. Yet, they still maintain their links with the homes of their ancestors. The desire not to sever the links with China is multi-faceted, however. This sentiment has largely evolved and dove-tailed with the political developments in Indonesia, the Southeast Asian region, and China itself.

1. It Is Primordially Driven

Pan (1990:11) brings to attention a belief more psychological than factual, held by many in the Chinese diaspora that they were the proud descendants of *Huang Di*, the Yellow Emperor, the mythical ancestor of the Han Dynasty. Irrational though it may be, it has been well documented that when a particular people physically leave their land of origins to settle somewhere else, they develop strong needs to feel connected to it, regardless of how deep they have grown roots in the place they live. Those who never leave China may not have the same intense self-identification as the desire to be connected felt by their counterparts who left. In fact, in most cases, the ancestral cultures to which these people believe they have links, often no longer exist, as the original cultures in their natural sites continually evolve.

2. It Is Reinforced by Social and Cultural Ambience, Legal and Political Environments, and Politically Induced Insecurity

The earliest arrivals, assuming those who left especially during the times of Ming Dynasty or maybe earlier, had left their extended families, their comfort zones, behind. Depending on the reception they received in their destinations, they would have physically and mentally settled in the new lands, or moved on in search of new places. Even if they had been well received and able to fit into the local community life with relatively few problems, it would be fair to expect that they would have wanted to maintain links with their loved ones in the homeland. Over decades their descendants, especially those born of indigenous mothers, would have assimilated into the indigenous communities where they lived, naturally and without force on both parts. Though there are certainly ethnic Chinese who stand out in terms of social vernacular such as appearance and body language, despite speaking local languages, many of the descendants of the original emigrants are now almost indistinguishable from their indigenous neighbours. Though in many cases some aspects of Chinese culture have been incorporated into their lives. In Jakarta area, for instance, they live in Kemayoran, Tanjung Priok, Palmerah, and on the outskirts such as Tangerang, Serang and Muara Karang, as well as other more central, suburbs. They are spread across the socio-economic continuum from very poor to reasonably comfortable. Only a very small number became outstandingly rich.

Ethnic Chinese During The Dutch Occupation

During three and a half centuries of Dutch occupation ending officially on 17 August 1945, the Chinese were continuously used by the colonial administration as middlemen, given licenses to be tax-collectors and harbour masters, for example. They were thus made distinguishable from the indigenous population as well as other non-indigenous non-European races.

This arrangement may well have served both the Dutch and the Chinese as well. The Dutch were not having to dirty their hands while still collecting the dues and the Chinese, who were known to very rarely recoil from hard work, benefitting financially while enjoying the power lent to them by the Dutch. The Chinese, especially those who enjoyed significant economic success, thus perceived themselves as closer to the power elite, in this case the Dutch, than other ethnic groups or the indigenous majority. Many of the wealthy would have behaved in a superior manner *vis-à-vis* the indigenous majority. If the indigenous population, especially those in the lower end of the social rungs, harboured any resentment toward their Dutch masters. It was necessarily tinged with awe, due to the power the Dutch never hesitated to exercise.

In the meantime, the resentment the populus felt toward the Chinese, while clouded with fear for their apparent closeness to power, was largely laced with contempt. While the wealthy Chinese were able to afford guards for their safety, it was the poorer ones among them who became vulnerable to attacks or robberies by some indigenous people who regarded themselves as being the oppressed in an unfair social arrangement. While the wealthy felt bolstered by a sense of proximity to power (most likely false, nonetheless), the poorer Chinese resorted to the 'links' with China, their ancestral land, which in reality did not do them much good, either.

Legally, the Dutch did not make it easier for the Chinese to find their spot *vis-à-vis* the rest of the population. The Constitutional Regulation of 1854 placed the Chinese under the same legal footing as the natives. The Regulation separated the population into two legal classes: Europeans and those equated with Europeans, and the natives and those equated with them. Equated with Europeans were the indigenous Christians, and equated with the natives were Chinese, along with Arab, Japanese and other non-European races – these would later be called 'foreign orientals' -

As Charles Coppel (2002:158-159) asserts, the concept of 'equating' is very complicated. The Regulation conferred power to the Government to make exceptions to the classification referred above. While equated with the natives, various pieces of legislation blurred the issue. Coppel names as an example the 'Agrarian Law of 1870 which prohibited the sale or permanent transfer of land from 'natives' to Europeans or other 'foreigners' like the Chinese' (Coppel 2002:59). Moreover, Coppel points out,

The Chinese were also required to reside in designated districts (*wijken*) and were not permitted to travel from one part of the colony to another unless they obtained a government pass (Coppel 2002:59)

This certainly did not make natural social mixing with the rest of the population any easier for the Chinese. Mixing however did occur, but limited, mainly to the marketplace.

Another issue which may have been seen as Chinese stand-offishness is the lobbying by a number of Chinese during the end of the 19th century which continued throughout the first decades of the 20th century. The colonial government 'equate' all Chinese in the Indies with Europeans. This followed a significant move in 1890 to 'equate' with Europeans, all Japanese nationals and ethnic Chinese whose land of origins was Formosa (as Taiwan was known then). This move was a result of the Netherlands government's treaty with Japan. Given a choice, the Chinese would have preferred being included in the group 'equated' with Europeans, not only because that would redress the anomaly in relation to the Japanese and Taiwanese, but also being 'equated' with Europeans would mean being able to enjoy the protection of the European criminal code with respect to arbitrary arrest, jail condition, and legally qualified tribunal. In the native court only the presiding chairman was legally qualified. It was a hopeless situation for the Chinese, but as it had happened and would happen again, most just accepted the situation, but the politically aware among them began to look toward China where nationalist fervour was swelling, in the hope that a stronger China would be able to sway the Netherlands government.

The majority of Chinese who had enjoyed Dutch education and those who were politically realistic took the option of going with the flow, because they knew that for China to come to their aid was not a reasonable likelihood. However it does not mean they liked the situation. Spread in the middle of the continuum were a fair number who were in different professions such as writers, lawyers, teachers and various artists, who had accepted the Indies as their spiritual as well as actual home, and had been imbued with similar feeling of nationalism as their indigenous counterparts.

The early 1940s was a significant turn of attitudes among the Chinese. The Japanese landed in 1942 and occupied the Indies for three years. In line with its campaign of Asia for Asians, the Japanese forced the ethnic Chinese to send their children to Chinese schools. Parents duly withdrew their children from Dutch schools and enrolled them in Chinese schools. Among the teachers here were children and friends of the teachers and other intellectuals who had left China during the latter half of the previous century. After the departure of the Japanese, followed by the declaration of Indonesia's independence on 17 August 1945, the arrangement continued. By that time, at school the children had been taught of their Chinese cultural heritage, where they were also largely buoyed by the fervour of the nationalism in China which saw the birth of People's Republic of China on October 1, 1949. The pride of being Chinese infected many of the young minds then. A number of Chinese social organisations were founded.

After the Dutch finally ceded power in 1949, the issue of loyalty became increasingly merged with that of identity. It was during this time also that a bigger picture appeared. Firstly, not all ethnic Chinese in Indonesia were in

favour of the new communist China. Many were Kuomintang sympathisers. Secondly, a fair number of ethnic Chinese were largely unaffected by the Communist and Kuomintang conflict, preferring to focus on life in the new republic. Lastly, of those groups mentioned above, many sympathised with the nascent Indonesian nationalism.

In the new republic however, the insecurity of the ethnic Chinese was revived as regulation after regulation was enacted to suggest that they were less than welcome. Among them were the 1954 regulations barring them from purchasing rural property and owning rice-mills, and the 1955 regulation barring them from studying at university. Stuart Pearson, writing the memoirs of his ethnic Chinese Indonesian mother-in-law, An Sudiby, quotes and describes her feelings about the situation then,

I believe the Indonesian Government wanted to rid itself completely of Chinese, so they structured the arrangement in such a way that everyone who had not accepted Indonesian citizenship by December 1951 was automatically regarded as an 'alien' and therefore liable for expulsion..
(Pearson 2008:125)

The ethnic Chinese were practically required to decide overnight, whether to accept Chinese citizenship or refuse it and officially become Indonesian citizens. Even those who took Indonesian citizenship were not spared discrimination problems. They were still treated as foreigners, a legacy of the Dutch colonial administration policy. One prominent example was businesses operated by citizens of ethnic Chinese were categorised as foreign companies and subjected to discriminatory legislation.

Ethnic Chinese During The New Order's Government

Under the New Order government (1967 - 1998), ethnic Chinese continued to be disadvantaged. They were not only politically disempowered, but also presented in the worst possible light. Even a basic right like citizenship, was made problematic for them. Having officially taken up the citizenship, they still had to have a specific document, a certificate proving Indonesian citizenship, known as *Surat Bukti Kewarganegaraan Republik Indonesia* or *SBKRI*, which invariably cost them a lot of money, the amount of which depending on the demand of each official who had to sign the application. On top of that, since their identity cards were specifically coded, each time an ethnic Chinese had to apply for any licence or document, he/she had to pay a higher fee than their indigenous counterparts. At the same time, few individuals who were publicly known as 'close' to the power elite, hence able to obtain preferential treatment in say, tendering for major projects, were given such high profiles that it was etched into public consciousness that the ethnic Chinese were inherently corrupt, so they became fair game for extortion. Unfortunately,

this practice became so ingrained and widespread that even the poorest of the ethnic Chinese expected to be subjected to various forms of extortion. As a result, many had no option but not to obtain the various documents, even the ones required by the government.

Throughout decades of being part of Indonesian nation, the ethnic Chinese have had to live with the awareness that violence, mostly to their property, occasionally to their person and it can descend upon them anytime. They have had to depend on the power elite, or in the very least, those in charge of national security, for protection. This unsurprisingly has placed them in very awkward and unbalanced alliances, of which they have had no choice. Since the end of New Order's rule, the situation is slowly improving for the ethnic Chinese. They are since allowed cultural expression, such as publicly celebrating Chinese New Year and using Chinese characters in public space without fear of prosecution or persecution.

1. Self-perceptions

As for self-perceptions of ethnic Chinese in terms of their Indonesian identity, there does not appear to be a collective one². There is instead, a wide continuum where on one hand, those who believe a separate race, must retain their Chinese cultural heritage. Because the indigenous population do not want them in their community anyway. A large number of this category of ethnic Chinese live in West Kalimantan cities, notably Pontianak and Singkawang, and in Sumatra, especially Medan and Palembang. These are mainly places where ethnic Chinese communities appear to fully function with a minimum of interaction with the ethnic Malay majority and other minority ethnic groups, such as ethnic Arab and ethnic Indian.

On the other hand, those who have abandoned their Chinese attributes, belong to the land in which they live, especially if their families have interracial marriage with nonchinese. They even have adopted the local language as their own regional language along with Indonesian as their national language. A large number of this category live in Java, especially metropolitan Jakarta including its outskirts, central and East Java, in northeast Sulawesi notably in Manado. Scattered in between, they feel with differing degrees of ethnic Chinese sense of identity while they feel grounded in Indonesia and being Indonesian. They have assimilated the political uncertainties and insecurities into their day-to-day lives, as an inherent part of life itself. They can be found throughout Indonesia, even among those in West Kalimantan, north and south Sumatra.

2 This information was collated during the author's three-year research in preparation of *Breaking The Stereotype: Chinese Indonesian Women Tell Their Stories (2010)*, during which time she travelled to different regions of Indonesia and spoke with many people, of Chinese and other ethnicity.

Dewi Anggraeni (2010) in her book presents a sample of eight ethnic Chinese women who do not in anyway fit into the stereotypical images, generally attributed to them. One of them, Ester Indahyani Jusuf (2010:3-32), for example, could wipe the stereotype off the canvas with one brush stroke. She is a human rights activist, fighting not only for ethnic Chinese, but anyone of any ethnicity. She is married to an ethnic Javanese (her late first husband, Arnold (Ucok) Purba, was of Batak ethnicity). Having founded Solidaritas Nusa Bangsa, a non-profit nongovernmental organisation, with her then husband Arnold Purba and a number of friends, she now still regularly donates part of her income as a lawyer to the organisation. She does not show any inclination or desire to operate any business. Modifying the popular profile however, will be a massive and slow process, because what has been embedded in the collective psyche of the population will take a concerted effort on everybody's part over a long time, to dislodge.

Australia: How many Chinese?

In the 2006 Australian Census, 669.890 Australian residents identified themselves as having Chinese ancestry, either alone or with another ancestry. Thus they made up just over 3 percent of the whole population of 21 million at the time. The first documented arrivals, originating in the southern provinces of China, took place in mid 19th century. They were among the human cargoes, as indentured labourers, destined for Cuba, Peru and the Caribbean sugar colonies as well as Australia. Thus they fit into Wang's *coolie* pattern. Those who arrived in Sydney, as described by Pan (1990:11) in her book,

'In October 1848, the Nimrod, a 234-ton barque, brought 120 Chinese labourers from Amoy to Sydney through the agency of James Tait. The odd Chinese carpenter and houseboy had preceded them many years before, but the arrivals on Nimrod were probably the first Chinese to come to New South Wales as a group. They were followed by many others, for Australian squatters badly needed pastoral labour in appreciable quantities (Pan 1990:11)

Some of these people may have been skilled workers and artisans, but they were never perceived as anything but manual labourers, comparing to those who were shipped to Jayakarta to help build Coen's Batavia. They were brought in as indentured labourers to work on farms belonging to private landowners, to look after cattle and sheep, and build, then work, the irrigation system.

Then in 1851, gold was discovered in Australia. This brought streams of immigrants from all around the world, the Chinese among them. Again most of them came from the southern region, especially the province of Quandong (then known as Canton). More than 40.000 men and over 9.000 women were

documented to have migrated to the goldfields in 20 years. Incidents of violent conflict among different nationality groups seeking gold, frequently occurred. These led to Sir Charles Hotham, then Governor of Victoria, to appoint a Royal Commission to investigate Victorian goldfields problems and grievances. The Commission's findings resulted in restrictions being placed on Chinese immigration and residency taxes levied from Chinese residents in Victoria from 1855. Six years later, in 1861, New South Wales imposed the same restrictions. The restrictions were in force until the early 1870s.

Coming to a Land with Harsh Political and Social Landscape: the Forming of a Stereotype

When the Chinese really began to come, Australia was a convict colony of Britain. On the whole, it was a very sparsely populated continent. Apart from the relatively small numbers of Aborigines, by 1800 there were fewer than 6000 white people, and only one-tenth of these were free settlers. The arrivals in large numbers of an alien race would have been unsettling to their fragile sense of cohesiveness in the best of times.

Even after federation in 1901, Australian attitudes toward the Chinese were hostile at worst and extremely suspicious at best. Alison Broinowski (1992:6) describes the sentiments toward nonwhite in Australia at the time:

For more than a century most settler Australians defined Asia not as many diverse countries but as one and as a generalised source of threat. While they had inherited other enemies – Russians, Germans, French, even Americans – from their British identity, Asia seemed peculiarly their own (Broinowski 1992:6)

The first Bill introduced at Federal Parliament in 1901, was indeed the Immigration Restriction Act, a precursor of the White Australia Policy. This Act continued to be strengthened with subsequent Acts, making entry into Australia by Chinese extremely difficult. Alfred Deakin, Australia's second prime minister, the chief architect of the the White Australia Policy, deemed the Policy necessary as he perceived the Chinese and Japanese to be a threat to the newly formed federation. As far as white Australians were concerned, the Chinese were only good as labourers who worked for them. They were not, however, to live among them, let alone as equals. White Australians found the Chinese unacceptable in all respects, whether these touched the unemotive or emotive sides of the white population.

Unemotive Side: Perceived Undesirable Qualities

Even in a relatively unemotive language, the Chinese were clearly perceived as possessing of undesirable qualities in terms of living among white Australians, qualities which in other circumstances would have been actively

sought. The suggestion was that with the Chinese around, white Australians would have very little chance of maintaining their high standard of living and having decent jobs at the same time.

The sense of threat felt by the Anglo-Australians at the time was more real than a mere excuse. Though strongly identifying British, the newly formed federation was very much driven by the idealism of an egalitarian and classless society. Emancipists and free settlers alike, were reluctant to accept any foreign groups which would disturb that ambition even in the remotest possibility. In fact, they did not even like the free settlers who gave the impression of wanting to reintroduce the classed society they had left behind in Britain. The Chinese, in this case, were believed to have come from an inherently hierarchical society and as such, were incompatible with the ideals of the newly formed federation.

Emotive Side: Compounded Fear of the Threat of the ‘Unknown’ Leading to Confusion and Misconception

The general population’s inability to differentiate between Chinese and Japanese plays the emotive side of the need for excluding the Chinese from Australian soil. The fear of the Japanese during the beginning of 20th century was thus consolidated with the ‘alien’ attributes and qualities of the Chinese. Films showing images of the Asian (Japanese and Chinese) threat, helped the population absorb the message subliminally. Raymond Longford’s film (1913) *Australia Calls* suggested Asian invaders were Japanese, which they named Mongolians. It also showed attacks on local Chinese by settler and Aboriginal Australians. A film of the American fleet’s visit included the footage to simulate a Japanese invasion. Phil Walsh’s film (1928), *The Birth of White Australia*, showed the massacre of Chinese at Lambing Flat, New South Wales, in 1860-61. In fact, the Lambing Flat violence was just one example of how the qualities that would later be referred to by Deakin as ‘good qualities’, worked against the Chinese themselves in the context of the gold rush society of that time. The white gold diggers – British and continental Europeans, tended to work alone or in small groups, and in random fashion, concentrating on rich patches of grounds then abandoning them to move on to other spots. Not many were able to earn a decent living that way, let alone striking rich. The Chinese on the other hand, tended to work in large organised groups. They took over a large surface at a time, thus sooner or later they would find gold. They worked long hours, slept in simple quarters and ate basic food, hence even with a smaller return of gold they had a lot more to show for their efforts than the other nationality groups.

More Subtle Campaign Reaching to Both Levels:

Cerebral and Emotional

A similarly relentless campaign was maintained on a more subtle and seemingly cerebral level. For example, in 1865, in an edition of the *Melbourne Punch*, an Australian literary magazine, Chevalier, a cartoonist, sketched newly-rich Chinese acting as though they owned the place. Broinowski (1992:9) writes,

A cartoon image of a Chinese posing as A.B. Paterson's comic bushman, Mulga Bill, reflected the perennial fear that lazy Australians would have the tables turned on them, and that they would become the 'poor white trash of Asia (Broinowski 1992:9)

Just as undesirable if not more, it appeared, was fraternising and worse, intermarrying, with the Chinese. Here 'others' means 'nonwhites'.

'In 1902 Hop managed in black and white to suggest the awful polychrome possibilities of intermarriage with Asian and others (Broinowski 1992:9)

Another argument circulating then which on the face of it sounded rational, was that the Chinese came from a very different culture from that of egalitarian Australians. They were imbued, the argument said, with a hierarchical and authoritarian concept of humanity, completely incompatible with universally held in Australia.

There was a kind of counterbalance to the above negative images lodged in public consciousness, generated by the proponents of orientalism. While the concepts held by most adherents of the White Australia Policy were generally dark and sinister, the orientalist's take was mostly beautiful and idealistic, even of dreamlike quality. The orientalist concepts and their array of manifestations are still available today in the realm of the arts, such as paintings, sculptures, literature and drama.

Stereotype vis-à-vis Reality

Stereotypical concept and images of the Chinese have been largely based on four premises³:

1. They were a threat to the Australian way of life where egalitarianism and mateship were the mainstay, not hierarchy and authority
2. They were a threat to workers in Australia because Australian workers would not be able to compete with them

³ This list was collated based on documented data as well as the author's personal communication with Australians throughout four decades of living and working in Australia

3. Their main ambition was accumulating wealth, hence they would not hesitate to take over the country and its resources
4. Their culture was too different from that of white Australians, so the distance was too vast for the two sides to converge

When the above four elements were fleshed out, they could reach into spots and corners of the collective consciousness of Australians, manifested in numerous shapes and forms which kept adding to the popular profile of the ethnic Chinese in Australia. During the latter half of 19th century, the fear and suspicions generated by the stereotype hindered a great deal of natural social intercourse between the ethnic Chinese and the rest of the population. Even those who subscribed to the orientalist concepts were happier if Chinese culture were more of an idea than a reality that might confront them as they stepped out of the confines of their own homes.

White Australia Policy, as well as the taxes and levies imposed specifically upon the Chinese, may have stopped further large numbers coming to Australia, however those who were already in the country managed to find their own spots in society, with varying degrees of success.

Becoming Indispensable Part of Australian Society

In everyday life, the Chinese found vocations which were indispensable to all Australians, such as market-gardening, cabinet-making, printing, and fine arts as well as general cuisine. And those who eventually enjoyed financial success sent their children to a good school and universities, thus producing a new generation of ethnic Chinese with a more acceptable to the generally white population. With subsequent intermarriages with members of other ethnic groups in Australia, including Australian Aborigines, at least two generations of Chinese Australians, especially the mixed-race among them, have entered Australian society with relative ease. They are actively participating in various professions and vocations: in different levels of government, in the legal and medical professions, in commerce, in education, in the arts and in the trades. One of Australia's current senior ministers is Penny Wong, a Chinese Australian born of a white mother.

John Fitzgerald (2007) confronts the stereotype about this group and finds that the Chinese themselves have gone a long way in breaking it down with their own lives and contributions to the nation. Among the list of achievements Fitzgerald names clubs and businesses, founded by Chinese Australians,

'Chinese Australian merchants were among the earliest in the diaspora to recognise the value of inclusive clubs and societies for community management and business networking. The NSW Chinese Chamber of Commerce (1903) was founded some years after the Hong Kong

Chamber (1896) but ahead of comparable chambers in Singapore and Straits settlements, the Dutch East Indies, North America and even China itself...(Fitzgerald 2007:181)

With White Australia Policy officially dismantled in 1973, new streams of Chinese immigrants, many come from countries other than China (e.g. Malaysia and Hong Kong prior to 1997 handover), fitting Wang (1994)'s descent and remigrant pattern, began to be admitted into the country. In 1990s, after Tiananmen Square, many young individuals, students and intellectuals, were further accepted. They were seen as victims of an authoritarian regime, whose lives would be in serious threat if they did not leave China. More importantly, the Prime Minister of Australia, Bob Hawke, took exceptional interest in them and promised them refuge in Australia.

By now, Australia has been exposed to different outlooks on life, differing lifestyles, various types of mannerism and body language from the ethnic Chinese. Some of course still recognisably foreign to most of the population, especially in the cases of those who had been in the country for a short time, and still tend to move within their own circles, their comfort zones.

Self-Perceptions

While the mainstream society in Australia still have problems telling the differences between Asian ethnicities, such as Chinese, Korean, Japanese, Malay and Indonesian, let alone differentiating different subethnics of China. They can tell the class differences among the ethnic Chinese and they think they are ethnic Chinese. Class differences are indeed a prominent aspect of Chinese Australians' self-perceptions.⁴ A second, third or fourth generation Chinese Australian doctor or dentist, for instance, would regard himself/herself as an Australian doctor or dentist rather than Chinese doctor or dentist. It is also generally the case with Chinese Australian teachers, writers, artists and drycleaners. At a more subliminal level however, most Chinese Australians have never severed their emotional ties with their homeland in China. When they are asked by his/her family dialect for instance, an ethnic Chinese Australian would more likely to say 'Hakka', 'Hokkien' or Teochew' than 'Victorian' or 'South Australian'. This is also mostly the case with those who migrated to Australia from Hong Kong, Malaysia and Singapore.

There are two main elements which can explain this social phenomenon. First, Australia is being an immigrant receiving country, barring its various aboriginal tribes. All the rest of the population come from other places and coming from another country is a given, not an indication of being foreign or disloyal. Second, apart from the dominant British culture, which varies in

⁴ Information gathered by the author during four decades of living in Australia

strength from state to state, there are not any particular local 'home cultures' into which the ethnic Chinese feel comfortable to blend, their physical features alone setting them apart. Thus, their subconscious longing for belonging can only be fulfilled by staying with the original ancestral culture, however distant in time it may be. Residuals of the stereotype remain, though they no longer form a strong barrier, though a more subtle barrier still exists, between the ethnic Chinese and the rest of the population.

Different Situations: Indonesia and Australia

The Chinese who arrived in Indonesia and Australia, both have had to struggle to be accepted, when they have wanted to live and settle in the respective countries. For that reason, they have had to break the mould of the widespread stereotype. The Chinese who left China in 15th century onwards or in earlier times, were necessarily of the adventurous and outward-looking type, who did not recoil from the idea of serious risk-taking. Depending on the local cultures at the places of their destination, they were either accepted, even welcomed as proponents of progress, or shunned as *agents provocateurs* who tended to upset the established set-ups which the majority of locals perceived as ideal. They were also suspected of ambitions to rob the locals of their natural resources and other riches. Those who left China during the rule of Ming Dynasty, sailed out with a desire to visit China's tributary regions in the southern seas. Most of them came to what is now known as Southeast Asia.

In various parts of the Southeast Asian archipelago, those early small entrepreneurs and artisans were able to fit in slots which they created themselves but worked well with the general communities. They may have had problems adjusting to the local mores, but their industriousness, specific skills and expertise may have put them in fairly good steads.

Serious problems arose during the times of Dutch occupation. The Dutch recognised the entrepreneurial skills of the Chinese and used them to their own advantage. By placing the Chinese between themselves and the natives, the Chinese became a kind of bumper which took the hard knocks coming from both sides. It also created a social cleavage between the Chinese and the natives, generating a great deal of resentment on the part of the natives, and an illusion of power on the part of the Chinese, which made them even less liked. Nonetheless they were predisposed to taking the side of independence fighters against Dutch colonialism. This placed them on the wrong side of the Dutch rulers.

Those who came in 18th century were driven by poverty, which would have rendered them more easily accepted by the natives if not for the fact that the Dutch separated them from the rest of the population. This added impetus to negative stereotyping. History and political events have not been

very kind to the Chinese who have wanted to live in the Indies and later on, in the nation of Indonesia. Not having a natural, geographical area of their own, the Chinese have always been disadvantaged politically. Hence, they needed the acceptance of those who had political power.

One of the huge differences between the situations in Indonesia and in Australia lies in the fact that in Indonesia the locals had contact with Chinese people other than those brought by the Dutch colonial administration as manual labourers. There had been trading activities between the locals and Chinese seafarers, especially from the Ming dynasty era. Some of whom, from time to time, decided to stay and settle in various areas of what is now Indonesia.

On the other hand Australia, when the Chinese began arriving in earnest in 19th century, was a convict colony of Britain. On the whole it was very sparsely populated. Apart from the relatively small numbers of Aborigines, by 1800 there were fewer than 6000 white people, and only one-tenth of those were free settlers. The colonial authorities only took in the Chinese under duress, for want of other options. Neither the white settlers nor the emancipists, had any interaction with the Chinese except as master and labourer.

Despite the rough beginnings, in Australia, the journey of the ethnic Chinese toward social integration has been a lot more linear than it has been in Indonesia. Their struggle of acceptance has progressed ahead with very few setbacks. They have always had freedom of cultural expression even under White Australia Policy, and the mainstream society have always expected them to maintain links with their cultural homeland. At the same time, they have equal legal standing as the rest of the population, as their citizenship is as good and as solid as anyone else.

In Indonesia, people have been conditioned to expect their ethnic Chinese citizens, at 3 percent of 240 million, over 7 million, to show loyalty by severing cultural links with China, though this is gradually changing. They are still regarded with a degree of suspicion and as ready targets for resentment. The legal framework meant to protect their rights. It is not always enforced or enforceable. The struggle to be accepted in Indonesia, therefore, has been more arduous and fraught with continuing insecurity, for the ethnic Chinese. ●

References

- Abeyasakere, Susan. 1987. *Jakarta a History*. Singapore: Oxford University Press.
- Anggraeni, Dewi. 2010. *Breaking the Stereotype; Chinese Indonesian Women Tell Their Stories*. Melbourne: Indra Publishing.
- Broinowski, Alison. 1992. *The Yellow Lady*. Melbourne: Oxford University Press.
- Coppel, Charles A. 2002. *Studying Ethnic Chinese in Indonesia*. Singapore

Society of Asian Studies.

Fitzgerald, John. 2007. *Big White Lie; Chinese Australians in White Australia*. Sydney: University of New South Wales Press.

Pan, Lynn. 1990. *Sons of the Yellow Emperor; the Story of the Overseas Chinese*. Great Britain: Martin Secker and Warburg Ltd.

Pearson, Stuart. 2008. *Bittersweet; The Memoir of a Chinese Indonesian Family in the Twentieth Century*. Athens: Ohio University Press.

Suryadinata, Leo, Evi Nurvidya Arifin, Aris Ananta. 2003. *Indonesia's Population; Ethnicity and Religion in a Changing Political Landscape*. Singapore: ISEAS.

Wang, Gungwu. 1991. *China and the Chinese Overseas*. Singapore: Times Academic Press.

The Human Trafficking of Cambodian Women and Children for Sex Industry: Internal end External Case Study

Betti Rosita Sari

Abstract

Perdagangan manusia atau *human trafficking* menjadi isu yang penting di kawasan Asia Tenggara, bahkan global seiring dengan meningkatnya jumlah korban dan perubahan pola-pola perdagangan manusia yang sangat cepat. Konflik dan perkembangan teknologi, serta kondisi sosial ekonomi masyarakat turut mempercepat angka perdagangan manusia, tak terkecuali di Kamboja dimana banyak yang menjadi korban perdagangan manusia ke Thailand dan Vietnam. Paper ini akan menjawab pertanyaan apa sebenarnya penyebab utama perdagangan manusia di Kamboja, bagaimana pola-pola perdagangan manusia, serta bagaimana respon dari pemerintah Kamboja untuk memberantas perdagangan manusia.

Introduction

Human trafficking is one of the most serious human rights issues facing Cambodia today. In a country where the average per capita income is among the lowest in the world and state support systems are negligible, unsuspecting victims are lured with false promises of jobs or marriage, and they are forced into sex work or exploitative labor situations. The growing number of human trafficking for sex industry in Cambodia is associated with poverty, lack of education and social conditions including pressure to contribute more income to their family. Moreover, the patterns of economic development (including expansion of the tourist industry, privatization and corruption) and gender relations in Cambodia society have interacted to create the conditions for a flourishing sex industry.

A complex of interrelated changes associated with economic development and gender roles have operated to provide an increasing supply of women for the sex sector. Social norms play a large role as men's sexual activities

and it is accepted by Cambodian society, in contrast to the sexual activities of women. The norms which accept men's sexual activities, as well as the sexual behavior of UNTAC soldiers and tourists (which is closely related to the idea of 'orientalism') supports trafficking in Cambodia (Takamatsu, 2005). This condition increases the demand in the sex industry, because of the social acceptance of men buying sexual services, the inadequate disposable income of a large and growing segment of the Cambodian population, and the development of tourism, which tends to promote the industry.

This paper will describe the current situation of Cambodian women and children trafficking for sex industry, both internal (within Cambodia) and external (cross border or outside Cambodia). The structure of the paper divides into five parts. *First*, the definition of human trafficking and its relation with sex exploitation. *Second*, human trafficking situation in Cambodia, the main drivers of trafficking from push and pull factors, who is the victims and who is the traffickers. *Third*, the pattern of human trafficking in Cambodia, both internally and externally, *fourth*, the Cambodian response, to combat human trafficking and *finally*, is the conclusion.

Definition of Human Trafficking

The UN protocol on human trafficking (Palermo Protocol) defines trafficking in persons as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. The consent of a victim of trafficking in persons to the intended exploitation... [set forth above]... shall be irrelevant where any of the means set forth have been used (UNIAP, 2008).

The definition of human trafficking above is perhaps the first international definition or reformulation of "trafficking in persons" since the 1949 UN Convention for the Suppression of the Traffic in Persons and the Exploitation of Prostitution of Others. The 1949 Convention focused exclusively on prostitution and considered all prostitution, whether voluntary or forced, to be trafficking. The Palermo Protocol recognizes the existence and possibilities of both voluntary and forced prostitution and indeed leaves "prostitution" intentionally ambiguous to allow for different interpretations. According to Kathleen, the Palermo Protocol includes but does not define the phrase

“exploitation of prostitution of others or other forms of sexual exploitation”¹. This occurs because the members in that conference agreed that involuntary participation in prostitution constitutes trafficking, but they rejected the idea that voluntary participation by adults in prostitution amounts to trafficking (Kathleen, 2007).

Sandy (2006) has the same opinion to distinguish between those who have “voluntarily” entered sex work and those who were “forced” into the business. She argued that trafficked sex workers are variably defined as women who were “sold” or “tricked” or “forced” or “deceived”. While voluntarily sex workers are those who want to work as sex workers since this job gives more money than work in the factory and the work seems to be easier.²

Human Trafficking in Cambodia

Cambodia is a source, transit, and destination country for men, women, and children trafficked for the purpose of commercial sexual exploitation and forced labor. Women and girls are trafficked to Thailand and Malaysia for exploitative labor as domestic workers and forced prostitution. According to the Ministry of Women’s and Veteran’s Affairs, approximately 88,000 undocumented Cambodian women are in Thailand, and an estimated 40-60 percent of the sex workers’ (14,000) in Cambodia have been forced into the business (MWVA, 2003). Another article notes that there are at least 15,000 women sex workers active in Cambodia (Takamatsu, 2004).

While Cambodian children are trafficked to Thailand and Vietnam for sexual exploitation and begging, sell candy or flowers, or shine shoes. Parents sometimes sell their children into involuntary servitude to serve as beggars, into brothels for commercial sexual exploitation, or into domestic servitude. Within Cambodia, children are trafficked for forced begging, waste scavenging, salt production, brick making, and quarrying. Women and men are trafficked to work as cheap and highly exploited labor in construction activities, the fisheries industry, as porters, in factories, and in agriculture.

The Causes Factors of Human Trafficking in Cambodia

The causes of trafficking are complex. Many factors lead people vulnerable to trafficking (see figure 1). This is happened because Cambodia’s turbulent history has impacted significantly on human trafficking trends. Societal

1 “Sexual exploitation” means the participation by a person in prostitution, sexual servitude, or the production of pornographic materials as a result of being subjected to a threat, deception, coercion, abduction, force, abuse of authority, debt bondage or fraud. Even in the absence of any of these factors, where the person participating in prostitution, sexual servitude or the production of pornographic materials is under the age of 18, sexual exploitation shall be deemed to exist

2 Sex workers can earn more than 100 US\$ per month, while garment workers only earn US\$ 35 per month (LSCW, 2005)

structures and traditions, such as the centrality of the family, the Buddhist religion and respect for elders, have been undermined. Several underlying causes of human trafficking in Cambodia can be divided into push and pull factors. The push factors lead to human trafficking as follows:

1. Poverty

Poverty and economic inequality are also significant factors to human trafficking in Cambodia. In 2003, around 90% of Cambodian was living under poverty in rural areas and the majority of them are women. Around 65% of women are farmers and responsible for 80% of food production (LCSW, 2005). People in the rural areas of Cambodia are challenged to earn living, particularly during the dry season when many of them migrate to provincial towns and the capital, Phnom Penh, in order to pursuit work opportunities, which are fairly limited. Men may work as moto-taxi drivers or construction workers, while women may work as street vendors, domestic servants, garment workers, beer girls in restaurants, scavengers, and others. One of the main factors related to poverty in rural areas, is lack of opportunities through loss of land and decline in traditional agricultural practices which have impacted greatly on Cambodian women and girls.

In some cases, because of poverty pressure the parents consent to allow their daughters to go with traffickers. This is happened because they believe that their daughters will be offered reasonable jobs so that it will supplement the family income. In Cambodian culture states, women are supposed to contribute to the family's income; women and girls feel pressurized to fulfill expectations and have a sense of responsibility to provide income for their family. The study then highlights cases where women or children have been compelled to work as prostitutes as they have no alternatives for providing income to support their families at home.

2. Lack of Education

The situation of women in Cambodia is quite problematic, as there is an obvious gender gap in education. Most Cambodian women and children in rural areas have low education. Parents agreed with the old traditional idea that they should not allow their daughters to attend school because they might have love relationship with boys. Furthermore, girls tend to drop out in large numbers than boys, and the gender gap increases as the level of schooling rises. The gender gap in education is related primarily to two areas, first to costs, both direct costs and opportunity costs, and second to social attitudes towards gender roles (Takamatsu, 2004). Although women comprise the majority of the labor force, they enter the labor market with lack of educations, qualifications and skills than men. More than 20.000 women work in Cambodia's garment factories, as beer girls and as commercial sex

workers. Few of them have positions and power, as decision maker, and have status in Cambodian society.

3. Lack of Alternative Employment

Many Cambodians have limited opportunity for education and vocational training. They A large pool is created for unskilled workers. The lack of viable employment opportunities in Cambodia and the inadequacy of rural farming options for supporting families have encouraged them to seek employment elsewhere. It is often resulting in irregular and uninformed internal and cross-border migration which renders them vulnerable to traffickers.³ At present, the job creation rate does not support the increasing labour supply. As a result of the deaths of approximately 2 million people in Cambodia under Khmer Rouge's rule (1975-1979), nearly 50% of the population in contemporary Cambodia is below 20 years old.⁴ Around 150,000 to 175,000 people join the labour force annually and this is expected to increase to over 200,000 by 2010 (ILO, 2005).

4. Debt Bondage

Debt bondage is a form of coercion whereby women pay back traffickers/smugglers, brothel owner or an agency the sum of money for which they were purchased, or a sum for travel documents, food, housing, and other services. It is one of the most frequently used methods of binding women. The girls may have been trafficked but still feel an obligation to pay back the brothel owner, and believe that eventually they will be able to make money in their own right. This expectation may prove false as their initial debt can be inflated through charges for accommodation, food, interest on the original loan (LCSW, 2005).

In Cambodia, the survey with child domestic workers found that it is a relatively common practice (10% of CDWs are estimated to be in debt bondage), almost exclusively practiced by parents who are exploiting their children's labour (IOM, 2007). Children may be used to repay a parent's debt, sometimes from one relative to another. Given the strong duty of the child towards the parent, these practices are rarely openly questioned.

5. Other Social and Cultural Factors

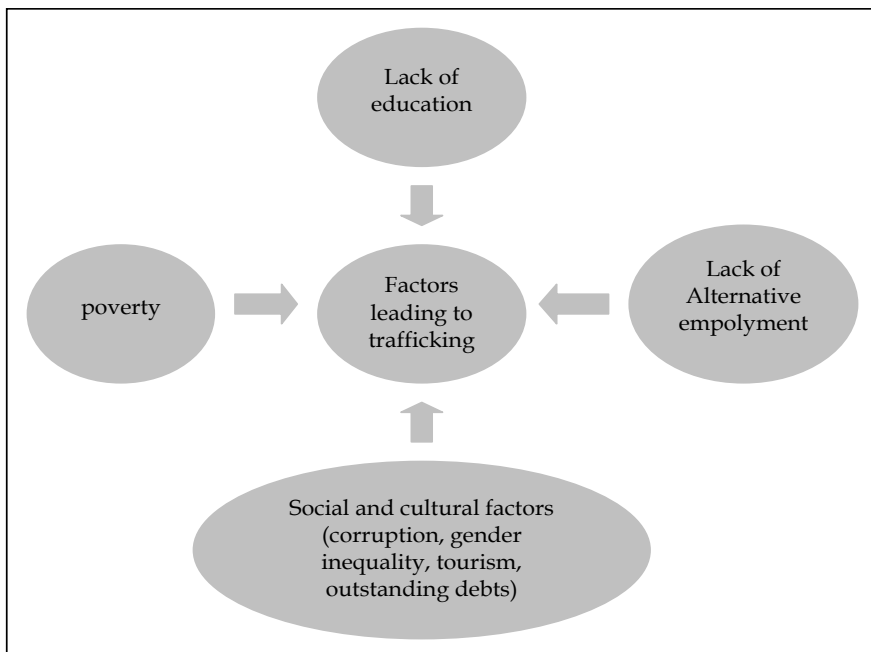
Some other causes commonly cited to explain the emergence and detection of human trafficking in Cambodia include the economic liberalization and

3 IOM estimates that 30-40% of total migration flows in the region take place via unregulated channels

4 Population Pyramid, Cambodia 2007 based on demographic estimates and revised population projection from 2005, as found in: NCPD[2007], Cambodia Population Data Sheet 2007: Second Edition, [Phnom Penh:2007]

opening up of the country during the arrival of the United Nations Transitional Authority in Cambodia (UNTAC); uneven economic development from the influx of foreign currency; corruption; discrimination and gender inequality; increasing scarcity of productive agricultural land; natural disasters; debt pressures; inadequacy of safe and legal avenues for migration; and increased tourism.

Figure 1. The Causes of Increasing Trafficking in Cambodia



Source: Takamatsu, 2004

While the pull factor is the expectation that destination countries are places better than their impoverished economies and where migrants can earn more money for remittances back home (Naro, 2009).

Who is Being Trafficked/Victims?

Human trafficking affects men, women and children. It is commonly acknowledged that women and children are more vulnerable to trafficking than other sectors of the population. Whilst this may be the case, trafficking in men is also a serious issue that is quite commonly overlooked in discussions on human trafficking. In Cambodia, trafficking is often associated with women and children being sold, deceived or otherwise lured into prostitution (UNIAP, 2008).

According to officially repatriated cases, almost all victims repatriated from Thailand and Vietnam were children identified as being trafficked into begging or street selling and were from localized areas in key border provinces of Cambodia. The Cambodians repatriated from Malaysia and the Vietnamese repatriated from Cambodia were all women trafficked for the purpose of commercial sexual exploitation (IOM, 2005). While men are only newly acknowledged as victims of trafficking in Thailand with the passing of the new Thai human trafficking law, counter-trafficking NGOs report receiving increasing numbers of complaints from Cambodian men trafficked to Thailand to work in the fishing industry over the last few years.⁵ Within Cambodia, trafficking is predominantly women for commercial sexual exploitation and children and women for domestic work (Brown, 2007).

In Cambodia, a significant proportion of female victims of trafficking for prostitution are ethnic Vietnamese, some of whom were born in Vietnam. Some Cambodian and ethnic Vietnamese women and girls are trafficked internally to areas in Phnom Penh, Siem Reap, and Sihanoukville. They are forced to prostitute in brothels and karaoke bars. NGO and media reports indicated that internal sex trafficking of women and girls from ethnic minority groups and of ethnic Vietnamese is an increasing problem. The sale of virgin girls continues to be problematic in the country, with foreign (mostly Asian) and Cambodian men paying \$800 to \$4,000 to have sex with them. Cambodia is a destination country for foreign child sex tourists, with increasing reports of Asian men traveling to Cambodia in order to have sex with underage virgin girls. Some Cambodian women who migrated to Taiwan as a result of brokered international marriages may have been subsequently subjected to conditions of forced prostitution or forced labor.

Who is the Trafficker/Broker?

Trafficker is any person commits the crime of trafficking in persons. This is not limited to those involved in recruitment or transportation of people, but includes employers and all those involved in the exploitation of the trafficked person (Pearson, 2005). They are those who organize the transportation, those who provide the transportation, those who guide through the numerous cross border routes, those who are paid to ignore border crossing, those who provide legal documents for inflated prices at international crossing and those who find employment and jobs.

Generally, trafficked women and children are being deceived by trusted person, relatives, neighbors, known persons in the village, boy friend and/or friends. In many cases the perpetrators of the crime are aware of the *naïveté* of the women and children they deceive. There are some cases which indicate

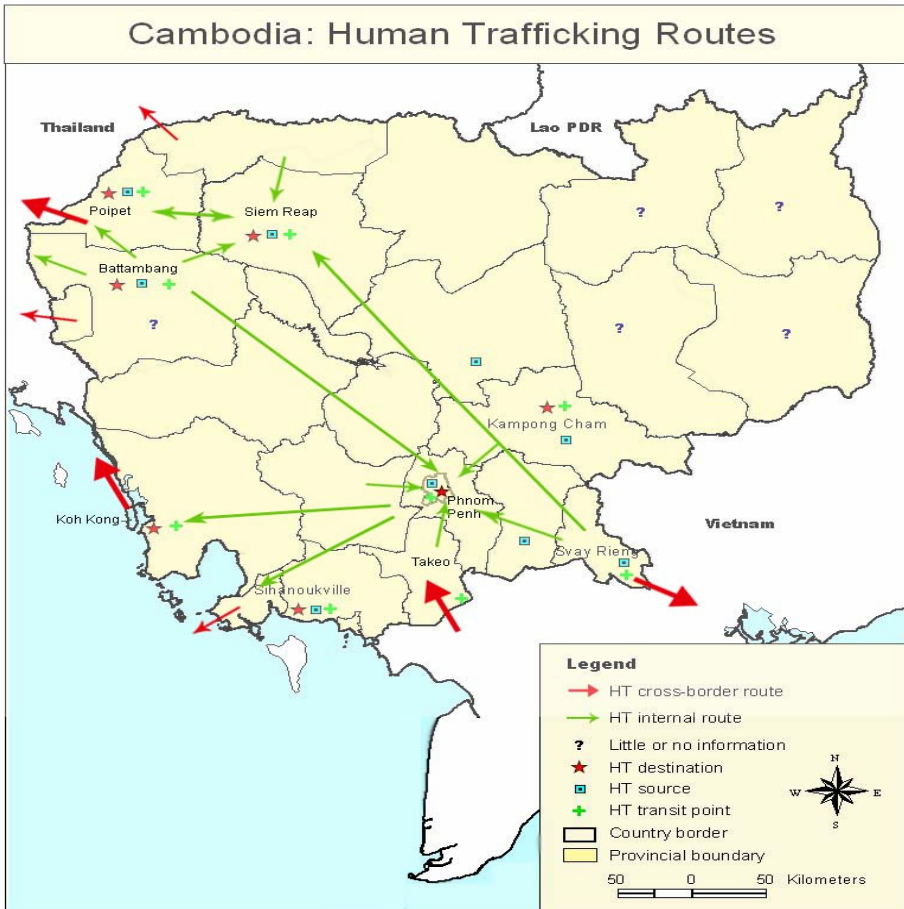
⁵ Increasing number of complaints have been received by Licadho, Adhoc and LSCW

parental consent is given to allow daughters to go off with the above mention people because they believe that their daughters will be offered reasonable price and contribute to family income.

Pattern of Trafficking in Cambodia

Human trafficking in Cambodia is far from a homogenous phenomenon. Trafficking networks in Cambodia range from small-scale *ad hoc* activities to large-scale and well-organized operations. Cambodia now experiences significant internal and cross-border trafficking, and is a country of origin, transit and destination. The Cambodian human trafficking can be seen in figure 2, both internal and external trafficking.

Figure 2. Human Trafficking Routes in Cambodia



Source: UNIAP, 2008

Internal Trafficking: within and into Cambodia

Trafficking usually draws from rural areas to urban areas. Phnom Penh is the core point for transferring the women and children to other countries outside Cambodia. Within Cambodia, many women are trafficked from rural areas to central or tourist areas for the purposes of bonded labor and participation within the sex industry.

Source provinces for domestic trafficking are usually highly populated rural areas in close proximity to urban/tourist canters, especially those susceptible to economic downturn such as that caused by severe droughts and flooding. Provinces commonly perceived by the NGO community in Cambodia as source provinces for domestic trafficking are Kampong Cham, Prey Veng, Kandal, Takeo, Battambang and Phnom Penh (particularly from fast developing urban slums) (UNIAP, 2008).

While, the most common destination provinces in Cambodia are: Phnom Penh (for commercial sexual exploitation, begging, domestic work, and labour exploitation); Koh Kong (for the fishing industry, construction and commercial sexual exploitation); Sihanoukville (for begging and commercial sexual exploitation); Siem Reap (for commercial sexual exploitation, begging, domestic work and construction) Poipet (for begging and commercial sexual exploitation); and Battambang (for commercial sexual exploitation). These trafficking destination hot-spots are specifically urban areas.

Table 1 below gives statistics on internal trafficking of Cambodian women. From the table, we can assume that domestic cheated is the main reason how women and children are recruited for trafficking. The typical stories involve girls being promised a decent job with a high salary somewhere in the city or other countries, hoping for a way to escape from poverty, while rape/sex abuse is the majority of sex exploitation among women and children.

Table 1. Trafficking of Cambodian Women

Location	Cases										Total
	Trafficking					Exploitation					
	Domestic Cheated	External cheated	From inside	From outside	Rape/abuse	Violence	Obscene	Rescue	Send to court		
Phnom Penh	11	5	1		30		2	2	1		76
Sihanouk ville					5	1					6
Kandal	1		1		21	5					28
Takeo	1				2	5					8
Kompong Cham	1				14	8					23
Bantey Meanchey	3	2			15	5	1	2			28
Battambang	1				26	8					35
Prey Veng					6	5					11
Kampot	1				9	1					11
Pursat					1	1					2
Svay Rieng					4	3					7
Kompong Thom					4	4					8
Siem Reap	1				19	4	3				18
Ratanakiri					1						1
Kompong Speu	1		2		11	2					16
Kompong Chhnang					6	2					8
Koh Kong					1						1
Kratie	1										1
Pailin					1						1
Total	22	7	4		167	54	6	4	1		265

Source: Trafficking Department, Ministry of Women Affairs, 2002

Moreover, Cambodia is also a receiving country, many foreign women are forced to work as sex workers in Cambodia. Most of them are from Vietnam, Thailand, Philippines and China who has been trafficked to Cambodia for work in the country or for transferred to a third country. While trafficking from further abroad, such as Eastern Europe (Tajikistan, Russia) is also for commercial sexual exploitation. These countries are located quite far from Cambodia, so it is obvious that syndicates of organized crime have been built (Takamatsu, 2004).

1. From Vietnam

Trafficking from Vietnam is not only involved women and children from Vietnam, but also Vietnamese communities who live within Cambodia. They are particularly vulnerable to internal trafficking for commercial sexual exploitation. Many of the Vietnamese women and girls in Cambodia come from the South Vietnam provinces of Can Tho, Sok Trang, Anh Giang, Long Binh, Vin Long and Ho Chi Minh City which border or have closes access to Cambodia. Within this group are Khmer women who are known as Khmer Kampuchea Kraom (ethnic Khmers living in Southern of Vietnam). Aged between eleven to over twenty years, these women and girls are deceived, coaxed or forced into making the journey.

Based on research conducted by the Human Right Commission during 1996-1997 in 22 provinces and municipalities and 46 districts in Cambodia found 14,725 women working in brothels comprising 81% Khmer, 18% Vietnamese and 1% from other countries (Caoutte, 1998). Along the Vietnam-Cambodia border there are a number of legal and illegal passes and it does not appear to be difficult to cross the borders. The fee charge for crossing the border is \$2 - \$3 per person, though some people have paid from \$10 - \$60. Modes of travel and entry to Cambodia are by land and river, including cars, trucks, motor bikes, boat or on foot. In 1999, CWDA reported that these were the methods for crossing into the provinces of Takeo, Kandal, Prey Veng, Svay Rieng, Kompong Cham and Ratanakiri. Recently, a report said that young beautiful Vietnamese girls from Northern Vietnam have been flown to Phnom Penh with proper passport.

2. From China

In a few cases ethnic Chinese women have been trafficked into Cambodia via Vietnam and entering legally through Bavet in Svay Rieng province. There have also been cases reported of Chinese women entering with illegal visas and being assisted by Chinese businessmen in Cambodia to stay and work temporally in five star hotels in Phnom Penh (CWDA, 2001).

3. From Philippines

Some Philippines enter Cambodia on short term visas, flying into Phnom Penh international airport or entering through Sihanoukville via sea route. Many of them work as singers or dancers in major cities such as Phnom Penh or Sihanoukville.

4. From Thailand

Thai women are brought into Cambodia on day passes through border points at Bantey Meanchey/Aranyaprathet, Koh Kong/Trad, and Udor Meanchey/Surin. Some of them are with legal documents through Phnom Penh International Airport. In due course they travel to Phnom Penh to work in night clubs. Some of them are already involved in the sex industry in Thailand and are bonded to their pimps. They are taken to Cambodia to perform sex shows in some of the Phnom Penh nightclubs. Thai traffickers assist them to go to Cambodia.

External Trafficking

Trafficking can take place both within and across border. Poverty, broken family, landlessness, lack of education, false marriage, less control of border and the influence of networks of traffickers both from Cambodia (sending countries) and receiving countries, are also significant contributing factors to increase one's vulnerability to being trafficked cross border or internationally. In most cases in Cambodia, the migration of women and children typically occurs without being formally organized. However, in some cases, it is organized by traffickers who may be involved in the sex industry. The cross border trafficking from Cambodia as follows:

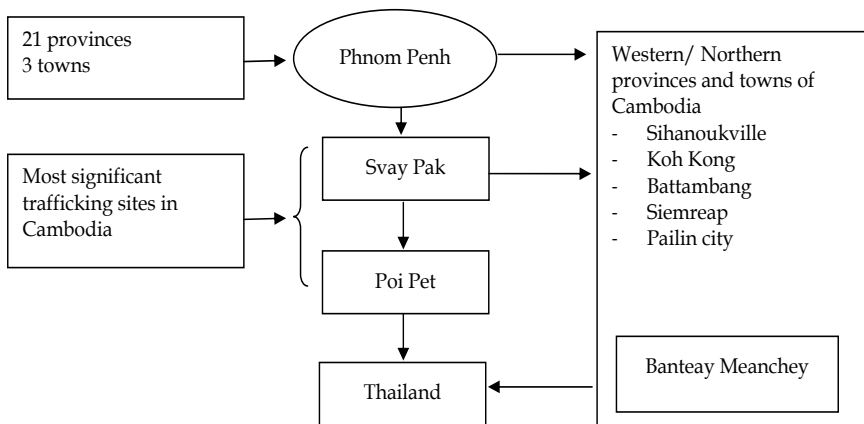
- 1) Trafficking to Thailand of men women, children and for labour exploitation (especially begging and fishing), sexual exploitation, and domestic work.
- 2) Trafficking to Vietnam of children for begging.
- 3) Trafficking to Malaysia of men, women and children for sexual exploitation, labour exploitation (especially factory work and construction work) and domestic work.
- 4) Trafficking further abroad to remote countries such as Saudi Arabia for domestic work, Taiwan and Korea for marriage, United States for adoption and Somalia for labour exploitation in the fishing industry etc.
- 5) Vietnamese and Chinese are also trafficked through Cambodia to further locations abroad.

Cross Border Network of Traffickers in Cambodia

The trafficking movement toward Cambodian women and children in Cambodia can be seen in figure 3. There are classifications for migrants to find jobs among 21 provinces and 3 towns in Cambodia. The position of trafficking movement stretches from the Eastern provinces to the Western or Northern provinces of Cambodia. This is happened because the Eastern provinces are the poorest provinces in Cambodia, such as Svay Rieng, Prey Vieng, Takeo and a rest of Kompong Cham that borders with Vietnam.

It is said that Phnom Penh is the city axis or home of all migrants from other provinces. Migrants are attracted to the capital in the hope of finding good jobs, high paying risk jobs and tourist attractions. While Svay Pak is well known for foreigners as the big location for sex trafficking in Cambodia. The traffickers’ network lured the vulnerable women or children to sell virginity or to be prostituted and shared to the provinces bordered with Thailand, such as Koh Kong, Battambang, Siem Reap and Banteay Meanchey (Poipet), Sihanoukville and Pailin City.

Figure 3. Cross Border Trafficking Movement in Cambodia



In Cambodia, Phnom Penh, Poi Pet and Siem Reap are the biggest sex tourism places for tourist and local people. While Svay Pak is known as a popular sex tourism brothel for Japanese, foreigners, China and all over the world. Businessmen, middlemen and powerful men in Cambodia, such as high official police, soldiers as well as tourist, always visit Svay Pak to have sex with young Vietnamese and Cambodian women and children. The Cambodian and Vietnamese traffickers have their networks in Phnom Penh. They exchange prostitutes with each other in Toul Kork and to other provinces. Then they distribute the trafficked women and children to several brothels in Cambodia.

The traffickers use three types of transportation to transport trafficked women and children across Cambodia's border by overland routes, by waterways and by air. Cambodia can be accessed overland or by boat to/from Thailand and Vietnam. By overland route, at the checkpoint traffickers use many kinds of schemes involving hidden deals between the Cambodian police and the police from Vietnam and Thailand. Sometimes, the Thai and Cambodian traffickers share benefit with each other after having brought the women and children across the border to Thailand. It is difficult to establish reliable statistic on cross border Cambodian women and children. However, this figure can be useful to estimate the number of the victims. The information of repatriation from Cambodia to Vietnam received from MoSVY, Thailand to Cambodia from Poipet Transit Centre, Vietnam to Cambodia from IOM, and and Malaysia to Cambodia from MoFA (UNIAP, 2008).

Table 2. The Repatriation of Trafficking Victims

Official Repatriations from Thailand of Cambodian Human Trafficking Victims		Official Repatriations from Vietnam of Cambodian Human Trafficking Victims	
Year	Number repatriated	Year	Number repatriated
2005	186	2005	93
2006	232	2006	113
2007	160	2007	224

Official Repatriations from Malaysia of Cambodian Human Trafficking Victims		Official Repatriations from Cambodia of Vietnamese Human Trafficking Victims	
Year	Number repatriated	Year	Number repatriated
2005	19	2005	12
2006	6	2006	5
2007	3	2007	8

Source: UNIAP, 2008

Cambodian Response to Combat Human Trafficking

Cambodia has established the National Task Force (NTF) to commit itself to the regional MOU agreement on the elimination of trafficking of persons and providing assistance for the victims of trafficking. The stakeholders of fight against human trafficking are the government, donors, NGOs. The NTF consist of 10 articles which include the need for greater collaboration between existing municipal/province level working groups, the implementation of MOU and Agreement between Cambodia and Thailand as well as Vietnam.

The human trafficking in Cambodia is under Department of Human Trafficking, Ministry of Women Affairs. This ministry is working on the prevention of trafficking. Its activities are implemented across the country, mainly in areas where cases of trafficking have originated from. These activities include awareness raising campaign on human trafficking and safe migration, education, and capacity building, creation of child protection

networks, poverty alleviation, and disaster response project through micro credit processes. Within the region, MoWA also seek to put into place laws, polices, bilateral and multilateral agreements with other countries that support a legal response and improved services for trafficking victims (Nero, 2009).

Conclusion

Every year in Cambodia, hundreds of girls are trafficked and sold into brothels where they are forced to work as sex slaves. Although precise figures are unavailable, recent report says the rate of trafficking is soaring. Many of the victims endure years of torture and abuse in brothels, resulting in lasting physical and psychological trauma. The Cambodian women and children who live in poverty, lack of education and social stereotypes to support family income are vulnerable to human trafficking for sex exploitation. This situation gets worst when Cambodian government do not have enough political will to combat human trafficking with their corrupt police official. Even some sex industry is backed up by the powerful people on Cambodia. The vicious cycle of human trafficking of Cambodian women and children is quite difficult to cut if demand and supply of trafficked women and children still exist. ●

References

- Brown, E. 2007. "The Ties that Bind: Migration and Trafficking of Women and Girls for Sexual Exploitation in Cambodia. IOM Cambodia". <http://www.humantrafficking.org/publications/599>, accessed March 13, 2010
- Brown, E. 2007. *Out of Sight, Out of Mind? Child Domestic Workers and Patterns of Trafficking in Cambodia*. Phnom Penh: IOM
- CWDA (Cambodia Women Development Agency). 2001. "A Research on Trafficking in Women in Cambodia, Traffic in Women in the Mekong Region, Human Rights Task Force: Report on Prostitution and Traffic of Women and Children Conference". Phnom Penh.
- Caoutte, Theresa M. 1998. *Needs Assessment on Cross Border Trafficking in Women and Children – The Mekong Sub-region*. Thailand: Bangkok
- IOM. 2007. 'Irregular Migration and Human Trafficking', Migration in South East Asia, <http://www.iom-seasia.org/>, accessed March 13, 2010.
- IOM/ Ministry of Social Affairs, Veterans and Youth Rehabilitation. 2005. The Return and Reintegration of Victims of Trafficking from Cambodia to Thailand 01 July 2004 – 30 March 2005 AND Repatriation from Cambodia to Vietnam of Vietnamese Victims of Trafficking from 15 May 1999 – 30 March 200. Phnom Penh
- IOM/ DoSVY. 2006. Return of Cambodians from Vietnam. IOM Phnom Penh
- ILO. 2005. "Presentation on Demographics of Cambodia" [Phnom Penh: 2005],

- presented at a workshop to develop Child Safe Tourism policy in 2005.
- Kim Sovan Kiry and Thy Narouen. 2006. "The Trafficking of Cambodian Women and Children within ASEAN Countries". The 6th Socio Cultural Congress on Cambodia. Royal University of Phnom Penh.
- Kathleen Kim and Grace Chang. 2007. "Reconceptualizing Approaches to Human Trafficking: New Directions and Perspectives from the Field(s)". *Legal Studies Paper* No. 2007-47. December 2007. Retrieved March 13, 2010 from http://preventhumantrafficking.org/storage/article-downloads/GChang_Loyola.pdf9
- LSCW (Legal Support for Children and Women). 2005. Gender Analysis of the Patterns of Human Trafficking into and through Koh Kong Province. Phnom Penh: LCSW.
- Neth Naro. 2009. "Human trafficking in Cambodia: reintegration of the Cambodian illegal migrants from Vietnam and Thailand". from <http://www.rsis.edu.sg/publications/WorkingPapers/WP181.pdf>, accessed May 8, 2010
- Sandy, Larissa. 2006. "Sex Work in Cambodia: Beyond the Voluntarily/ Forced Dichotomy". *Asian and Pacific Migration Journal*. Vol. 15 No. 4, 2006 (pp. 449-469). Philippines
- Pearson, Elaine. 2005. The Mekong Challenges Human Trafficking: Redefining Demand. International Programme on the Elimination of Child Labour International Labour Office Bangkok. Retrieved at from http://webdev.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_bk_pb_29_en.pdf March 20, 2010
- Takamatsu, Kana. 2004. "Human Security and International Assistance: Combating Human Trafficking in Cambodia". *Journal of Gender, Technology and Development*. <http://gtd.sagepub.com>. May 5, 2010
- UNIAP. 2008. SIREN Human Trafficking Data Sheet. March 2008 (v.1.0). http://www.no-trafficking.org/reports_docs/cambodia/datasheet_cambodia_march08.pdf, accessed March 13, 2010

Islam, Identitas dan Minoritas di Asia Tenggara¹

Ahmad Suaedy

Abstract

Globalization has encouraged the emergence of a challenge to respect minority rights are stronger in almost all countries are plural. The appearance was not only urged the governments in many countries to change their vision of nationalism, it even challenged the great narratives such as Islam, democracy and human rights to change the doctrine of justice that are not conventional. For that Islam, democracy and human rights alike are facing a change that can no longer be seen with the measures and standardization of the old uniform. This paper raised the challenge of empirical findings in Southeast Asia by taking samples of Malaysia, Thailand, and Philippines.

“...Against the presumption of an earlier generation of “modernization” theorists and political economics, it seems to be that culture particularist rather than cosmopolitan goals have come to the fore for a large of Southeast Asians. There are this days no national leaders who can avoid, even if they wanted to, cultural issues, most articulating visions of a future shaped by the twin goals of economic growth and moral or culture integrity, rather than either one of these an own.” (Kahn, 1998: 2)

Pendahuluan: Islam Asia Tenggara dan Tantangan Minoritas

Kedudukan kaum minoritas tampaknya justeru makin penting di era globalisasi kini (Kymlicka, 1995; Parekh, 2000). Begitu pentingnya, kedudukan mereka tidak cukup hanya ditempatkan dalam pola dan sistem demokrasi konvensional belaka, melainkan dituntut untuk dirombak akarnya dari

¹ Tulisan ini awalnya dipresentasikan pada “Gus Dur Memorial Lecture” di kantor the Wahid Institute, 20 Mei 2010. Ini merupakan pengembangan dari makalah diskusi bulanan JIL di Komunitas Utan Kayu (KUK) 29 April 2009.

sistem demokrasi dan hak asasi manusia itu sendiri. Di berbagai kawasan, mereka bangkit dan menuntut hak yang lebih luas. Berbeda dengan di negara-negara bekas komunis di mana minoritas bangkit disebabkan oleh penindasan, di negara-negara demokrasi justru karena pengabaian. Penekanannya yang terlalu besar pada hak individu, demokrasi, dan hak-hak asasi manusia cenderung mengabaikan hak-hak minoritas. Hal yang sama tampaknya terjadi di Indonesia. Liberalisasi politik pasca-reformasi dibarengi oleh ketidakpedulian pemerintah dalam melindungi minoritas, dicerminkan, misalnya, dari banyaknya kekerasan yang menjadikan minoritas sebagai korban (Suaedy, 2010).

Menurut Kymlicka (1995: 5), sistem demokrasi dan bahkan hak-hak asasi manusia pada awalnya memang mengabaikan hak-hak komunitas dan minoritas. Kymlicka menulis, *"The problem is not that traditional human rights doctrines give us the wrong answer to this question [minority rights]. It is rather that they often give no answer at all (...). These questions have been left to the usual process of majoritarian decision-making within each state."* Fenomena tersebut oleh sebagian orang dipandang bukan saja menantang demokrasi dan HAM untuk meninjau kembali sebuah sistem dalam mengelola hak komunitas dan minoritas dalam perubahan global kini, seperti dikatakan Benhabeb (1996: 3), *"These trends indicate that 'the universalization of liberal democracy' is far from complete,"* bahkan sistem itu dituntut untuk merumuskan kembali misi keadilannya. Kymlicka (2001: 4) menegaskan bahwa:

"This growing movement for the international codification and monitoring of minority rights presuppose that at least some minority provisions are not simply a matter of discretionary policies or pragmatic compromises but rather are a matter of fundamental justice. It implies that minority rights are indeed basic rights."

Globalisasi telah mengubah hampir seluruh pola relasi antarmanusia. Tidak berbeda di bagian dunia lain, Muslim Asia dan Asia Tenggara juga sedang mengalami perubahan yang bersifat baru. John Voll (2008: 261) misalnya ketika mendeskripsikan Islam di Asia pada abad ke-21 menyatakan:

"Asian Islam is at a major and significant crossroads, and this is an experience shared by virtually every other society around the world. Old and long-established patterns of politics and society are rapidly disappearing and being replaced by new ways of thinking and doing things. Yet, the underlying historical and cultural foundations continue to shape events in significant ways. In this present time of turmoil and rapid change, it is clear that conscious and unconscious decisions of leaders and the general public are determining which paths are being taken in the crossroads era of history."

Dengan demikian, dalam hal minoritas baik dalam Islam maupun demokrasi liberal sekalipun dan juga HAM sama-sama sedang menghadapi perubahan yang tidak bisa lagi dilihat dengan ukuran-ukuran yang seragam dan standardisasi yang lama. Sama seperti di bagian dunia lain, di Asia Tenggara di mana Muslim sebagai mayoritas maupun sebagai minoritas desakan perubahan kuat terjadi. Di Indonesia dan Malaysia di mana Muslim menjadi mayoritas, minoritas non-muslim maupun minoritas di dalam Muslim sendiri--yang di Indonesia sering dikategorikan sebagai "aliran sesat"--terus mendesak menuntut jaminan hak berekspresi, baik dalam ekspresi keagamaan maupun hak-hak sosial ekonomi pada umumnya. Di Malaysia, partai koalisi penguasa lebih dari 50 tahun sejak kemerdekaan 1957, gagal mempertahankan dominasinya pada Pemilu bulan Maret 2008, dengan kehilangan dominasi 2/3 persen kursi untuk pertama kalinya dan kehilangan kekuasaan di lima negara bagian. Di Indonesia gejolak tuntutan hak minoritas lebih luas dalam keagamaan hanya bisa dilakukan dengan cara mengingkari tuntutan konstitusinya sendiri, yaitu penetapan UU PNPS No.1/1965 oleh MK 19 April 2010 yang lalu. Sementara tuntutan minoritas Muslim di Thailand dan Filipina tidak kunjung memperoleh penyelesaian lebih dari satu abad dan menelan korban tidak terhingga.

Tulisan ini merupakan laporan awal riset komparasi dari kedua fenomena tersebut di tiga negara Thailand Selatan, Filipina Selatan, dan Malaysia (Juli 2009 – Maret 2010) serta pengalaman saya di Indonesia. Tulisan ini hendak mencari jawab: bagaimanakah Muslim, baik sebagai minoritas maupun mayoritas, mengidentifikasi diri dan mengelola isu minoritas dalam perubahan terkini?

Muslim sebagai Mayoritas

Dalam konteks Muslim sebagai mayoritas, secara konvensional Islam memiliki doktrin *kafir harbi* dan *kafir dhimmi*. Doktrin ini mengacu pada konsep *dar al-Islam* (tanah di bawah kekuasaan kaum Muslim) dan *dar al-harb* (tanah di bawah kekuasaan non-muslim). Doktrin ini belum banyak berubah secara prinsip sejak 15 abad yang lalu, meskipun sebagian sarjana Muslim terkemuka seperti Yusuf Qordhawi (1992: 6-57) memberikan penekanan pada toleransi terhadap minoritas agama.

Dhimmi adalah minoritas non-muslim dalam suatu negara Islam dalam status dilindungi (*al-himaayah*) dengan perlakuan yang berbeda dengan pemeluk Islam. Mereka diberi jaminan untuk memeluk dan melaksanakan ibadah serta dilindungi dari serangan pihak lain. Sebagai imbalannya, mereka wajib membayar upeti (*jizyah*) dengan menaati aturan di dalam negara Islam, namun mereka dibebaskan dari kewajiban bela negara karena alasan ideologis dan tidak memperoleh hak yang sama untuk menduduki jabatan-jabatan strategis tertentu. Menurut Qordlowi (1992: 6), status *dhimmi*

dibedakan dengan *ahlul kitab*, yaitu pengikut Yahudi dan Nasrani yang harus diperlakukan dengan baik dan sopan yang ia sebut sebagai *manzilah khaashshah fi al-mu'amalah wa at-tasyrii'* (QS.: al-Mumtahanan [8-9], al-Ankabut [49], dan ar-Ruum [21]). Sedangkan mereka yang oleh al-Qur'an disebut musyrik atau pagan sebagai sasaran dakwah dan bahkan harus diperangi hingga masuk Islam (Richard Martin 2005: 4). Meski demikian, terhadap kelompok terakhir ini Qordhowi mengharuskan toleransi (*tasamuh*) sembari mengutip sebuah ayat al-Qur'an yang intinya bahwa adalah bukan tugas kamu (kaum Muslim) untuk memberikan petunjuk (*huda*) kepada mereka untuk meyakini atau masuk agama Islam melainkan merupakan kehendak (*yasyaa'*) Allah [QS.: Al-Baqarah (272)].

Konsep pembedaan Muslim vis à vis *kafir dhimmi* dan *harbi* yang ditautkan dengan konsep *dar al-Islam* dan *dar al-Harb* maupun *dar al-Sulh*, pada dasarnya mengacu pada konsep supremasi Muslim di dalam *dar al-Islam* atas yang lain, baik secara konstitusional maupun praktik sosial politik dan ekonomi. Dalam sejarah modern masyarakat Muslim setelah runtuhnya kesultanan Turki Utsmani, kelompok minoritas di dalam *dar al-Islam* menunjukkan gejala yang makin variatif bukan hanya non-muslim melainkan juga minoritas di kalangan Muslim itu sendiri. Sementara nasionalisme modern, secara konseptual, tidak mengenal perbedaan warga negara, etnis, agama, gender, warna kulit, dan lainnya yang oleh Anderson, misalnya, disebut sebagai *imagined communities* (Anderson, 2002). Namun pada saat yang sama muncul sentimen etnisitas, agama, dan sentimen primordial lainnya yang cenderung menjadi kekuatan politik tersendiri berhadapan dengan konsep nasionalisme di atas (Benhabib, 1996).

Pada era pra-modern, kesultanan Turki Utsmani sebagai negara multinasional tidak memberlakukan universalisasi atas nilai dan hukum Islam kepada seluruh warga negaranya melainkan lebih menerapkan multinasionalisme, dengan mengacu pada konsep *dhimmah* dengan apa yang disebut *millet*, yaitu suatu konsep yang berciri pluralisme hukum, di mana masing-masing agama diberi kebebasan untuk menerapkan hukum agama kepada umatnya (Sentruck 1995: 68-99). Meski demikian di bawah *millet*, Turki Utsmani juga telah tercatat memberikan kesempatan yang cukup luas dalam bidang sosial, politik, dan ekonomi kepada minoritas non-muslim seperti Yahudi, Kristen, Armenia, dan Kristen Ortodoks Yunani untuk berkiprah dalam berbagai profesi dan peran publik seperti di bidang keuangan, diplomasi, industri, dan administrasi umumnya (Martin, 2005: 7).

Dengan munculnya konsep *nation-state* dari Eropa modern, konsep *millet* nyaris musnah. Eropa melalui konsep nasionalisme modern dan *nation-state*, melakukan universalisasi atas nilai, termasuk di negara-negara Islam. Di satu pihak, umat Islam terpecah-pecah menjadi negara-negara yang plural dengan berbagai bentuknya mengikuti arus universalisasi Eropa, namun pada saat

yang sama konsep politik Islam tidak berkembang secara paralel. Konsep politik Islam masih terus bertahan, setidaknya hingga kini, sejak berkembang sebelum abad Pencerahan Eropa. Salah satu akibatnya adalah, tidak adanya perkembangan konsep politik tentang minoritas dan bahkan minoritas Muslim sekalipun. Konsep *dhimmi* dan *harbi*, dengan demikian, meskipun secara bahasa dan istilah masih dipakai, terutama dalam studi-studi Islam, hampir tidak ada lagi dalam kenyataan. Menurut Richard Martin (2005: 7), ada empat faktor pokok yang ikut menentukan konsep status minoritas di dalam Islam, yaitu:

"(...) the determinants of an Islamic vocabulary and concept of minorities were: (1) the contentious power politics of early Islamic expansion; (2) the religious identities that this highlighted and created; (3) such ethnic issues as the significance of Arab Identity in claiming privileges in the Islamic social order; and (4) the message of scripture and the direction given to the Muslim community by the Prophet Muhammad."

Dengan demikian pada kenyataannya konsep maupun doktrin ini selalu mengalami perkembangan dalam penerapannya yang terus menerus sesuai dengan kondisi sosial dan politik setempat serta tuntutan masyarakat kontemporer.

Minoritas di Malaysia

Malaysia adalah negara yang sejak semula penduduknya bersifat multirasial dan multikultural dan sebagian penulis menyebutnya sebagai negara imigran (Daniels, 2005). Negara jiran itu dibangun di atas dasar kewarganegaraan yang cukup banyak imigran, terutama China dan India, meskipun tidak sedikit berasal dari Indonesia dan Filipina. Di sisi lain, Malaysia secara konstitusi mendeklarasikan bahwa Islam adalah agama resmi negara di mana Yang di-Pertuan Agong (Raja) (*Article 53 Federal Constitution*) sebagai Kepala Negara yang tidak lain merupakan simbol Islam di negara itu. Selebihnya, dalam konstitusi disebutkan bahwa semua warga negara berkedudukan sama di depan negara dan hukum, dan kepemelukan agama dijamin oleh konstitusi. Meski demikian berkaitan dengan program *affirmative action* atau NEP (*New Economic Policy*), definisi Melayu dan Bumiputera masuk ke dalam konstitusi sebagai yang didahulukan sebagai tugas negara untuk melakukan pengawalan oleh Yang di-Pertuan Agong. Persisnya, "*it shall be responsibility of the Yang di-Pertuan Agong to safeguard the special position of the Malays and natives of any of states of Sabah and Sarawak and the legitimate interests of other communities ...*" (*Article 153[1]*).

Ketika kemerdekaan Malaya dideklarasikan pada tahun 1957, komposisi penduduk nyaris berimbang, sebelum bergabungnya Sabah dan Sarawak yang mayoritas Melayu tahun 1963 dan sebelum lepasnya Singapura pada

tahun 1965 yang mayoritas etnis Tionghoa, antara etnis Melayu di satu pihak dan imigran khususnya yang berasal dari China dan India di lain pihak. Di sisi lain, terjadi perlakuan yang tidak adil atas etnis Melayu atau pribumi oleh pemerintah kolonial Inggris maupun Jepang yang menjadikan etnis tionghoa atau imigran lebih maju dari penduduk asli. Hal ini menimbulkan kesenjangan penguasaan ekonomi yang kronis. Sampai pada tahun 1970, 13 tahun setelah kemerdekaan, penguasaan ekonomi pribumi hanya 1,7 persen secara nasional dibandingkan penguasaan ekonomi oleh kaum imigran, khususnya etnis tionghoa. Kondisi ini menjadi semacam kesadaran umum bagi sebuah kebijakan diskriminasi positif (*affirmative action*) lebih luas untuk penduduk pribumi setelah terjadinya kerusuhan antarrasial besar pada Pemilu tanggal 13 Mei 1969.

Pada tahun 1950-an hingga beberapa tahun setelah kemerdekaan, komposisi etnis Tionghoa di negara Malaysia (saat itu masih Malaya) sangat tinggi mencapai 45 persen dari jumlah total penduduk. Tetapi setelah bergabungnya Sarawak dan Sabah, komposisi tersebut tinggal 26 persen dan etnis Melayu sebesar 53 persen. Perubahan komposisi itu lalu memengaruhi kebijakan dan sistem politik Malaysia. Sebelum bergabungnya Sabah dan Sarawak dan lepasnya Singapura, penyebutan resmi di dalam konstitusi (*The Federal Constitution* 153[1]) maupun dalam program-program pemerintah untuk pribumi (*native*) atau penduduk asli adalah "Melayu". Ada empat syarat utama untuk disebut Melayu, yaitu harus beragama Islam, fasih berbicara bahasa Melayu, menjalankan adat istiadat Melayu, serta lahir atau keturunan penduduk Malaya dan Singapura sebelum lepas. Kebijakan Ketuanan Melayu sudah terjadi dan menjadi bagian dari aspirasi kemerdekaan itu sendiri, meski baru tahun 1971 terjadi ekstensifikasi sebagai reaksi atas kerusuhan 1969. Namun setelah bergabungnya Sabah dan Sarawak, mengingat besarnya penduduk etnis nonmuslim yang non-imigran atau *native* di kedua daerah itu, diskursus Melayu dianggap tidak memadai lagi untuk merangkum mereka sebagai penduduk asli (*native*). Sejak itu, kata Melayu yang semula hanya mencakup orang Muslim sebagai penduduk asli, kemudian diperluas menjadi mencakup etnis Melayu dan etnis non-muslim dan pagan di Sabah dan Sarawak. Penyebutan itu berubah dari "Melayu" menjadi "Bumiputera", amandemen konstitusi tahun 1971, Pasal 153 (Ayat A30).

Kebijakan NEP yang sering disebut sebagai *Melayu superiority* sesungguhnya mengacu pada kata bumiputera tersebut dan bukan lagi kata Melayu. Dengan demikian, keberpihakan negara dan pemerintah atas mayoritas pribumi tidak hanya penduduk Muslim atau Melayu melainkan mencakup non-muslim dan bahkan kaum pagan. Sampai di sini, hal ini menarik untuk diperiksa kembali doktrin Islam tentang pembagian *kafir dhimmi* dan *harbi*; kategori Melayu dan *Bumiputera superiority* pun pada kenyataannya tidak hanya mencakup hanya Muslim. Karena perkembangan masyarakat dan tuntutan politik bahkan harus mencakup pagan atau animis

yang menurut teks al-Qur'an digolongkan sebagai musyrik yang harus ditundukkan. Demikian pula, jika pertanyaan dilanjutkan kepada mereka yang non-muslim dalam kasus berpisah Singapura dari Federasi Malaya (kini Malaysia), apakah dengan demikian non-muslim yang semula *dhimmi* di dalam negara Malaysia serta merta menjadi *harbi* dalam pengertian syari'ah sebagai yang halal diperangi setelah Singapura berpisah? Ternyata tidak. Kedua negara itu meskipun terjadi persaingan dan terkadang ketegangan yang tinggi, tidak pernah saling serang dan tetap saling menghormati. Mereka diikat oleh konstitusi negara masing-masing dan oleh hukum internasional.

Sekali lagi, hal ini menunjukkan bahwa realitas politik dan ekonomi setempat serta sistem internasional lebih berpengaruh terhadap bangunan sosial politik Muslim modern yang sayogyanya mendorong dilakukannya reformasi atau transformasi atau apapun namanya terhadap doktrin konvensional Syari'ah tentang kategori *dhimmi* dan *harbi* yang statis. Dengan begitu, doktrin Islam tertentu dapat memberikan kontribusi dan ikut memecahkan berbagai masalah lebih konkrit dalam masyarakat kontemporer.

Tuntutan Perubahan

Pada Pemilu tanggal 8 Maret 2008, partai berkuasa yang telah memerintah selama lebih dari 50 tahun sejak kemerdekaan ditantang secara signifikan oleh oposisi. Untuk pertama kalinya partai berkuasa gagal memperoleh suara mayoritas 2/3 persen kursi di parlemen pusat dan kehilangan suara di lima Negara Bagian. Partai berkuasa, Barisan Nasional (BN), setidaknya terdiri dari empat partai utama yang mencerminkan perbedaan etnis, yaitu UMNO yang mewakili etnis Melayu atau Bumiputera; MCA dan Partai Gerakan (berkuasa di Pulau Pinang sebelum Pemilu 2008), sebuah partai multirasial tetapi mayoritas didukung etnis Cina; serta MIC yang mewakili etnis India, di samping partai-partai kecil yang bersifat lokal di Sabah dan Sarawak. Sedangkan partai oposisi yang merupakan koalisi baru Barisan Alternatif (BA) yang kemudian dikenal Pakatan Rakyat (PR), terdiri dari tiga partai, yaitu PKR yang multirasial tetapi sebagian besar pendukung dan kepemimpinannya dari kaum Melayu; DAP yang secara historis beraliran sosialis-demokrat bersifat multirasial tetapi mayoritas pendukung dan kepemimpinannya dari etnis Tionghoa; serta PAS yang mendasarkan pada ideologi Islam yang hampir sepenuhnya didukung dan dipimpin oleh etnis Melayu Muslim. BA memperoleh suara yang tinggi pada Pemilu tahun 2008 dari hanya 9 persen pada tahun 2004 menjadi 36.9 persen, terbagi ke dalam DAP 12.6%, PAS 10.4% dan PKR 14.0%. Bisa dikatakan hal ini merupakan tuntutan pembaruan pola hubungan multirasial dan minoritas UMNO/BN.

Sedangkan pada Pemilu tahun 2004, BN mendapatkan perolehan suara tertinggi dalam sejarah pemilu di Malaysia, yaitu 91 persen dan mempertahankan dominasi penguasaan negara bagian kecuali Kelantan

yang dipimpin oleh PAS sejak tahun 1999. Pada pemilu yang sama, PKR hanya memperoleh 1 kursi di parlemen pusat, yaitu istri dari pemimpin koalisi BA atau PR sekarang, Anwar Ibrahim. Pada Pemilu 2008, kemudian BN hanya memperoleh 63.1 persen kursi di parlemen pusat, sedangkan PKR saja di luar DAP dan PAS, meningkat dari 1 menjadi 31 kursi dengan keseluruhan perolehan PR dari 9 persen menjadi 36.9 persen. Di samping itu, BN juga kehilangan 4 (empat) Negara Bagian, ditambah Kelantan. Di samping itu, PKR juga menyapu bersih kursi parlemen pusat untuk wilayah ibu kota negara (daerah persekutuan milik federal) yang terdiri dari 5 kursi DPR Pusat, meskipun tidak berhasil mengambil alih kepala daerah/walikota itu, karena ia merupakan otoritas perdana menteri yang masih dikuasai oleh UMNO/BN.

Yang menarik, perolehan suara yang fenomenal dari PR itu tampaknya karena mereka menawarkan konsep baru tata hubungan antar-etnis dan pengelolaan minoritas dalam sistem dan kebijakan politik oleh BN dengan apa yang disebut NEP (*New Economic Policy*) sejak tahun 1970. Kebijakan itu kemudian dikembangkan oleh Mahathir Mohammd pada tahun 1990 menjadi NDP (*New Development Policy*) dan kemudian NVP (*New Vision Policy*, 2000) atau sering disebut Visi 2020. BA atau PR melalui pemimpinnya Anwar Ibrahim menawarkan apa yang disebutnya "Agenda Ekonomi Baru Malaysia". Intinya, menurut Anwar, NEP atau NDP, NVP adalah Ketuanan Melayu atau Bumiputera (*Bumiputera Supremacy*) yang tidak lagi memadai bagi Malaysia untuk berkompetisi dalam era demokrasi dan globalisasi, baik bersifat internal bagi bangsa Malaysia sendiri maupun eksternal, yaitu berkompetisi dengan negara-negara lain. Di dalam negeri sendiri, kesenjangan internal di antara etnis, terutama etnis Melayu/Bumiputera semakin melebar. Meskipun banyak orang Melayu mendapatkan keuntungan besar dari NEP dan NDP. Hal ini didukung oleh data resmi mutakhir dari pemerintah yang menyebutkan penguasaan ekonomi sekitar 19 persen atau lebih dari 1,7 persen sejak tahun 1970. Yang terjadi adalah kronisme di antara Melayu sendiri dan juga di antara elit politik etnis Tionghoa dan India sendiri yang tergabung di dalam koalisi BN. Sistem dan kebijakan politik seperti ini, menurut Anwar, menimbulkan kemampuan kompetisi etnis Melayu atau Bumiputera dan bangsa Malaysia rendah karena elit-elit baik Melayu, Tionghoa maupun India yang tergabung dalam BN berkuasa dengan cara tidak adil dan manipulatif. Anwar juga menunjukkan angka kesenjangan ekonomi antara kaum kaya dan papa di kalangan Melayu sendiri yang jauh lebih parah ketimbang antara sesama etnis Tionghoa dan India.

Bagi Anwar, ketertinggalan Melayu atau Bumiputera tidak lagi dilihat dari sudut pandang etnisitas atau "pendekatan perkauman" Melayu semata, melainkan harus dipandang dari sisi hubungan miskin-kaya dan lemah-kuat secara obyektif. *Affirmative action* harus diberikan kepada siapa saja yang

mebutuhkan dan tidak hanya Bumiputera. Baik Bumiputera, Tionghoa, maupun India sama-sama memiliki masalah yang sebangun belaka, yaitu kemiskinan dan kesenjangan. Oleh karena itu hal ini harus dilihat sebagai problem universal. Ia kemudian mengajukan semboyan “Ketuanan Rakyat” dan bukan “Ketuanan Melayu atau Bumiputra.”

Muslim sebagai Minoritas

Kedudukan minoritas Muslim di dalam masyarakat mayoritas non-muslim atau pun negara sekuler tidak lebih baik nasibnya dalam diskursus intelektual Islam. Menurut Abou al-Fadl (2006), hingga kira-kira berakhirnya kesultanan Turki Utsmani, diskursus di dalam fiqh hanya terbatas pada wacana boleh atau tidak boleh seorang Muslim hidup di tengah masyarakat mayoritas non-muslim, karena diduga mereka akan mengalami kesulitan dalam menjalankan agamanya dan mungkin mengalami diskriminasi. Bahkan menurut Fadl, Imam Hanafi tercatat mengharamkan seorang Muslim tinggal di negara atau komunitas mayoritas nonmuslim. Padahal dakwah Islam sejak awal justeru berangkat dari minoritas sebelum menjadi dominan dalam sebuah masyarakat atau negara (Shiddiqi, 2006).

Minoritas Muslim sendiri kini ada dua bentuk, yaitu minoritas imigran dan minoritas *native*. Minoritas imigran pada umumnya hidup di negara-negara maju atau kota-kota besar. Di negara-negara seperti Amerika dan Eropa kini muncul gagasan tentang *fiqh aqalliyat*, yaitu fiqh tentang minoritas Muslim, namun fiqh ini tampaknya baru membahas tentang bagaimana seorang Muslim minoritas di negara-negara maju itu menyikapi kehidupan mereka di negara kaum mayoritas, misalnya soal makan, salat, Jumatan, penguburan dan masalah ritual lainnya. Hak-hak minoritas dalam sosial ekokomi justru luput dari pembahasan fiqh tersebut (Fishman, 2006). Seiring dengan itu, mereka memiliki tantangan dan agendanya sendiri untuk menghadapi masyarakat pasca-modern atau apa yang oleh Oliver Roy (2004) disebut *Globalized Islam*. Sisi lain, dalam laporan ini hanya menfokuskan jenis yang kedua pada kasus Thailand Selatan dan Filipina Selatan.

Dalam hal ini menarik menyimak padangan Thomas Butko (2004) tentang status gerakan fundamentalisme Islam *vis à vis* politik Barat yang sekuler. Dengan mengkaji pemikiran dan gerakan empat tokoh fundamentalis Islam, Imam Khomaeni, Abul A’la al-Maududi, Sayyid Qutb, dan Hassan al-Banna melalui konsep *counterhegemony* dari Gramsci, Butko menyimpulkan bahwa Islam fundamentalis secara tuntas telah menjadi *counter-hegemony* pandangan politik Barat yang sekuler. Sisi lain, lanjutnya, pandangan tersebut sesungguhnya telah diantisipasi dan masuk radar intelektual Barat melalui konsep *counter-hegemony* dari Gramsci tersebut. Banyak pengamat Islam terkecoh menyamakan gerakan minoritas Muslim untuk memperoleh kemerdekaan atau otonomi khusus dan hak-haknya sebagai wargaegara

diangkat dalam tingkat sebagaimana pandangan Butko di atas. Gerakan mereka sebagai bagian dari gerakan Islam fundamentalis *vis à vis* atau seolah tidak ada irisannya dengan pandangan politik Barat yang sekuler.

Islam Lokal dan Fundamentalisme Islam

Dalam kasus gerakan kemerdekaan atau tuntutan otonomi khusus baik di Thailand Selatan maupun di Filipina Selatan, tidak bisa dipungkiri mereka bersinggungan dengan pemikiran dan gerakan fundamentalisme Islam dan keempat tokoh tersebut, namun mereka memiliki karakteristik dan latar belakang yang berbeda. Bahkan bisa dikatakan dalam banyak hal pemikiran dari gerakan Islam fundamentalis tersebut, tidak banyak membantu, untuk tidak dikatakan sebagai penghalang bagi capaian yang mereka agendakan. Mereka justru lebih kuat hubungannya terhadap kelokalan: sejarah, tanah, kekuasaan lokal, budaya, keturunan dan keagamaan. Ideologi Islamis, walaupun memberikan sumbangan, hanya terbatas pada semangat kebangkitan dan perlawanan terhadap kekuasaan yang mapan dan menindas yang dituduh sebagai anti terhadap Islam. Dengan pendekatan *collective memory* (Yael Zerubavel, 1998), saya melihat, ada empat lapis identitas (*multiple identities*) dalam gerakan mereka:

Pertama, adanya warisan sejarah Kerajaan Islam baik di Patani maupun di Mindanao yang diingat sebagai semacam negara adidaya Patani Raya (*Great Patani*) atau kerajaan yang menguasai Semenanjung Malaya (*Malaya Peninsula*). Sementara di Mindanao suatu kerajaan yang tidak pernah tertundukkan oleh penjajah Barat baik Spanyol maupun Amerika Serikat kecuali dengan cara manipulasi dan merampok. Dalam ingatan bersama mereka, kerajaan-kerajaan itu menjadi semacam simpul, antara budaya kolektif mereka, kejayaan kerajaan lokal, kejayaan agama Islam, serta kesatuan Nusantara di mana mereka menjadi bagiannya. Ini dipadu dengan eksistensi pengadilan agama yang mandiri, kedudukan dan pengaruh para ulama atau imam.

Kedua, "Nusantara" lebih khusus "Islam Nusantara," yaitu kesamaan Islam antara Muslim-Malay di Thailand dan Filipina Selatan, dengan di Malaysia dan Indonesia di mana mereka merasa sangat dekat dari segi praktik dan pemikiran keagamaan dan kebudayaan. Kenyataan ini juga menjadi angan-angan bersama di kedua masyarakat Islam minoritas tersebut. Seorang aktivis dan penulis lokal mengatakan bahwa dalam konteks ini, kedua masyarakat tersebut merasa tertinggal 100 tahun dari segi *tamaddun* di Malaysia dan Indonesia maupun Singapura, akibat penjajahan oleh negara Thailand dan Filipina terhadap mereka.

Ketiga, Islam itu sendiri. Agama Islam yang mereka peluk menyebabkan mereka merasa bagian dari dunia Islam, di seluruh dunia khususnya di Timur Tengah. Keempat, Negara Thailand dan Filipina sebagai realitas politik dengan segala bentuknya, mayoritas Buddhisme di Thailand dan

Katolik di Filipina, tetapi juga konstitusional. Kalimat seperti “Saya ini adalah warga negara Thailand atau Filipina, tetapi mengapa saya didiskriminasi,” sering terdengar dari mulut para informan. Inilah lapisan-lapisan identitas yang membuat mereka secara ideologis sangat solid hingga kini dan mampu menyatukan mereka dalam perjuangan.

Respon Negara Nasional

Secara umum baik negara dan pemerintah Thailand maupun Filipina mempunyai beberapa tanggapan terhadap persoalan di atas. Pertama, tanggapan yang didasarkan nasionalisme *nation-state*, yaitu pandangan tentang kesatuan bangsa sebagai representasi dari keinginan bangsa itu sendiri. Keinginan itu direpresentasikan oleh suara mayoritas. Jika ada kelompok masyarakat yang berbeda apalagi minoritas dengan kepentingan nasional, maka akan dilakukan asimilasi, kalau perlu secara paksa. Padahal sesungguhnya mayoritas tidak bisa mewakili suara minoritas secara langsung. Karena itulah meskipun itu kepentingan dari sebuah masyarakat Muslim (minoritas) yang sangat khas, tetap saja keputusan nasional harus ditetapkan dengan suara mayoritas. Akibatnya, kepentingan mayoritas selalu menang yang berakibat pada tersingkirnya kepentingan-kepentingan khas minoritas. Kebijakan ini ditopang oleh suatu hegemoni aparat dan standardisasi yang sangat kuat seperti pendidikan, hukum, ekonomi dan bahasa. Bagi minoritas yang tidak bersedia melakukan asimilasi total, mereka akan tersingkir dengan sendirinya. ,

Kedua, pada kenyataannya, karena faktor demografi dari kedua negara tersebut dalam sangat banyak hal dikuasai dan dipengaruhi oleh mayoritas terutama mayoritas agama. Budhisme di Thailand dan Katolik di Filipina meskipun mereka ditopang oleh prinsip sekuler, pengaruh agama dan pemimpin agama sangat kuat. Untuk kasus Thailand, Budhisme bahkan dideklarasikan sebagai agama resmi negara, meskipun kemerdekaan untuk beragama dan berkeyakinan dijamin secara hukum. Cara pandang agama mayoritas ikut mempengaruhi kebijakan dan para pemimpin negara itu dalam menjalankan kebijakan pemerintahan tersebut.

Ketiga, dalam sistem demikian jika keinginan dan kepentingan sebuah minoritas hendak masuk dalam sistem politik nasional, maka mereka harus menjadi bagian dari sistem itu, seperti masuk ke dalam partai politik. Sehingga ketika mereka masuk menjadi bagian dari sistem nasional pada saat itulah aspirasi khas mereka sebagai komunitas minoritas hilang atau menjadi bagian dari kepentingan nasional yang *notabene* didominasi atau didefinisikan oleh mayoritas.

Keempat, tidak berbeda dengan sistem lain, politik dalam demokrasi memberi peluang sangat besar bagi manipulasi dan pengkhianatan. Dalam sejarah upaya perdamaian dan negosiasi, manipulasi dan pengkhianatan

menjadi bagian yang sering terjadi, dan bahkan dengan menggunakan elemen-elemen di dalam kelompok minoritas itu sendiri. Yang terjadi adalah konflik di antara anggota menirotas itu sendiri, yang kemudian dimenangkan oleh kaum mayoritas.

Tuntutan dan Negosiasi

Pandangan dan nasionalisme konvensional dari kedua negara tersebut tampaknya tidak memberi peluang bagi terbangunnya hubungan yang lebih setara dan adil, kecuali ada perubahan mendasar dari paham nasionalisme *nation-state* itu sendiri. Prosedur demokrasi dan HAM yang berdasarkan pada nasionalisme itu belum memberikan hak kepada minoritas untuk memperoleh hak-hak khusus berdasarkan sejarah, kultur, dan agama yang mereka miliki.

Setidaknya ada lima pokok tuntutan yang mereka ajukan. Pertama, kebebasan beragama dan beribadah. Tuntutan ini secara konstitusional dijamin, tetapi dalam praktiknya sulit menghindari penyimpangan karena mendahulukan mayoritas. Kedua, diberinya peluang hukum agar umat Islam memiliki hukumnya sendiri yang khas. Ini juga dalam beberapa hal diakomodasi tetapi dalam praktiknya tidak sedikit kendala yang dihadapi. Ketiga, terjaminnya ekspresi kultural menyangkut warisan budaya lokal seperti pemberangusan bahasa, budaya dan penyitaan warisan budaya dalam kasus Thailand Selatan. Hal ini lebih rumit terutama ketika ekspresi kultural tersebut menjadi bagian dari tuntutan otonomi dan bahkan kemerdekaan; keempat, penguasaan tanah dan sumber alam, misalnya melalui *ancestral domain* untuk kasus Filipina Selatan. Kelima, hak untuk memerintah (*self-government*) untuk mengatur rumah tangga sendiri dan mengelola tanah, sumber alam dan kekuasaan.

Tiga tuntutan terakhir praktis berhadapan dengan konsep nasionalisme, terutama *national identity* konvensional, yang masih dianut oleh masyarakat di kedua negara tersebut. Kasus Aceh di Indonesia, menunjukkan secara nyata bahwa konflik seperti ini hanya bisa dipecahkan melalui prosedur dan konsep non-konvensional, meskipun hingga kini masih dianggap janggal.

Mendiskusikan temuan

Kutipan dari Kahn di awal tulisan ini menuntun kita pada suatu pencarian perspektif baru tentang penyelesaian berbagai masalah di Asia Tenggara, terutama konflik dan masalah minoritas jika tujuannya adalah mencari keadilan dan bukan menerapkan ideologi tertentu belaka. Kahn menunjukkan bahwa pola-pola konvensional yang digunakan oleh teori-teori modernisasi dan politik ekonomi telah terbukti tidak mencukupi untuk memecahkan masalah tersebut. Namun saya sendiri tidak memiliki ide orisinal untuk mendiskusikan temuan-temuan tersebut. Oleh karena itu saya ingin

meminjam sejumlah pemikir yang telah membahas isu ini. Pertama adalah melihat kenyataan di tiga negara tersebut dan juga di Indonesia. Mungkin tepat identifikasi Ilan Peleg (2003) dengan menyebut fenomena tersebut sebagai *hegemonic state*, yaitu sebuah negara yang didominasi oleh mayoritas yang tidak memberi tempat secara khusus kepada minoritas sehingga “*those that are only exclusively committed to the interests of the dominant ethnic group.*” Peleg (2003: 23) mengidentifikasi lima ciri atau akibat dari *hegemonic state*:

“*The core nation that is in control of the state enjoys multinational superiority in all-important socioeconomic areas (e.g., level of education, technological know-how, economic control)*”; 2) “*The establishment of a hegemonic regime came about following deep, bitter, and violent conflict between the ethnic groups in the state*”; 3) “*The state lacks a political culture and legal tradition that could be effectively used by proponents of change to bring about a transformation from within*”; 4) “*The ethnic majority that dominates the state is fundamentally intolerant toward “others,” especially toward the rival ethnic minority*”; 5) “*There is no significant international pressure on the ethnic majority to treat the minority in accordance with acceptable international norms.*”

Kedua, hal itu akibat dari paham nasionalisme statis yang masih bertahan kuat di ketiga negara tersebut (Gans 2003: 7-66.). Menurut Gans ada dua jenis nasionalisme, *statist nationalism* dan *cultural nationalism*. *Statist nationalism* hanya mengakui keseragaman *national identity* bagi mereka yang berada di dalam batas teritorial negara dengan cara asimilasi kalau perlu dengan paksa. Mungkin nasionalisme model ini menoleransi perbedaan kultural di dalam lingkup nasional. Akan tetapi, ia tidak mengakui kelompok-kelompok itu sebagai identitas nasional yang plural dan multikultural. Kedua, sebaliknya, *cultural nationalism* mengakui adanya perbedaan kultural di dalam lingkup teritorial menjadi bagian dari *national identity*. Kelompok minoritas yang memiliki sejarah dan kekhususan dimungkinkan memiliki ekspresinya sendiri dan diakui perbedaan itu sebagai bagian dari *national identity*. Contoh paling baik dalam kasus ini adalah keberadaan Quebec di dalam negara nasional Kanada.

Ketiga adalah pandangan Scwarzmantel (2003) yang berpendapat bahwa hegemoni terjadi disebabkan di antaranya karena konsep bangsa (*nation*) yang mendasarkan pada doktrin kesatuan teritorial dan kewarganegaraan (*citizenship*). Dengan penyatuan itu, hanya mereka yang menjadi *nation* berdasarkan doktrin teritorial yang seragam maka bisa menjadi warga negara (*citizen*) yang diakui oleh negara. Konsekuensinya adalah ia, misalnya, menyingkirkan imigran dan mereka yang tidak bersedia masuk dalam konsep *nation* tersebut, meskipun berada di dalam naungan teritorial negara yang sama, serta melakukan asimilasi paksa terhadap identitas cultural yang berbeda dengan identitas nasional. Scwarzmantel (2003: 87) menulis:

“Those taking such a stance point to the end to divorce citizenship from nationality because of the necessary exclusivity of the nation-state and its ability to maintain itself as an open democratic community. Such a stance leads to the conclusion that national identity is not a necessary basis for a democratic society.”

Keempat, berbagai doktrin Islam yang tertutup dan tidak relevan lagi dengan kenyataan perlu dibongkar agar doktrin tersebut berdialog dengan kenyataan dan bisa menyumbangkan sesuatu yang berarti bagi dinamika masyarakat modern kini. Melihat kenyataan di Malaysia dan mungkin juga di banyak negara lain, *dhimmi* sebenarnya lebih tepat diberi arti nonpribumi atas pribumi di mana mereka bisa melakukan negosiasi tentang hak-hak mereka, termasuk hak konstitusional untuk berpolitik dan bela negara.

Kelima, dalam konteks hak-hak kelompok minoritas, Kymlicka berpendapat bahwa baik minoritas *native* maupun imigran harus diberi hak yang sama dengan mayoritas dalam konsep *national identity*. Keduanya memiliki hak sederajat dalam konstitusi maupun sosial-ekonomi-politik. Namun perbedaannya adalah imigran tidak memiliki hak untuk menuntut *self-government*, berbeda dengan minoritas *native* (Kymlicka 1995: 63). Meski demikian, ada dua hal yang perlu diperhatikan, yaitu kelompok minoritas yang hendak dijamin itu, kedua-duanya harus tidak menghalangi pelaksanaan hak individu ke dalam anggota kelompok itu sendiri (*internal restrictions*). Kedua, kelompok minoritas itu tidak melakukan tirani terhadap mayoritas maupun terhadap minoritas lainnya. ●

Referensi

- Al Fadl, Khaled Abou. 2006. *“Islamic Law and Muslim Minorities: The Juristic Discourse on Muslim Minorities from 8th to 17th Century CE / 2th to 11th Century Hijrah,”* Singapore: MUIS Occasional Papers Series.
- Al-Fatani, Ismail Lutfi. 1990. *Ikhtilaf Ad-Daaroen wa Atsaruhu fi al-Hukm al-Munakahat wa al-Mu’amalaat*, Saudi Arabia: Daru as-Salam.
- Al-Mimmy, Hasan. 1998. *Ahl Dhimmah fi al-Hadharaty al-Islamiyah*. Bairut: Dar al-Arab Al-Islamy.
- Anderson, Benedict. 2002. *Imagined Communities, Reflections on the Origin and Spread of Nationalism* (Revised and Extended edition) Manila: Verso.
- Benhabib, Seyla. 1996. *Democracy and Difference: Contesting the Boundaries of the Politic*. Princeton: Princeton University Press.
- Butko, Thomas J. 2004. *“Revelation or Revolution: A Gramscian Approach to the Rise of Political Islam”* *British Journal of Middle Eastern Studies*, May 2004 31(1).
- Che Man, W K. 1990. *Muslim Separatism: The Moros of Southern the Philippines and the Malays of Southern Thailan;*, Manila: Ateneo de Manila University Press.

- Fishman, Shammai. 2006. "Fiqh Al-Aqalliyah: A Legal Theory for Muslim Minorities," *Research Monographs on the Muslim World*, Series No 1, Paper No 2, October.
- Daniels, Timothy P. 2005. *Building Cultural Nationalism in Malaysia: Identity, Representation, and Citizenship*, New York, Roudledge.
- Gans, Chaim. 2003. *The Limits of Nationalism*. Cambridge: Cambridge University Press.
- Ibrahim, Anwar. "Agenda Ekonomi Malaysia: Gagasan Pembangunan," selebaran kampanye Partai Keadilan Rakyat (PKR) yang disebar saat kampanye Pemilu Maret 2008, sebanyak 12 halaman di atas kertas ukuran A4.
- Kahn, Joel S. 1998. "Southeast Asian Identities: Introduction," dalam Khan, Joel S. (ed.) *Southeast Asian Identities: Culture and the Politics of Representation in Indonesia, Malaysia, Singapore and Thailand*. Singapore: ISEAS.
- Kymlicka, Will. 1995. *Multicultural Citizenship: A Liberal Theory of Minority Rights*. Oxford: Oxford University Press.
- Kymlicka, Will et al. 2001. *Can Liberal Pluralism be Exported? Western Political Theory and Ethnic Relations in Eastern Europe*. New York: Oxford University Press.
- Li-Sheng, Ye. 2008. *The Chinese Dilemma*, 5th edition. New South Wales Australia: East West Publishing.
- Martin, Richard C. 2005. "From *Dhimmi*s to *Minoritei*s: Shifting Constructions on the non-Muslim Other from Early to Modern Islam" in Maya Shatzmiller (ed), *Nationalism and Minority Identities in Islamic Society*. Quebec Ciewty: McGill-Queen University Press.
- Mason, Richard Mason and Omar, Ariffin S.M. 2005. *The 'Bumiputera Policy' Dynamic and Dilemmas*. Pulau Pinang: Penerbit Universiti Sains Malaysia.
- Matson, Michael (ed.). 1990. *Contemporary Minority Nationalism*. London: Routledge.
- McCargo, Duncan. 2009. *Tearing Apart The Land: Islam and Legitimacy in Southern Thailand*. Singapore: NUS Press.
- McKenna, Thomas M. 1998. *Muslim Rulers and Rebels: Everyday Politics and Armed Separatism in the Southern Philippines*. Pasig City: Regents of the California University.
- Mohamad, Mahathir bin. 2008. *The Malay Dilemma (With A New Preface)*. Singapore: Matshall Cavendish Editions.
- National Reconciliation Commission (NRC), Report of the National Reconciliation Commission (NRC), "Overcoming Violence Through the Power of Reconciliation", 16 May 2006.
- Parekh, Bhikhu. 2000. *Rethinking Multiculturalism: Cultural Diversity and Political Theory*. London: Macmillan Press.

- Peleg, Ilan. 2007. *Democratizing the Hegemonic State: Political Transformation in the Age of Identity*. Cambridge: Cambridge University Press.
- Pitsuwan, Surin. 1982. *Islam and Malay Nationalism: A Case Study of The Malay-Muslim of Southern Thailand*, master thesis for Political Science at Harvard University, Cambridge, Massachusetts, US (microfilm).
- Poulton, Hugh. 2000. "The Muslim Experience in the Balkan State, 1919-1991," Association for the Study of Nationalities, *Nationalist Papers*, Vol. 28, No. 1.
- Qordhowi, Yusuf. 1992. *Ghair al-Muslimin fi al-Mujtami' al-Islamy*. Kairo: Maktabah Wahabah.
- Rodil, B. R. 1994. *The Minoritization of the Indigenous Communities of the Mindanao and The Sulu Archipelago*. Davao City: AFRM.
- Roy, Oliver. 2008. *Globalized Islam: The Search for a New Ummah*. New York: Columbia University.
- Santos, Soliman M Jr. 2001 *The Moro Islamic Challenge, Constitutional Rethinking for the Mindanao Peace Process*. Manila: University of the Philippines Press.
- Schwarzmatel, John. 2003. *Citizenship and Identity: Towards a New Republic*. New York: Routledge.
- Senturk, Recep. 2005. "Minority Rights in Islam: From *Dhimmi* to Citizen," in Hunter, Shireem T. and Malik, Huma (eds), *Islam and Human Rights: Advancing A U.S. – Muslim Dialogue*. Washington: CSIS.
- Shatzmiller, Maya (ed.). 2005. *Nationalism and Minority Identities in Islamic Society*. Quebec Ciewty: McGill-Queen University Press.
- Siddiqi, Muhammad Yasin Mazhar. 2006. *The Prophet Muhammad SAW: A Role Model for Muslim Minorities*. Leicestershire: The Islamic Foundation.
- Suaedy, Ahmad, 2010. "Religious Freedom and Violence in Indonesia," dalam Ota Atsushi, Okamoto Masaaki, Ahmad Suaedy (eds.), *Islam in Contention, Rethinking Islam and State in Indonesia*. Jakarta: The Wahid Institute-CSEAS Kyoto University, Kyoto-CAPAS Academia SINICA Taiwan.
- Turner, Mark & May, R.J. & Turner, Lulu Raspall. 1999. *Mindanao: Land of Unfulfilled Promised*. Metro Manila: New Day Publishers.
- Ye'or, Bat. 1985. *The Dhimmi: Jews and Christians Under Islam*, New Jersey, Associated University Presses.
- Zerubavel, Yael. 1998. *Recovered Roots: Collective Memory and the Making of Israeli National Tradition*. Chicago and London: Chicago University Press.
- Voll, John O. et al. 2008. *Asian Islam in the 21st Century*. Oxford: Oxford University Press.

Cyber Clash di Dunia Maya: Cyberwar dan Conflict Resolution Indonesia-Malaysia

Syafuan Rozi

Abstract

Cyber clash between Malaysia and Indonesia netter in mailing-list and blogs has been raised. There are crack dramatic issues such as "I hate Indon, I hate Malon, Indonsial and "Malingsia" in website. It has been look as serious cyber conflict indeed. Scholars looked it as a latent conflict. Some of netters and blogger have been advocated and established offensive clash such as, making provocation, telling bad reality and just few write peace messages toward two nation's stereotypes. It has been expressed in virtual wars through acts of like and dislike expression toward bilateral relations such as cultural heritage claim, nusantara workers condition in Malaysia, territorial boundaries, smokes impact, illegal logging, terrorism actors, etc. This radicalism has increasingly become a bilateral concern since the Sipadan-Ligitan and Ambalat Block cases, illegal logging, haze and forest burning, and Indonesia workers cases emerged between 2007-2009 periods.

Pendahuluan: *Cyber clash* Indonesia-Malaysia

Cyber clash merupakan salah satu bentuk perang generasi baru yang mengambil ranah di dunia maya atau *cyber* di era teknologi informasi. Bentuknya adalah perdebatan sengit para *netters*, pengguna *mailing-list*, dan *blogger* warga Malaysia dan Indonesia. Hal ini telah terjadi sejak adanya pelbagai peristiwa yang melibatkan warga kedua bangsa ini yang disusul oleh munculnya pernyataan "*I hate Indon*", "*Indonsial*", dan "*Malingsia*" antara tahun 2007-2009 di *new media virtual* atau *website*.

Netters dan *bloggers* saling mengirimkan pesan elektronik yang berisikan tanggapan, hujatan, dan penolakan. Keadaannya sudah seperti perang di dunia nyata: kasar dan keras. Untungnya, hal itu hanya terjadi di dunia maya. Masing-masing pihak saling menyerang dan sebagian kecil saja terpanggil untuk menyerukan perdamaian, memakai akal sehat, menyerukan semangat

peradaban atau *tamaddun*, dengan menjawab dengan perkataan santun dan mau bersikap kooperatif.

Latar belakang *cyber clash* ini berkaitan dengan berbagai persoalan kehidupan dan soal perasaan kebangsaan Indonesia-Malaysia, seperti *cultural heritages claim* dan *misunderstanding*, seperti pemakaian unsur budaya untuk iklan pariwisata, lagu Rasa Sayange, kamus bahasa Melayu-USU, tari reog, seni batik, tari pendet, kondisi pekerja Indonesia di Malaysia, pengaruh buruk yang dibawa oleh migran Indonesia ke Malaysia seperti narkoba (*dadah*), perampokan (*regol*), *muzik setan* (ditujukan untuk lagu dangdut dan rock yang dibawa oleh migran dari Jawa Timur), soal sempadan wilayah yang bergeser (batas wilayah), rekrutmen *laskar wataniah*, persoalan kabut asap (*jerubu*) asal Sumatera dan Kalimantan yang sampai ke Malaysia, kepemilikan perkebunan sawit oleh pengusaha Malaysia, *illegal logging*, *terrorism actors duo*, Dr. Azhari dan Nurdin M. Top, penangkapan ikan di wilayah jiran, dan sebagainya.

Sebetulnya Indonesia memiliki banyak persamaan budaya dan kepentingan bersama pariwisata di masa depan yang perlu dikembangkan. Hal ini disebabkan karena kekayaan minyak dan hasil alam akan habis dalam waktu 50-100 tahun ke depan. Dua bangsa serumpun ini perlu bekerja sama untuk masa depan yang lebih panjang. Sementara kedua belah pihak, *blogger* dan *milister* Indonesia dan Malaysia cenderung tidak mampu dan mau mencari titik-temu untuk membangun dasar kesamaan tersebut, *mutual common grounding*. Dasar kesamaan ini berupa program nyata untuk memulai pembangunan kesepahaman, saling percaya untuk maju bersama. Ini juga semacam *positive political core-values and cross cultural communication: bersekutu menambah mutu, kemanusiaan yang adil dan beradab*, dan inovasi gagasan peradaban yang lain lagi, seperti semangat sebumi, satu keluarga besar umat manusia, sekampung di bawah laut samudra, dan lain-lain.

Sayangnya, dalam kehidupan nyata sebagian publik di Indonesia dan Malaysia cenderung emosional dan belum menunjukkan komitmen yang kuat untuk mendamaikan dan bekerja sama dalam mengelola alam sekitar, perbatasan dan potensi keragaman dan keseragaman budaya serumpun. Setelah pertemuan Presiden Indonesia dan Perdana Menteri Malaysia, masih tersisa potensi pertikaian antara orang Indonesia dan Malaysia di dunia maya dan dunia nyata yang perlu dicarikan solusinya.

New Media

Ada beberapa karekteristik khas media baru yang membedakannya dengan media cetak dan elektronik, antara lain digital, interaktif, hipertekstual, virtual, berjaringan, simulasi.¹ Jika kita bandingkan dengan media tradisional

1 Putu Laxman Pendit, "Media Baru dan Jurnalistik- Tinjauan Sosial Budaya dan Teknologi", paper pada diskusi di PWI Jaya, Jakarta, 9 Juni 2010.

seperti koran, majalah, buku, radio, televisi, *new media* ini berbasis teknologi informasi, yang menggunakan jaringan internet. Aksi dan reaksi respon bisa dalam hitungan detik, jumlah peserta yang relatif tidak terbatas, relatif tidak mengalami penyensoran atau pembatasan isi pesan, pesertanya bisa dalam kondisi relatif setara, dan cenderung terhindar dari aturan protokoler atau basa-basi dalam berkomunikasi.

Dalam simulasi atau permainan dalam media baru ini, sikap dan bentuk peran bisa terekspresi secara relatif bebas dan leluasa oleh para pengguna. Siapa saja dapat menggunakannya. Siapa saja bisa memanfaatkannya. Memang ada beberapa pembatasan, misalnya negara tertentu yang melarang produk *new media* tertentu. Namun, pada umumnya, nyaris tidak ada batasan. Bahkan ada kecenderungan dorongan atas kebebasan ini jauh lebih besar daripada pembatasannya. Sehingga dalam beberapa hal ada yang bersikap pro dan kontra terhadap peran negara dan peran penyedia dalam hal penyensoran atau *blocking content*, kecuali untuk hal-hal yang terkait dengan nilai kemanusiaan yang universal sifatnya. Namun tetap saja ada pihak yang pro dan kontra.

Sebagian besar hal yang dilakukan oleh pengelola blog atau blogger atau milister adalah mengembangkan pesan dengan menggunakan sarana teknologi informasi berbasis internet, dalam grup interaktif yang sudah disediakan oleh *server*. Pengelola blog kebanyakan hanya berfungsi sebagai *user* dan pelayanan disediakan oleh *server* atau *provider internet*. Ciri khas dunia *cyber* adalah begitu banyak informasi tersedia, bahkan begitu banyak informasi masuk bisa terjadi, namun yang lebih penting adalah tentang pesannya dan bukan lagi pada medianya.²

Marshall McLuhan berpandangan bahwa dalam media baru ini '*the medium is the message*'. Di era *new media*, penekanannya lebih pada *message-nya*, bukan medianya. Hal ini karena bentuk medianya sangat banyak. Setiap orang bisa saja membuat media lewat blog, milis atau grup interaktif. Sementara, tidak semua pesan dibutuhkan oleh audiens.³ Oleh karena itu, dalam era *new media*, kita perlu cerdas dan bijak memilih, bersikap dan mengemas pesan sedemikian rupa sehingga bisa dimengerti, dinikmati, berguna bagi pengguna jaringan, bahkan bisa berguna bagi hubungan politik dan kemanusiaan antarbangsa. Jika tidak dilakukan atau kontraproduktif dan saling meniadakan, maka hal itu akan merugikan banyak pihak.

Cyber Clash: Perang Tanpa Darah

Ada pandangan bahwa pasang surutnya perkembangan hubungan bilateral Indonesia-Malaysia mulai menunjukkan gejala memburuk lagi selama tiga

2 Lihat artikel <http://laz4u.blogspot.com/2010/06/ciri-khas-new-media.html>, diakses 4 Juli 2009.

3 <http://www.marshallmcluhan.com>, diakses 9 September 2009.

tahun terakhir (2007-2009). Hal ini bermula pada awal tahun 2005, dengan membaranya isu kepemilikan Pulau Sipadan-Ligitan, blok laut Ambalat terkait kedaulatan wilayah negara, berlanjutan dengan masalah TKI yang dianggap bermasalah di Malaysia, hingga ke masalah klaim budaya dan penggunaannya untuk iklan wisata tanpa menyebut asal-usulnya, seperti soal lagu Rasa Sayange, batik, angklung, rendang, tari Reog, dan Barongan, tari Pendet. Permasalahan demi permasalahan seakan menyusul menyusul mengiringi perjalanan kedua bangsa selama tiga tahun terakhir. Pada tahun 2007, sepertinya menjadi klimaks tahun-tahun terberat bagi hubungan antara Malaysia dan Indonesia, tahun yang penuh dengan kegaduhan, tahun yang penuh dengan masalah.⁴

Geert Lovink seorang pemikir soal *new media, art and science* memperlihatkan adanya gejala perang media sebagai salah satu bentuk perang generasi baru. Keterangan Lovink ini memberikan semacam *vision* dasar bahwa ada potensi konflik atau 'perang' terkait antargenerasi dan bisa jadi antarbangsa yang memakai media baru semacam internet oleh generasi manusia. Untuk itu perlunya kerja sama berbagai pihak terkait agar konflik laten tersebut tidak memicu keberutalan di dunia nyata.

Kita bisa memahami fenomena dunia *cyber* dengan pendekatan Dystopian. Kaum Dystopian ini sangat berhati-hati dan bersikap kritis terhadap penempatan teknologi komunikasi, sebab dampak yang ditimbulkannya adalah pengacauan kehidupan sosial dan politik. Kekacauan yang berpotensi ditimbulkan akibat konflik laten bisa menjadi konflik *manifest* berupa ancaman perang, memburuknya hubungan dagang dan pariwisata, menurunnya rasa aman tenaga kerja atau mahasiswa yang mengalami tindakan *sweeping* atau pemeriksaan dan pelecahan oleh paramiliter ketika mereka sedang berkegiatan di negeri tetangga.

Berikut ini petikan hasil wawancara dengan Prof. Dr. Azizah Hamzah, Ketua Pejabat Departemen Pengajian Media/Ilmu Komunikasi dan Multimedia, Universiti Malaya ketika ditanyakan tentang adanya *cyber clash* di internet: apakah masalah tersebut sudah diangkat ke media di Malaysia dan menjadi perbincangan masyarakat:⁵

".... Saya rasa *cyber clash* berada pada perputaran antarbangsa di internet. Namun dapat juga masalah ini keluar dari media maya menjadi dunia nyata dan umum. Tetapi saya kira, saya tidak dapat menjawab banyak tentang hal ini, namun memang sudah memiliki kajian ke arah sana. Hal yang saya perhatikan memang yang menjadi perbincangan dalam milis tersebut mengangkat seputar permasalahan-permasalahan aktual

4 <http://f4iqun.wordpress.com/2008/01/09/mengukuhkan-kembali-hubungan-indonesia-malaysia>, diakses tgl, 25 Maret 2009.

5 Wawancara dilakukan Rabu, 5 Agustus 2009, di University Malaya, Kuala Lumpur

yang sedang terjadi. Misalnya dalam milis Indonesia-Malaysia banyak mengangkat tentang isu Manohara. Namun permasalahan itu tidak banyak dibahas pada media di Malaysia. Berbeda sekali dengan di Indonesia, *media online* maupun cetak banyak yang membahas tentang hal tersebut...".

Dari penjelasan di atas tampak *cyber clash* antara pihak *blogger* dan *milister* Indonesia dan Malaysia, cenderung baru dan ia merupakan fenomena *cyber conflict*. Artinya, ia belum masuk ke ranah media dan ranah publik Malaysia sehari-hari. Tidak banyak orang awam di Malaysia yang tahu dan paham telah terjadi *cyber clash* di negara mereka, kecuali pengguna internet. Pihak awam di Malaysia, menurut Dr. Nidzam Sulaiman menganggap sudah tidak ada persoalan. Sebaliknya, pihak mahasiswa UKM menilai, *blogger-milister* Indonesialah yang banyak mengungkit-ungkit persoalan sehingga menjadi *cyber conflict*.⁶

Setelah mengikuti perkembangan hingga memasuki tahun 2008, tampaknya ketegangan hubungan kedua negara sedang diusahakan untuk dikurangi.⁷ Hal ini ditegaskan dengan diadakannya pertemuan antara kedua pimpinan pemerintahan pada tanggal 11-12 Januari 2008. Pertemuan kedua pucuk pimpinan tersebut didahului oleh pertemuan generasi mudanya, yang diwakili oleh Pergerakan Pemuda UMNO dan Komite Nasional Pemuda Indonesia.⁸

6 Mengenai hal ini telah dikonfirmasi (traingulasai) lewat kuesioner dengan Prof. Dr. Nidzam Sulaiman, pensyarah senior Sain Politik dan Pengajian Antarbangsa, Fakulti Sain Sosial dan Kemanusiaan, University Kebangsaan Malaysia (UKM), dan wawancara langsung dengan para mahasiswa UKM di Bangi Malaysia, Selasa, 2 Juli 2009.

7 Media massa Malaysia yang diprotes seluruh elemen masyarakat Indonesia karena sering menggunakan istilah-istilah yang tidak sepatutnya, harus segera mengakhiri penggunaan istilah itu. Istilah-istilah yang dimaksud, antara lain: penggunaan kata *INDON* untuk menyebut warga negara Indonesia, penggunaan istilah "mini Jakarta" atau "mini Bandung" untuk menggambarkan suatu kawasan "remang-remang" dan rawan kejahatan di KL atau di Penang, dan lain-lain. Sementara media massa Indonesia harus pula segera mengakhiri berita-berita yang sifatnya memprovokasi atau membesarkan masalah yang dapat mengganggu hubungan kedua negara. Diharapkan, seyogianya permasalahan-permasalahan tersebut diuraikan dengan berimbang dari kedua belah pihak dan diarahkan untuk mencari solusi penyelesaiannya, bukan justru "mengapi-apikan" dan memainkan isu sensitif tersebut. Untuk itulah media massa Malaysia membentuk Ikatan Setiakawan Wartawan Malaysia-Indonesia (ISWMI) pada tanggal 8 Januari 2008, untuk lebih merapatkan persefahaman antara media kedua-dua negara sekaligus mengukuhkan hubungan *dua hala* (dua arah). Dan dalam waktu tak lama lagi, organisasi serupa juga akan dibentuk di Indonesia. Hal ini bertujuan untuk menciptakan interaktif positif seperti rangkaian dialog (*siri dialog*) dan kunjungan (*lawatan*) pertukaran wartawan dapat dilaksanakan dengan segera.

8 Dalam pertemuan tersebut Datuk Seri Najib Tun Razak memberikan padangan: "Malaysia dan Indonesia perlu mengekalkan hubungan baik yang sudah sekian lama terjalin kerana kedua-dua negara berpotensi untuk lebih maju dan berjaya". Beliau berkata demikian ketika berucap merasmikan Dialog Malindo 2008: Belia Malaysia-Indonesia. Dialog bertema Memperkukuhkan Hubungan Generasi Muda Malaysia- Indonesia Melalui Kerjasama Ekonomi dan Sosio Budaya itu disertai 300 belia dari kedua-dua negara. Tugas utama memperbaiki hubungan, tentunya secara resmi terletak sepenuhnya di pundak kedua penguasa pemerintahan negara yang berkenaan. Namun usaha tersebut tak akan berjalan mulus jika tak sampai menyentuh ke seluruh lapisan pejabat negaranya dan ke akar rumput seluruh lapisan masyarakatnya. Untuk itulah unsur media massa turut dilibatkan dalam rangkaian pertemuan ini. *Ibid., f4iqun.wordpress.com*

Untuk menjelaskan soal apa dan bagaimana wacana isu atau persoalan yang menjadi puncak perdebatan yang berbentuk *cyber-conflict* antara *blogger* Malaysia dan Indonesia antara waktu 2007-2009, berikut ini penjelasan Calvin Michel Sidjaja seorang *blogger* yang memiliki pandangan pribadi. Bukan pemandangan aneh kalau kita menemukan ratusan situs yang memaki-maki negara Indonesia atau Malaysia, dengan hinaan berbau rasis dan kasar. Lihat perbandingan hasil profil blog atau milis yang berisi *cyber clash*, dengan menggunakan *searching engine* Google, dapat ditemukan data:

1. Malingsia menghasilkan 65.200 halaman.
2. "Malingsia" (menggunakan *integer* tanda kutip) menghasilkan 64.700 halaman.
3. "Indon" (istilah yang kita anggap rasis, setara dengan negro) menghasilkan 121.000 halaman.⁹

Menurut Calvin Michel Sidjaja, *cyberwar* ini benar-benar tidak ada gunanya. Kita bermimpi ASEAN atau "Komunitas Asia", menjadi suatu wilayah yang terintegrasi, tapi ironisnya, Indonesia-Malaysia, negara yang serumpun, menggunakan bahasa serupa, ribut karena masalah yang harusnya bisa diselesaikan dengan kepala dingin. Jadi, untuk para *blogger* Indonesia-Malaysia semua, perang *maki-makian* ini lebih baik berhenti atau dilanjutkan? Apakah ada gunanya?¹⁰ Ia juga menelusuri tag: ASEAN, *cyberwar*, Indonesia, Malaysia dan *racism*, pada tanggal 8 Desember 2007 dan hasilnya mengejutkan:

- Ribut-ribut soal <http://ihateindon.blogspot.com> (4)
- "Bawang Putih Bawang Merah" (Memang) Milik Malaysia? (2)
- Now Counting: ASEAN Charter Ratification (1)
- Musuh Bersama Untuk Indonesia? (15)
- Should We Forgive Seoharto? (25)
- Selamat Ulang Tahun ke-62, Indonesia (3)
- Promoting ASEAN Integration Through Multicultural-Basic Education? (0)

Berikut ini contoh *cyber clash* atau perang digital antara *netters* Indonesia dengan Malaysia dengan tags "I hate Indon", ditemukan lewat penelusuran Google dengan hasil ada di urutan 1-10 dari sekitar 735.000 unit komentar (dalam waktu 0.47 detik). Sedangkan untuk "Malingsia" tags dengan mesin

⁹ <http://republikbabi.com/indonesia-malaysia-cyberwar-berhenti-atau-lanjutan>, diakses 2 April 2009.

¹⁰ *Ibid.*

pencari yang sama ditemukan ada urutan 1-10 dengan hasil 80.200 unit komentar dalam waktu 0.27 detik. Berikut ini contoh konflik laten saling serang yang terjadi:

1. Bagus, tanggal 28 Oktober 2007 pukul 05:44 AM

"...Sikap malaysia pada indonesia bagaikan anak tak tahu budi yang durhaka terhadap gurunya.andai saja dulu maha aksi ganyang malaysia berhasil, pastilah tanah melayu raya ini akan tentram & damai di bawah komando indonesia yang perkasa.maka dari itu mari sekarang kita gaung lagi GANYANG MALAYSIA TUK SLAMA-LAMANYA (komandan Gerakan Muda Ganyang Malaysia)..."

2. Abikusno Cokrosuyoso dari Smasa Tmg, tanggal 28 Oktober 2007 pukul 5:50 AM

"...Perilaku malaysia saat ini benar2 mencerminkan bahwa mereka adalah negara tak terpelajar.apalagi dengan polisi di sana yg bagaikan lulusan pasar kumuh.sepertiya dulu guru2 kita dulu kurang lama mengajari mereka/memang mereka begundal belaka.salute abis untuk MALAYSIA, MALING ASIA !!!..."

3. Bagus, Revolusioner dari Smasa Tmg, tanggal 28 Oktober 2007 pukul 6:06 am

"...Sebagai komandan Gerakan Muda Ganyang Malaysia, saya sangat berbahagia dgn adanya kasus2 pencurian harta (kayu, alat musik,batik ,lagu,pulau,dll) Indonesia oleh Malaysia.Sebab,hanya dgn itulah emosi rakyat Indonesia dpt tertumpah dgn hebat2an pd Maling Asia tsb.Mari Indonesia,kita bentuk poros dgn negara kuat dunia utk menggempur Malaysia habis2an,bahkan kalau perlu kita bangkitkan PERANG DUNIA 3..."

4. Jimmy, tanggal 9 Maret 2005 pukul 4:32 PM

"...Saya warga Malaysia...wah seperti anda semua di RI beriya-iy mau berperang yah!...coba anda duduk! dan berpikir sebentar secara logik!..adakah anda mampu?...sedang kan negara anda sendiri dalam pergolakan, seperti di Aceh...yang sedari dulu ngga mampu diatasi oleh TNI...ini kan pula mahu berperang sama Malaysia...yang ternyata lebih canggih/maju dalam persenjataan!... Secara logiknya semangat kesatuan RI itu udah mula pudar dan luntur...kita (Malaysia) bisa aja menawan hati rakyat2 di Sumatra Utara, yang memang terang-terangan membenci pemerintahan Jakarta.....Heyyy saudara2 di RI sadarlah!....anda bukan lagi di jaman era 60an....skrg kita di era 2000....dimana kekuatan minda/akal pikiran...lebih penting dari kekuatan fizikal....mo "ganyang Malaysia" huh!.....mimpi disiang hari kalian.....pulang aja sono....!urusin rakyat mu itu!...urusin para2 TKI yang lagi nganggur,kelaparan, ngga punya pekerjaan itu...."

5. **Jimmy**, tanggal 10 Maret 2005 pukul 1:07 PM:

“...kerana itu saya bilang bangsa Malaysia itu bangsa yang bijak/pinter.... jaman sekarang siapa yang lebih bijak dialah yang akan maju kedepan!.... anda bangsa goblok dan TKI yang ngga punya pendidikan senang ditipu sama agent2 pekerjaan....that not our problem...that Indonesian Gov. problem...kenapa ngga dikasih rakyatnya pendidikan yang secukupnya ,agar ngga menjadi bodoh!...agar bisa menghitung uang! agar jangan sampai ditipu orang....hahahaha....Bersatu!...Indonesia bersatu!.... jangan mimpi disiang hari dong!...Indonesia ngga akan bakalan bersatu... .”demi kesatuan republik indonesia” mu udah lama pudar/luntur.... contoh nya , kamu kehilangan Timor2, di Sumatra Utara masih berlaku penentangan....itu udah terbukti kesatuan Indonesia itu udah ilang!..... Ini adalah gara2 orang2 besarmu yang duduk di DPR itu!...meraka pada gendut2 semua hasil dari wang korupsi....dan anda orang2 kecil, lagi mengemis ke Malaysia..untuk sesuap nasi.....“kasian”.....”.

Cyber Clash dalam Opini Dua Bangsa

1. Profil Responden

Penulis melakukan penelitian lapangan berupa pengumpulan data lewat kuesioner yang dilakukan di Jakarta, Bandung, dan di Kuala Lumpur, terutama untuk bertemu langsung dengan para informan, narasumber, pakar, dan pemangku kepentingan di kedua negara. Kunjungan ini dilakukan di ruang jurusan, perpustakaan, ruang diskusi, di serambi ruang kuliah di FISIP, FT UI, FISIP IISIP Jakarta, FISIP dan FMIPA UNPAD, Fakultas Ilmu Sosial dan Kemanusiaan Universitas Kebangsaan Malaysia, dan Fakultas *Arts & Social Sciences* Universitas Malaya, Kuala Lumpur, yang memiliki jurusan Sains Sosial dan Hubungan Antarbangsa. Jawaban kuesioner dikirim lewat email oleh para *bloggers*, *netters* dan *facebookers*.

Siapa responden penelitian kuantitatif *cyber clash* ini? Responden penelitian ini terdiri dari 500 orang, 250 dari pihak Indonesia dan 250 dari pihak Malaysia. Kebanyakan responden berasal dari kalangan kampus (UI, UNPAD, IISIP Jakarta, UKM, dan UM) dan pengguna internet dari kedua bangsa yang menjawab kuesioner melalui *e-mail* yahoo dan situs jaringan pertemanan *facebook*. Jika dilihat dari gender responden dari kedua bangsa, jumlahnya relatif berimbang, namun jumlah responden perempuan yang terjaring lebih banyak (52,6%) dibandingkan dengan responden laki-laki (47,4%).

Teknik penyebaran kuesioner dilakukan dengan menyebarkan kuesioner langsung pada saat perkuliahan berlangsung, pada saat ada sekelompok mahasiswa berkumpul di kantin atau ruang belajar. Selain itu melalui *e-mail* dan situs jaringan pertemanan *facebook*. Setelah berkenalan, mereka diminta untuk menjawab kuesioner yang peneliti susun, kemudian mereka kirim jawaban itu ke dalam *mailbox* peneliti.

Sebagian besar responden penelitian ini adalah kalangan yang bergerak di dunia pendidikan dan penelitian (utamanya kalangan mahasiswa, sebagian dosen/pensyarah dan peneliti) di kedua belah pihak (UI, IISIP Jakarta, UNPAD, UM, dan UKM). Sebagian responden menjawab kuesioner melalui facebook dan yahoo, yang terdiri dari pelajar, birokrat, profesional, wiraswasta dan jurnalis.

2. Opini dan Pengetahuan Soal Cyber Clash

Dari data yang terkumpul menunjukkan kebanyakan responden asal Indonesia maupun Malaysia (46,8%) menyatakan tidak tahu atau tidak mengikuti jalannya *cyber clash* antara kedua bangsa. Kebanyakan responden mengetahui adanya konflik kedua bangsa lewat situs "*Malingsia*" (28,2%), baru kemudian "*Indonsial*" (12,2%), selain itu ada yang mengikuti *cyber clash* dari situs "*I hate Indon*" (5,6%), "*I hate Malon*" (5%). Selebihnya membaca berita lewat situs lain dan harian seperti Kompas, Malaysia Kini, kaskus.us dan Topik. Situs yang lebih baru tapi tidak diikuti oleh pihak yang menjadi responden penelitian ini misalnya: *Malaysia The Truly Maling Asia*, *Malaysial*, *indonesianvoices.wordpress.com*, *Melayu-Online groups*, *Malaysia Jadikan Mitra Bukan Musuh*.

Sebagai ilustrasi jalannya *cyber clash* tersebut ada petikan percakapan lewat milist Malingsia. Redaksi uraian sengaja ditampilkan apa adanya untuk memperlihatkan emosi dan suasana yang berkembang apa adanya, sebagai berikut:

1. Diana, tanggal 7 Maret 2005, pukul 7:03 AM

"...Soal AMBALAT. Kalo ditelusuri sejarah Ambalat, jelas termasuk milik Indonesia, karena sejarahnya bermula dari kesatuan kesultanan Bulungan...jadi kalo Malaysia ngotot juga yah memang dasarnya tukang rampok..gak kemana-mana deh tujuannya...negara kita sudah banyak dirugikan oleh malaysia yang saya anggap memang jahat....saya tinggal di Balikpapan, jadi sedikit banyak tau seberapa besar kerugian Kaltim yang sudah kecolongan alias kecurian oleh negara yang satu ini. Nah soal Ambalat...kelihatannya negara ini menganggap remeh (enteng) negara kita, silahkan simak beritanya di "berita harian malaysia" alamatnya = <http://www.bharian.com.my/m/BHarian/Saturday/Rencana/20050304232821/Article/> = tajuk "Tinta Strategi: Tuntutan wilayah bantut penerokaan kawasan minyak, Oleh Prof Madya Dr Azmi Hassan". Ada paragraf berikut: "Sebagai contohnya, hanya 40 peratus jet pejuang yang dimiliki tentera udara TNI dapat digunakan pada satu ketika akibat kurang alat ganti dan penyelenggaraan. Jet pejuang Sukhoi umpamanya hanya mempunyai kemampuan radar saja, tanpa dibantu oleh kelengkapan persenjataan asas yang lain. Sebab itu, apabila ombak besar tsunami melanda pantai Aceh baru-baru ini, TNI mendapati begitu sukar untuk menghulurkan bantuan kepada rakyat mereka kerana aset mereka tidak boleh beroperasi dengan baik....". Alenia tersebut jelas

meremehkan TNI, dan menganggap Indonesia tidak mampu berbuat. Namun demikian kita serahkan saja kepada SBJ-JK, semoga beliau setegas Bung Karno dan Pak Harto....jangan mau negara kita dilecehkan lagi...Kalo ngadapi perampok baiknya tembak ditempatkan. Salam..."

2. **Jimmy**, tanggal 9 Maret 2005 pukul 4:32 PM

"...Saya warga Malaysia...wah seperti anda semua di RI beriya-ya mau berperang yah!...coba anda duduk! dan berpikir sebentar secara logik!..adakah anda mampu?...sedang kan negara anda sendiri dalam pergolakan, seperti di Aceh...yang sedari dulu ngga mampu di atasi oleh TNI...ini kan pula mahu berperang sama Malaysia...yang ternyata lebih canggih, maju dalam persenjataan! Secara logiknya semangat kesatuan RI itu udah mula pudar dan luntur...kita (Malaysia) bisa aja menawan hati rakyat2 di Sumatra Utara, yang memang terang-terangan membenci pemerintahan Jakarta. Heyyy saudara2 di RI sadarlah!...anda bukan lagi di jaman era 60-an...skrg kita di era 2000....dimana kekuatan minda/ akal pikiran...lebih penting dari kekuatan fizikal...mo "ganyang Malaysia" huh!.....mimpi di siang hari kalian.....pulang aja sono....! urusin rakyat mu itu!...urusin para2 TKI yang lagi nganggur, kelaparan, ngga punya pekerjaan itu..."

3. **Tioooooo himself**, tanggal 9 Maret 2005, pukul 8:25 PM

"...Jimmy terserah lu mau bilang Malaysia lebih canggih apa dan maju dalam persenjataan, itu kan uang buat belanjanya uang hasil ngerampok hutan2 Indonesia . Ah negara lu juga gak bakal bisa kayak sekarang kalo gak ada TKI emang dengan lu ngomong Malaysia lebih punya kekuatan akal dan pikiran itu bisa menang ? ah paling kalian pengecut dah beraninya minta bantuan Inggris dan keparat keparat bekas jajahan Inggris. Semoga siti nurhaliza pikirannya gak seperti jimmy. "

4. **Jimmy**, tanggal 10 Maret 2005, pukul 9:47 AM

"...Anda bisa bilang apa2 pun, perampok kek, apa kek!....kerana seperti yang saya bilang, bangsa yang kuat itu adalah bangsa bijak mindanya, bisa mengambil peluang2 yang ada...RI sendiri gak mampu mengurus hasil hutannya/buminya...maka kami yang lebih bijak! telah menggunakan kesempatan ini. Bangsa yang bijak juga bisa menggunakan apa saja jalan! mo minta pertolongan Inggris kek, US kek!...itu membuktikan bahawa suara Malaysia di dengar peringkat tertinggi dunia. Sekali saya ingatkan... jangan anda semua bermimpi di siang hari ingin menyerang Malaysia....seperti yang saya bilang urusin negeri mu sendiri, urusin GAM disana, urusin rakyat2 mu yang lagi kebuluran, urusin dulu anak2 jalanan/ pengemis2 disekitar kota2 mu itu, urusin masalah pergolakan Islam/ Kristian di kepulauan Ambon itu....dan juga urusin para2 TKI yang lagi kebuluran itu. Jika ada uang yang diberikan oleh IMF itu, sebaik nya digukan buat kebajikan rakyat anda....dan bukannya buat peperangan....hujung2 bisa kebuluran semua tuh! dan pada TKI ingin

saya ingatkan.... kalo datang kenegara orang jangan bikin seperti negara sendiri.....udah dikasih pertolongan ngga berterimakasih, malah bikin ribut..."

5. **Sankiak**, tanggal 10 Maret 2005 pukul 11:04 PM

"...Perang aja lah... kan sekarang lagi trend... Apalagi daripada TNI / Polri beraninya ama rakyat sendiri. Lebih baik maju ke medan perang membela kedaulatan dan kebesaran nama bangsa. TNI / Polri juga harus tegas dalam menindak... entar dikasih uang rokok sama Tentara Diraja Malaysia langsung dibebaskan aja... kayak polisi tilang dijalan raya..."

6. **Tinneke**, tanggal 10 Maret 2005 pukul 12:29 PM

"...Jimmy Gideon (tahu nggak, dia pelawak)! Semua negara itu punya masalah, kalau nggak ada matilah negara itu. AS-sebut aja negara yang elo anggap hebat- bisa seperkasa sekarang karena dihajar berbagai masalah, termasuk Indonesia dan Malay. Persoalannya di zaman modern begini cuma Malay aja yang masih cari masalah dengan "nyuri" wilayah orang. Indonesia itu terlalu baik, nganggap Malaysia sesama negara serumpun jadi Sipadan dan Ligitan lepas... Sekarang nggak ada lagi kasihan, setiap jengkal tanah, air, dan udara Indonesia harus jadi milik Indonesia, apapun risikonya, kalau perlu kekerasan. atanya Malay bijak kenapa mempekerjakan TKI ilegal. Hanya penjahat kemanusiaan saja yang mempekerjakan imigran gelap. Anda mungkin sedang enak-enakan duduk dalam gedung yang dibangun oleh para TKI yang dibayar dengan harga yang sangat murah. Itu yang disebut bijak? Please deh!..."

6. **Aingteaukie**, tanggal 10 Maret 2005 pukul 12:34 PM

"...PEACE buat apa perang..., tapi sebenarnya kalo jadi perang bagus buat Indonesia, orang2 akan lebih bersatu, konflik bakal dilupain sesaat untuk bahu-membahu mengalahkan musuh, tapi malaysia negara kecil, populasinya gak ada 1/2-nya pulau jawa, mereka bukan lawan kita... kita cari lawan yang setimpal... kita serang USA, England, RRC, Rusia... kita kuasai dunia... hidup INDONESIA!!! HOAAHAHAHA.. HOAHAHAHA... (ketawanya bajak laut)..."

7. **Lola**, tanggal 10 Maret 2005 pukul 12:41 PM

"...Temen gue orang Malay baik banget loh... kok ada yang kaya jimmy gideon gitu ya?? dasar jimged...eh kang tioooooo, menurut temen si sayah yang malay boy tea, siti teh gak semanis di layar kaca [kelakuannya] hihhi... sius...si temen sayah itu teh pernah jadi art-nya acara dia. hihhi..."

8. **Jimmy**, tanggal 10 Maret 2005 pukul 1:07 PM

"...Kerana itu saya bilang bangsa Malaysia itu bangsa yang bijak/ pinter....jaman sekarang siapa yang lebih bijak dialah yang akan maju kedepan!....anda bangsa goblok dan TKI yang ngga punya pendidikan

senang ditipu sama agent2 pekerjaan....that not our problem...that Indonesian Gov. problem...kenapa ngga dikasih rakyatnya pendidikan yang secukupnya, agar ngga menjadi bodoh!...agar bisa menghitung uang! agar jangan sampai ditipu orang...hahahaha.... Bersatu!... Indonesia bersatu!....jangan mimpi disiang hari dong!...Indonesia ngga akan bakalan bersatu...."demi kesatuan republik Indonesia" mu udah lama pudar/luntur....contohnya, kamu kehilangan Timor2, di Sumatra Utara masih berlaku penentangan....itu udah terbukti kesatuan Indonesia itu udah ilang!.....Ini adalah gara2 orang2 besarmu yang duduk di DPR itu!...meraka pada gendut2 semua hasil dari wang korupsi....dan anda orang2 kecil, lagi mengemis ke Malaysia..untuk sesuap nasi...."

9. **Jimmy**, tanggal 10 Maret 2005 pukul 1:37 PM

"...Maka ada baiknya anda serahin aja perairan ambalat itu kepada Malaysia...lagian pula RI punya banyak Pulau2 yang lain...mengapa yang sekacil itu harus diributkan...atau ada baiknya juga RI serahkan semua pulau2 sekitar perairan Malaysia, seperti semua pulau2 di kepulauan Riau (Batam, Bintan, Natuna dan Anambas)....lagian dulu semua kepulauan itu milik Malaysia (sebelum perjanjian Inggris-Belanda)....udah nyata pemerintah Indonesia tidak mampu memberikan pembangunan yg sewajarnya kepada penduduk setempat...orang2 besar DPR itu yang pada gendut2 semua hasil dari uang korupsi hanya tau bikin kaya sendiri...so...apa katamu rakyat Republik Indonesia...anda setuju?...."

10. **Siti Nurhaliza**, tanggal 10 Maret 2005 pukul 2:13 PM

"...Amboi, amboi, mau ganyang Malaysia yah? Jangan begitu donk, nanti Siti ngak suka sama kamu lagik...oh Indon...nafsu amarah bisa mengorbankan mu...hihihi..."

11. **Dudi**, tanggal 10 Maret 2005 pukul 2:51 PM

"...Komentar anda mungkin bisa menambah wacana bagi kami rakyat Indonesia. Tapi tahukah anda, Indonesia merdeka atas hasil keringatnya sendiri. Indonesia menjadi negara kepulauan karena usahanya sendiri. Kami berjuang sampai titik penghabisan dan dapat meraih kemerdekaan. Kemerdekaan yang murni, bukan kemerdekaan hasil pemberian. Status negara kami bagi kami adalah sama seperti negara lain. Tidak perlu takut kepada Amerika, atau negara lainnya, apalagi negara Malaysia yang jelas-jelas negara lebih kecil luasnya dari Indonesia. Walaupun negara kami rusak dan bobrok, tapi jika kedaulatan bangsa diganggu maka kami juga akan berteriak. Buat temen-temen blogger lainnya, silahkan kalo mau dukung gerakan Ambalat belongs to Indonesia dengan memasang banner ini di blognya masing-masing. Indonesia sudah mengelola ambalat sejak tahun 1960-1970. Jadi gak usah hiraukan perkataan Jimmy. Kita dukung gerakan 'Ambalat belongs To Indonesia'..."

12. **Kinantan**, tanggal 10 Maret 2005 pukul 2:59 PM

“...Gayang Malaysia... gayang! ...culik siti nurhaliza ...jimmy .. nessesuuuuuu ...”.

Demikianlah contoh gambaran *cyber clash* yang menjadi wajah perseteruan pihak Indonesia dan Malaysia. Bahasa yang digunakan cukup emosional dan belum membicarakan titik temu dari persoalan kedua bangsa. Berikut ini hasil jawaban 500 responden terkait apa yang menjadi topik perseteruan dua bangsa di dunia maya. Ada kecenderungan temuan penting dari data yang terkumpul menunjukkan mayoritas responden beranggapan topik utama *cyber clash* RI-Malaysia adalah persoalan klaim budaya Indonesia-Malaysia.

Opini Soal Topik *Cyber clash*

Data yang terkumpul menunjukkan mayoritas responden (39,8%) beranggapan topik utama *cyber clash* antara Indonesia-Malaysia adalah persoalan klaim budaya menyusul persoalan pekerja Indonesia di Malaysia (18,2%), klaim laut dan pulau Ambalat Sipadan Ligitan (14%), asap dari kebakaran ladang di Indonesia yang berhembus ke Malaysia (11,6%), pelaku terorisme di Indonesia, Dr. Azhari-Nurdin M. Top berasal dari Malaysia (1,8%) dan buruknya keadaan yang berlangsung di Indonesia (0,2%). Selebihnya, ada 14,4% yang menyatakan tidak tahu karena tidak mengikuti jalannya konflik di dunia maya.

Selanjutnya ditampilkan apa dampak *cyber clash* tersebut, menurut 500 responden sebagai berikut: Sebagian besar responden (28,4%) yang mengikuti jalannya *cyber clash* di blog dan milis berpandangan bahwa debat atau konflik di dunia maya ini amat bermanfaat untuk membangun keseimbangan baru dalam hubungan dua bangsa. Lewat konflik di dunia maya tersebut terungkap apa yang diinginkan dan tidak diinginkan menyangkut tingkah laku warga kedua bangsa, termasuk kemungkinan jalan keluar yang bisa ditempuh, walaupun ada fakta lain bahwa mayoritas responden (31,4%) tidak mengetahui telah terjadi *cyber clash*, konflik di dunia maya yang melibatkan warga kedua bangsa.

Opini Soal Jalannya *Cyber clash*

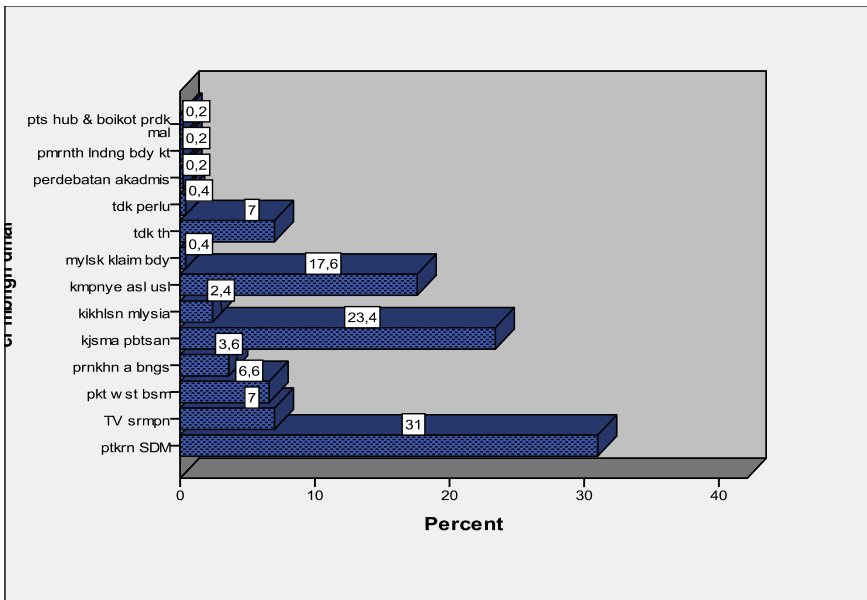
Ada kecenderungan mayoritas responden (42,8%) menilai jalannya *cyber clash* melalui blog dan milis (*I hate Indon, I hate Malon, Indonsial, Malingsia*) adalah sangat emosional dan kurang menawarkan solusi terhadap persoalan kedua bangsa. Namun pada peringkat kedua (17,8%) *cyber clash* tersebut akan membuahkan keseimbangan baru untuk mencari kesepahaman dan jalan keluarnya.

Opini Faktor Potensi Konflik

Dari tabel di atas tampak kecenderungan paling banyak (33,8%) responden berpandangan persoalan klaim budaya jika tidak diselesaikan secara baik sangat memungkinkan berlanjutnya konflik antara pihak Indonesia dan Malaysia, menyusul 19,4 % yang menganggap persoalan Tenaga Kerja Indonesia (TKI) yang ada di Malaysia akan menjadi batu sandungan hubungan kedua bangsa. Selanjutnya kemudian adalah soal pengelolaan daerah perbatasan (13,6%) dan lepasnya wilayah yang diklaim menjadi milik Malaysia (12,6%).

Opini Soal Membangun Damai

**Tabel Cara Membangun Perdamaian menurut Resp. (n=500)
cr mbngn damai**



Temuan penting penelitian ini adalah bagaimana membangun perdamaian antara Indonesia-Malaysia. Suara terbanyak responden (31% dari 500 responden) menginginkan cara untuk memperbaiki hubungan konflik dan membangun perdamaian, yaitu dengan cara melakukan pertukaran sumber daya manusia yang melibatkan kedua belah pihak. Mereka membayangkan pertukaran pelajar dan ilmuwan kedua belah pihak bisa membangun kesepahaman dan menjembatani syak dan wasangka yang selama ini berlangsung.

Selanjutnya, pada peringkat kedua, sebanyak 23,4% responden dari kedua bangsa, berpandangan persoalan TKI (Tenaga Kerja Indonesia) bisa

menjadi “duri dalam daging” bagi kedua bangsa. Ada keluhan “orang Indon” melakukan “regol” (perampokan) di “Malon”, sama halnya pihak Indonesia mengeluhkan Nurdin M. Top dan Dr. Azhari menjadi dalang pengeboman, sehingga pariwisata dan perdagangan RI terganggu.

Opini Soal Resolusi Konflik

Mayoritas responden (54%) cenderung menginginkan pendekatan komunikasi politik dalam bentuk diplomasi negara dan diplomasi masyarakat yang dikembangkan untuk mencari jalan keluar masalah kedua bangsa. Komunikasi antarbangsa melalui diplomasi budaya disetujui oleh 22,6% responden, misalnya bisa dikembangkan dengan memperkuat kuantitas dan kualitas TV dan Radio Asia agar lebih maju lagi. Kemudian para responden menyambut baik adanya situs Melayu Online sebagai jembatan keakraban dan dukungan terhadap dikembangkannya pendekatan lingkungan hidup (12,4%).

Pendekatan lingkungan atau alam sekitar misalnya ditandai oleh kampanye antikebakaran hutan, pengurangan *effect* rumah kaca yang mendorong pemanasan global, sosialisasi *go green habit* dan memasyarakatkan semangat sebumi (*earthisme, one earth, one atmosphere and one of big family of humankind*). Pendekatan Ilmu Pengetahuan Teknologi berupa Riset/ pengajian bersama ilmuwan kedua bangsa, termasuk kegiatan menulis buku atau membuat produk teknologi bersama, didukung oleh 5,4% responden. Ada 4,6% yang menginginkan kedua pihak, membuat tanda perbatasan yang lebih jelas agar tidak menimbulkan kesalahpahaman. Selebihnya, dalam prosentasi yang relatif kecil, masing-masing kurang dari 1% menginginkan ditempuhnya cara-cara perang, pemutusan hubungan diplomatik dan permintaan maaf dari pihak yang melakukan klaim budaya sepihak atau warganya melakukan tindakan kejahatan di luar negeri.

Opini Soal Kebijakan Publik

Hasil data terkumpul menunjukkan kecenderungan terbanyak (41,2%) dari 500 responden yang menyarankan agar model formula kebijakan publik utama perlu diusulkan dalam rangka mengurai resolusi konflik Indonesia-Malaysia. Hal ini terkait pengadaan riset ilmu sosial, budaya dan teknologi Melayu sebagai pintu masuknya. Sejarah mengabarkan, dosen-dosen kita dari UI, ITB, UGM, dan lain lain dulu sempat menjadi pensyarah di University Malaya.

Program kerja sama ilmu pengetahuan dan teknologi serumpun mendapat sambutan tertinggi. Selanjutnya, menyusul pada urutan kedua, yaitu perlunya kebijakan yang mendorong terbentuknya komunitas Asia. Untuk itu ada yang mendukung ditumbuhkannya juga semangat sebumi

(*earthisme*) sebagai dasar untuk menyelesaikan masalah lingkungan terkait dengan kabut asap dan *illegal logging* yang menimbulkan bencana.

Analisis Tabel Silang

Data yang telah diolah menjadi Tabel silang menunjukkan, *milister* dan *blogger* Indonesia sebagian besar berpandangan bahwa topik perdebatan yang paling penting adalah soal klaim budaya (35,4%), menyusul kemudian soal klaim laut/pulau oleh Malaysia (5,01%), nasib TKI di Malaysia (4,61%), pelaku terorisme di Indonesia berasal dari Malaysia (1%). Sedangkan responden asal Malaysia, 13,42% menganggap topik yang paling penting adalah tingkah laku TKI dan orang asal Indonesia yang membuat masalah di Malaysia (*regol, jinayah, muzik setan*), kemudian asap dari Indonesia yang terbang sampai ke Malaysia mengganggu pernafasan dan penerbangan (11,02%), baru kemudian soal pulau dan blok Ambalat (9,02%). Selebihnya ada 12,2% responden yang menyatakan tidak tahu karena tidak mengikuti perkembangan konflik.

Berkaitan dengan dampak *cyber clash*, ada 21,8% pihak responden asal Indonesia yang menganggap perdebatan tersebut tidak bermanfaat, namun ada 10,4% yang menilai perdebatan di internet tersebut amat bermanfaat untuk membangun keseimbangan baru dan sebagai katarsis untuk melihat persoalan kedua bangsa agar tidak menjadi perang fisik yang sebenarnya. Ada sebanyak 7,4% yang sangat pesimis, dan menyatakan sangat tidak bermanfaat karena isinya emosional dan tidak menyertakan jalan keluar terhadap persoalan kedua bangsa.

Berbeda dengan responden dari pihak Malaysia, yang mayoritas menjawab tidak tahu kalau ada *cyber clash* antar kedua bangsa serumpun. Namun ada sebanyak 18% yang memandang perdebatan yang terjadi walaupun emosional, namun bisa bermanfaat untuk menumbuhkan kesepahaman lebih lanjut di kemudian hari. Lewat persetujuan inilah diketahui apa yang diinginkan dan tidak diinginkan oleh warga kedua bangsa untuk dicarikan titik temunya di waktu yang akan datang. Ada 3,8% yang menilai *cyber clash* sangat tidak bermanfaat dan 3% menyatakan tidak bermanfaat. Hal ini mengindikasikan mayoritas responden Malaysia tidak mendapatkan informasi lewat media setempat. Pihak yang memiliki akses internet, memandang *cyber clash* adalah pintu masuk kerja sama yang lebih erat di kemudian hari, asalkan kedua belah pihak bersiap untuk membina kerjasama yang lebih akrab.

Ada 26 % responden dari pihak Indonesia yang menyatakan jalannya perdebatan dalam milis dan blog sangat emosional karena berisi ungkapan yang kritis sampai bernada makian. Ada 8,2% yang menganggap perdebatan di dunia maya dan sikap pihak Malaysia terhadap soal klaim budaya, perlakuan terhadap TKI dan klaim wilayah oleh Malaysia ini akan mendorong ke arah perang fisik yang sesungguhnya. Ada 6,6% yang tidak tahu dan tidak

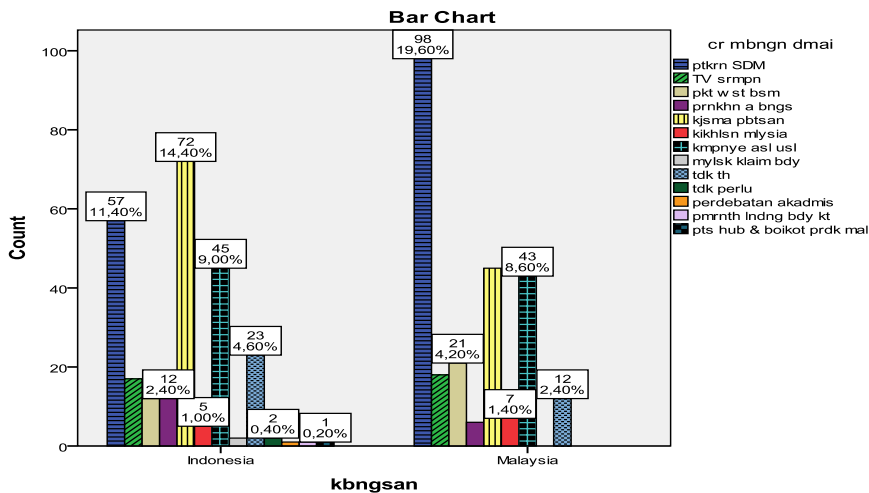
mau berpendapat. Ada 5,6% yang menyatakan pihak yang berdebat telah melupakan ikatan serumpun kedua bangsa. Ada 3% yang berharap dengan *cyber clash* ini akan dibangun keseimbangan baru di dunia nyata. Ada 0,4% yang menganggap perdebatan sama sekali tidak bermanfaat.

Di pihak responden Malaysia, ada 16% yang menilai perdebatan berlangsung sangat emosional, namun tidak setinggi angkanya dari pihak Indonesia (26%) yang menganggap *cyber clash* sangat emosional. Ada 14% yang menganggap *cyber clash* akan bermanfaat membangun keseimbangan baru bagi kedua bangsa. Ada 6,8% yang menilai pihak yang berkonflik mengabaikan adanya ikatan serumpun, selebihnya 1,2% menilai perdebatan tidak bermanfaat dan 10,6% menjawab tidak tahu adanya konflik di dunia maya antara pihak Malaysia dan Indonesia.

Data juga menunjukkan bagi responden asal Indonesia potensi konflik terbesar adalah soal klaim budaya Indonesia oleh pihak Malaysia. Berbeda dengan responden asal Malaysia yang menganggap persoalan yang ditimbulkan adalah perilaku para TKI. Pihak Indonesia berkeberatan lagu dan tari Nusantara digunakan sebagai iklan pariwisata Malaysia tanpa menyebutkan sumber dan asal daerah kesenian tersebut.

Sebaliknya, pihak Malaysia menunjukkan kekesalan mereka terhadap perilaku TKI dan orang asal Indonesia yang melakukan tindakan *regol* (merampok), *jinayah* (kekerasan) dan memperkenalkan *muzik setan* yang mengacaukan budaya Melayu, seperti goyang dangdut dan musik rock yang dibawa oleh perantau ke Malaysia. Pihak Indonesia juga kesal mengapa Dr. Azhari dan Nurdin M. Top menjadi otak dan dalang pengeboman di Indonesia. Hal tersebut merugikan citra Indonesia, dan mengganggu rasa aman dan nyaman warga kota-kota besar di Indonesia (Jakarta, Bali, Palembang, Padang).

Pihak Malaysia pun berkeberatan dengan kabut asap (*jerubu*) asal Sumatera dan Kalimantan akibat kebakaran hutan dan ladang. Sementara pihak Indonesia menyatakan sebagian sebab kebakaran itu adalah untuk pembukaan kebun kelapa sawit, dan investor serta produknya adalah milik pengusaha Malaysia dan dikirim pula ke sana. Sebagian pihak Indonesia, merasa geram karena pihak penampung pembalakan kayu adalah *cukong-cukong* asal Malaysia. Pencurian kayu di Kalimantan, Halmahera, dan Papua diduga sebagian penampungnya adalah *cukong kayu* di Sabah dan Serawak.



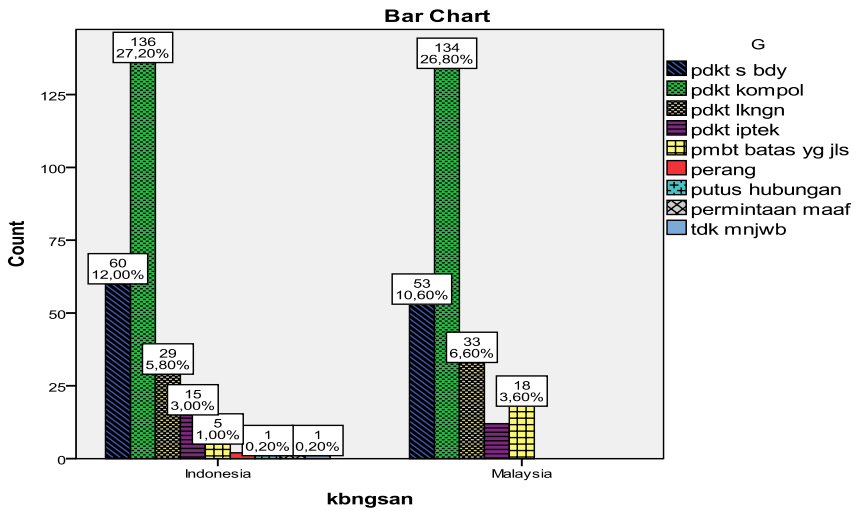
Ketika ditanyakan lewat kuesioner bagaimana caranya membangun perdamaian kedua bangsa, ditemukan bahwa pihak responden Indonesia yang terbanyak (14,40%) menginginkan adanya kerjasama perbatasan sebagai pintu masuk kerjasama dua bangsa, semacam pengelolaan bersama blok Ambalat dan sepanjang daerah perbatasan di Kalimantan Barat dan Timur. Selanjutnya ada 11,4% yang menginginkan adanya program pertukaran Sumber Daya Manusia seperti pertukaran pelajar-mahasiswa, dosen dan peneliti untuk membangun kesepahaman dan mendekatkan hubungan antarbangsa.

Ada sebanyak 9% yang menganggap perlu ditingkatkan program kampanye soal kesamaan asal-usul kedua bangsa. Ada keturunan Indonesia yang telah menetap sekian generasi di Malaysia. Salah satu contohnya adalah PM Najib yang merupakan keturunan Bugis. Ada 2,4% yang percaya bahwa pernikahan antara orang Malaysia dan orang Indonesia akan lebih mempererat hubungan dua bangsa, terkecuali pernikahan Manohara dengan kerabat kerajaan Kelantan yang kontroversial. Ada 1% yang mendukung sikap pihak Malaysia yang membantu dan membolehkan saudara kita di Aceh korban Tsunami untuk mencari penghidupan di Malaysia. Ada yang menginginkan digelarnya perdebatan atau pertemuan akademis antara pihak Indonesia dan Malaysia (0,4%) dan selebihnya menyatakan tidak perlu lagi ada hubungan dengan Malaysia (0,2%)

Responden dari pihak Malaysia, paling banyak (19,6%) menghendaki adanya pertukaran SDM (Sumber Daya Manusia) untuk membangun perdamaian dan kesepahaman lewat program beasiswa, kuliah tamu, penerbitan buku dan penelitian bersama. Ada sebanyak 8,6% yang mengendaki kampanye yang lebih sering lagi soal kesamaan asal-usul dan budaya serumpun Malaysia-Indonesia. Ada sebanyak 4,2% yang mengusulkan diadakannya paket wisata bersama sebagai salah satu cara

untuk membangun perdamaian yang saling menguntungkan. Selanjutnya kita beralih ke soal pencegahan konflik dua bangsa. Data yang diperoleh adalah sebagai berikut:

Tabel Pendekatan Cegah Konflik Membangun Perdamaian (n=500)



Data di atas menunjukkan responden dari pihak Indonesia tertinggi (27,2%). Mereka menyatakan pendekatan komunikasi politik, diplomasi dan komunikasi antarbangsa yang langsung melibatkan masyarakat dan media seperti penambahan program TV-Radio Asia, peningkatan kualitas situs Melayu Online, dianggap paling mungkin untuk dipilih guna mencegah konflik dan membangun perdamaian antara pihak Indonesia dan Malaysia. Ada sebanyak 12% yang percaya pendekatan sosial budaya seperti acara Titian Muhibah, Melayu Tammadun Tourism, dan perjudohan antarbangsa mampu mencegah berlanjutnya konflik kedua bangsa.

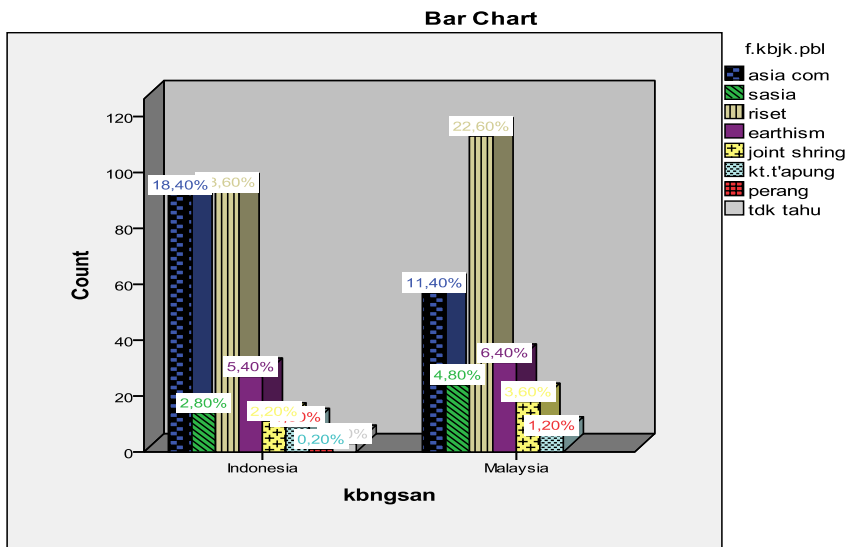
Ada sebanyak 5,8% yang percaya pendekatan lingkungan/ alam sekitar seperti kampanye bersama antikebakaran hutan, pengurangan *effect* rumah kaca pemanasan global, memasyarakatkan *go green habit* dan semangat sebumi. Ada sebanyak 3% yang menghendaki adanya pendekatan Ilmu Pengetahuan Teknologi seperti riset/pengajian bersama ilmuwan Indonesia-Malaysia, termasuk juga membuat produk teknologi bersama, yang bernama 'teknologi serumpun'.

Selanjutnya, responden dari pihak Malaysia yang terbanyak (26,8%), menghendaki pendekatan komunikasi politik, diplomasi dan komunikasi antarbangsa yang langsung melibatkan masyarakat dan media, sebagai cara untuk mencegah konflik dua bangsa. Hal ini menjadi prioritas yang

sama dibandingkan dengan pihak Indonesia. Kemudian ada 10,6% yang menghendaki dan percaya pendekatan sosial budaya sebagai solusi.

Hal ini juga hampir mirip pada peringkat kedua, mengenai keinginan yang sama responden dari pihak Indonesia. Ada sebanyak 6,6% menghendaki pendekatan lingkungan/ alam sekitar seperti kampanye bersama anti kebakaran hutan, pengurangan effect rumah kaca pemanasan global, memasyarakatkan *green habit* dan semangat *sebumi*. Hal yang menarik, ada sebanyak 3,6% responden pihak Malaysia meminta kedua negara bekerjasama dalam menentukan batas wilayah yang jelas sehingga tidak menimbulkan prasangka dan sengketa.

Tabel Usulan Kebijakan Resolusi Konflik RI-Malaysia (n=500)



Hasil pengolahan data dari pihak responden Indonesia soal dukungan mereka terhadap kebijakan resolusi konflik Indonesia-Malaysia, yang terbanyak (18,6%) cenderung setuju untuk dibuatkannya kebijakan kerjasama riset ilmu sosial, budaya dan teknologi Melayu. Selanjutnya, menyusul angka tipis, sebanyak 18,4% menghendaki adanya kebijakan *campaign/* sosialisasi *ASIA communities*. Pada peringkat ketiga, ada sebanyak 5,4% menghendaki dikampanyekan dan lebih dibangun lagi perasaan *nations* *Sebumi (Neo-nation Earthism)* antara kedua bangsa lewat pendidikan dan media.

Responden dari Malaysia, paling banyak (22,6%) setuju dengan dibuatkannya kebijakan kerja sama riset ilmu sosial, budaya, dan teknologi Melayu sebagai pintu masuk membangun jaringan kerjasama dua bangsa. Pada peringkat kedua (11,4%), juga sama dengan pihak Indonesia, menghendaki adanya kebijakan sosialisasi *ASIA communities*. Pada peringkat

ketiga, ada sebanyak 6,4% menghendaki sosialisasi perasaan *nations* Sebumi. Pada peringkat keempat, ada 4,8% mendukung kebijakan penyatuan mata uang Asia (Sasia-Satu Asia), agar Indonesia-Malaysia lebih terintegrasi.

Menjadi Sebumi

Malaysia merupakan negara terdekat, sebumi dengan Indonesia atau Nusantara yang memiliki kesamaan rumpun bahasa, etnis dan artefak budaya, dibandingkan dengan tetangga lain manapun di negara-negara ASEAN. Dari segi kebahasaan, pada dasarnya bahasa Indonesia merupakan rumpun dari bahasa melayu yang dipakai oleh Malaysia, namun karena mengalami sejarah kolonisasi yang berbeda, perkembangan bahasa kedua negara pun mengalami perbedaan. Dalam hal perkembangan ekonomi, Malaysia pernah berguru pada Indonesia pada tahun 1970-an. Banyak Guru Besar, dosen, insinyur, dokter, pedagang, perawat kebun, kontraktor, tukang, supir, dan sebagainya asal Indonesia yang bekerja di Malaysia hingga sekarang. Begitu pula sebaliknya, ada banyak investasi pengusaha dari Malaysia di Indonesia, baik dari perusahaan teknologi informasi, seluler, TV kabel, perkebunan, perminyakan, dan masih banyak lagi.

Ada beberapa kesimpulan dalam tulisan ini. Pertama, mayoritas responden menganggap penyebab utama *cyber clash* antara pihak Indonesia-Malaysia adalah perseteruan klaim budaya oleh pihak Malaysia dan kejahatan yang ditimbulkan oleh pekerja Indonesia di Malaysia. Namun mayoritas menganggap perseteruan ini walaupun emosional akhirnya akan bermanfaat membangun keseimbangan baru antara kedua bangsa. Dalam perseteruan tersebut terungkap apa yang tidak diinginkan dan tidak ingin dilakukan di masa depan dan kemungkinan solusinya. Walaupun, ada fakta sebanyak 31,4% dari 500 orang responden menjawab tidak tahu kalau telah terjadi *cyber clash* antara *milister* dan *blogger* Indonesia-Malaysia. Ada sebanyak 42,8% yang beranggapan *cyber clash* yang terjadi dalam web: *I hate Indon*, *I hate Malon*, *Indonsial*, *Malingsia*, *Indoncelaka*, cenderung tampak sangat emosional, saling menyerang dengan caci-maki dan kurang menawarkan langkah jalan keluar yang bisa dipilih sebagai jalan keluar. Selanjutnya, pada peringkat kedua, ada sebanyak 17,8% responden yang percaya bahwa *cyber clash* sebenarnya akan membawa manfaat untuk membangun keseimbangan hubungan yang baru antara kedua bangsa.

Kedua, ada mayoritas responden yang setuju bahwa cara untuk memelihara hubungan Indonesia-Malaysia ke depan adalah dengan melibatkan mahasiswa, dosen dan ilmuwan sosial-politik dari kedua bangsa. Merekalah yang bisa bertindak sebagai jembatan dan aktor perdamaian. Caranya adalah dengan membuat program pertukaran mahasiswa, dosen dan peneliti, penelitian dan menulis buku bersama dalam jangka menengah

dan jangka panjang, dan membuat kolaborasi *Science and Technology Program* sebagai dasar untuk membangun komunitas Asia Bersatu.

Ketiga, ada temuan penting bahwa mayoritas responden setuju agar kedua pihak perlu membangun nilai bersama untuk merawat hubungan yang baik ke depan yaitu melalui konsep *earthism* (Semangat Sebumi) dan *one common-heritages* (semangat serumpun), suatu spirit yang berisi prinsip: *one earth, one atmosphere and one of big family of humankind*. Responden juga setuju jika ada pihak dari Indonesia dan Malaysia yang membuat langkah kreatif lewat Asia TV and Radio program, web *Melayu-online* untuk mengampanyekan kepentingan bersama soal lingkungan dan menyarankan agar pihak Malaysia yang akan mempromosikan/membuat iklan pariwisata 'Malaysia Sebenarnya Asia, *Malaysia The Truly Asia*' dengan bijak menyebutkan produk budaya beserta asal/daerahnya. Ada juga yang setuju agar kedua bangsa membangun kerjasama di perbatasan dan bermimpi membuat kota terapung, *floating city* atau kota bawah laut bersama, *city of undersea*. Jangan jadikan tanah, laut dan perbatasan sebagai alasan untuk berperang. Malaysia dan Indonesia akan menjadi tetangga terbaik untuk selamanya.

Selanjutnya, dalam konteks *peace-bulding*, pemahaman mengenai ASEAN sebagai komunitas keamanan atau bagaimana membangun konsep "*we feel*" tampaknya memang masih rendah di kalangan masyarakat sipil Indonesia, dan mungkin juga di Malaysia, termasuk sebagian anggota Komisi I DPR RI yang membidangi pertahanan dan politik luar negeri Indonesia. Masih ada anggota DPR RI yang bersikap terlalu kritis terhadap Malaysia. Ungkapan "Ganyang Malaysia" adalah gaya lama politik luar negeri Indonesia.

Jika sebagian media atau kalangan sipil bicara mengenai ungkapan "Ganyang Malaysia", kalangan militer Indonesia justru bicara mengenai bagaimana membangun kerja sama militer yang lebih erat agar keamanan regional Asia Tenggara tetap terjaga. Hal ini menunjukkan kepercayaan (*trust*) pihak militer kedua negara sudah begitu tinggi, sehingga latihan militer atau pelaksanaan kerja sama militer pun dilakukan tanpa adanya ketakutan mengenai dilanggarnya kedaulatan nasional kedua negara. Hal ini terjadi karena militer tahu persis jika terjadi perang, berapa ribu jiwa yang akan jadi korban dan betapa ini akan menggerogoti perekonomian nasional serta merusak stabilitas keamanan di Asia Tenggara. Daripada untuk berperang, lebih baik uangnya untuk meningkatkan SDM Indonesia.¹¹ ●

Referensi

Aall, Pamela. 1996. "Nongovernmental Organizations and Peacemaking" dalam Chester A Crocker, et.al(ed). *Managing Global Chaos: Sources of and Responses to International Conflict*. Washington, D.C.: USIP Press.

11 Lihat Ikrar Nusa Bhakti, "Kita dan Malaysia", *Seputar Indonesia*, 1 September 2007.

- Anderson, Mary B. 1996. "Humanitarian NGOs in Conflict Intervention" dalam Chester A Crocker, et.al (eds.). *Managing Global Chaos: Sources of and Responses to International Conflict*. Washington, D.C.: USIP Press.
- Burton, John. 1990. *Conflict: Resolution and Provention*. London: MacMillan Press.
- Bloomfield, David., Nupen, Charles., dan Haris, Peter. 2000. "Proses-proses Negosiasi" dalam Haris, Peter dan Reilly, Ben. (eds.). *Demokrasi dan Konflik yang Mengakar: Sejumlah Pilihan Negosiator*. Jakarta: International IDEA.
- Dahrendorf, Ralf. 1959. *Class and Class Conflict in Industrial Society*. Stanford, CA: Stanford University Press.
- Jabri, Vivienne. 2003. *Discourse on violence: Conflict analysis reconsidered*. Manchester: ManchesterUniversity Press.
- Kriesberg, Louis. 2003. *Constructive Conflicts From Escalation to Resolution*. Maryland: Rowman and Littlefield Publisher Inc.
- Lederach, J. 1997. *Building Peace: Sustainable Reconciliation in Divided Societies*. Washington, D.C.: USIP.
- Loescher, Gil dan Dowty, Alan. "Refugee Flows as Grounds for International Action". *International Security*, Vol.2, No.1 (Summer 1996).
- Miall, Hugh. et.al.. 2000. *Resolusi Damai Konflik Kontemporer: Menyelesaikan, Mencegah, Melola da Mengubah Konlik Bersumber Politik, Sosial, Agama dan Ras*, terj. Tri Budhi Sastro. Jakarta: PT Raja Grafindo Persada.
- Migdal, Joel S. 1988. *Strong Societies and Weak States*. New Jersey: Princeton University Press.
- Nusa Bhakti, Ikrar. "Kita dan Malaysia". *Seputar Indonesia*, 1 September 2007.
- Pieris, John. 2004. *Konflik Maluku Konflik Peradaban*. Jakarta: Yayasan Obor.
- Reily, Ben. 2000. "Katup-katup Demokratis bagi Pengelolaan Konflik" dalam Haris, Peter dan Reilly, Ben. (ed.). *Demokrasi dan Konflik yang Mengakar: Sejumlah Pilihan Negosiator*. Jakarta: International IDEA.
- Rothman, J. 1992. *From Confrontation to Cooperation: Resolving Ethnic and Regional Conflict*. Newbury Park, CA: Sage.
- Sampson, Cynthia. 1997. "Religion and Peacebuilding" dalam William I. Zartman dan Rasmussen, J. L. *Peacemaking in International Conflict: Methods and Techniques*. Washington, D.C.: USIP.
- Varshney, Asutosh. 2002. *Ethnic Conflict and Civic Life: Hindus and Muslim in India*. New York: Yale University Press.
- Widjanto, Andi. 2001. "Dinamika Keamanan Pasca Orde Baru", *Global: Jurnal Politik Internasional*, Vol.1, No.7 (Februari 2001).
- Widjanto, Andi. "Empat Tahap Resolusi Konflik", *Tempo Interaktif*, Kamis, 17 Juni 2004.
- Zatman, William I. 1985. *Ripe for Resolution: Conflict and Intervention in Africa*. New York: Oxford University Press.

Zartman, William I. dan Touval, Saadia. 1996. "International Mediation in the Post-Cold War Era" dalam Crocker, Chester A (et.al)(eds.). *Managing Global Chaos: Sources of and Responses to International Conflict*. Washington, D.C.: USIP Press.

Sumber Internet

- <http://laz4u.blogspot.com/2010/06/ciri-khas-new-media.html>, diakses 4 Juli 2009
- http://en.wikipedia.org/wiki/Marshall_McLuhan, diakses 9 September 2009.
- <http://f4iqun.wordpress.com/2008/01/09/mengukuhkan-kembali-hubungan-indonesia-malaysia>, diakses tgl, 25 Maret 2009.
- <http://republikbabi.com/indonesia-malaysia-cyberwar-berhenti-atau-lanjutan>, diakses 2 April 2009.
- <http://greensand.wordpress.com/2007/12/09/web-site-pariwisata-indonesia-dan-blog-i-hate-indon>, diakses 2 April 2009.
- <http://republikbabi.com/indonesia-malaysia-cyberwar-berhenti-atau-lanjutan>, diakses 3 April 2009.
- <http://bangsabodoh.wordpress.com/2007/10/05/kenapa-orang-orang-malingsia-malyasia-membenci-orang-indon-indonesia/> diakses 3 April 2009
- <http://inipunyapaw.wordpress.com/2007/12/07/i-hate-indon/>:diakses 5 April 2009.
- <http://www.mail-archive.com/forbas@googlegroups.com/msg02882.html> diakses 5 April 2009.

Understanding the Interplay between the European Integration and Political and Policymaking Process¹

Faisal Nurdin Idris

Abstrak

Perjalanan integrasi Eropa dan proses politik di Uni Eropa telah dibentuk dan dipengaruhi oleh faktor-faktor yang dinamis. Artikel ini secara inti berfokus pada faktor-faktor yang saling terkait serta ketergantungan kompleks yang membentuk proses Integrasi Eropa. Di saat yang sama, artikel ini dimaksudkan pula untuk menganalisa sifat dari proses pengambilan kebijakan pada area yang terkait dengan hubungan eksternal Uni Eropa yang merupakan salah satu aspek dari sekian luas kebijakan Uni Eropa. Dengan kata lain, tulisan ini ingin menjelaskan sebuah pengertian yang mendalam mengenai keadaan atau situasi yang saling mempengaruhi dan interaksi yang kompleks antara integrasi Eropa dan proses pengambilan kebijakan dan politik. Untuk memahami ini dibutuhkan analisa dan perspektif yang multidisiplin dan studi kasus yang spesifik, dari pada menggunakan sudut pandang dan analisa yang relatif sempit. Langkah ini dirasa sejalan ketika memahami Uni Eropa yang merupakan entitas yang memiliki kekhasan tersendiri.

Introduction

The European Union's integration has become fascinating phenomena in contemporary world. Having been initially rooted by the Treaty of Paris in 1951, the European Union (EU) has moved forward to become the most successful regional integration in the world, expanding from 6 countries

1 This is a revised version of a paper presented at 1st Convention of European Studies in Indonesia, held at Gadjah Mada University, in Yogyakarta 16-18 March 2009. I am indebted to many colleagues and participants of the event for their comments on earlier version of the paper.

in its beginning to the current 27 member states.² As one of the strongest economic blocs in the world, besides the United States (US) and Japan, EU was predominantly economic union marked by the closer cooperation to integrate its economic activities across member states. The exceptional feature of EU integration has inspired other regional cooperations to learn how EU could achieve such progress.

In wider context, growing EU involvement in international stage such as security and economic issue has been signalling that its international role is considerable. Taking into account such striking figures, however, European integration remains blurring not only by its native but also by the rest. It is argued that as an entity *sui generis*, the EU is not widely well understood due to its dynamics and complex configuration. In this regard, scholars mainly coming from Political Science and International Relations have developed numerous theories and approaches in order to provide valuable tools for the understanding of the EU's working.

The aim of this paper is to address how integration process has shaped European politics and *vice versa* how European politics has shaped European integration. To begin with, the paper will proceed into three sections. The *first* section will demonstrate seminal contributions from outstanding European integration "schools" which provide a conceptual framework in line with the effort to understand European integration in wider context. The *second* section analyzes EU governance and policymaking process within the construction of EU post Maastricht Treaty, while highlighting political aspects of the European Community (EC). Indeed, it helps to identify political *determinants* in the formation of EU's integration. The *last* section addresses characteristics of EU external relations, explaining EU policymaking process which corresponds to the extent of the EU external dimensions. It has an objective to provide particular example on how EU integration is applied to EU external affairs which are part of broad areas of EU policies. In final analysis, we draw concluding remarks from the explanations presented in aforementioned sections.

Conceptual Frameworks for Analyzing European Integration: Competing or Complementary?

EU studies have been originally flourished through outstanding classical debates in European integration involving two competing theories mainly

2 The name of the European Union (EU) is firstly introduced by the Maastricht Treaty which was signed in February 1992 and came into force in November 1993. The EU has a historical chronology. Briefly, it commences from the Treaty of Paris which set up the European Coal and Steel Community (ECSC) on 18 April 1951 and entered into force in 1952. It is then followed by the Treaty of Rome establishing the European Economic Community (EEC) and European Atomic Energy Community (EAEC or EURATOM) which was signed on 25 March 1957 and came into force on 1 January 1958.

between Neo-functionalism and Intergovernmentalism. The use of neofunctionalism to analyze European integration has been commenced since the mid-1950s by the seminal work of Ernst B. Haas who is considered as the pioneer of neofunctionalists. The main premises of neofunctionalism constitute that states are not the only important actors, and supranational institutions such as the Commission and non-state actors (or supranational interest groups) are striking catalyser to drive European integration forward. Neofunctionalism has been characterised by three forms: *spillover*, elite socialization (elite groups i.e. the Commission that are loyal to supranational institutions) and the formation of supranational interest groups (Haas, 1958; and Rosamond, 2000). As a central neofunctionalist argument, spillover applies to "a situation where cooperation in one field necessitates cooperation in another". In turn, spillover process routes the unintended consequence resulted from particular cooperation (Strøby-Jensen, 2007).

The significance of loyal transfer for political integration has been highlighted by Haas (1958: 16): "whereby political actors in several distinct national settings are persuaded to shift their loyalties, expectations, and political activities towards a new and larger center, whose institutions possess or demand jurisdiction over the preexisting states". In addition, sovereignty of member states provokes contentious discourse in the eyes of state-centrism. For neofunctionalists, the sovereignty is pooled through supranational institutions which could avoid pitfalls of state-centric nuance in EU policies. The idea is to push integration ahead beyond the national sentiment.

The challenge remains how far neofunctionalist theory help to explain the development of European integration? For some, such a query has been put under the scrutiny since the community idea had been institutionalised in the aftermath of the Second World War through the establishment of the European Coal and Steel Community (ECSC).

Broadly speaking, neofunctionalists argue in favour of sector-by-sector integration on specifically economic areas and activities which has been put forward by the founding fathers, Schuman and Jean Monnet. As the architect of the European Communities, the latter suggests that economic (sectoral) integration leads to political integration which is *finalité politique* (Urwin, 2007: 19). It is initially embarked from what so-called "low politics" (economic and social cooperation) to "high politics" (politics). Seen from this perspective, the ECSC made possible to be implemented for the sake of further cooperation in political integration.

In the following years, despite its predominant debate in EU studies during the early naissance of European community, neofunctionalist theory has been criticized both for its empirical and theoretical basis. Institutional crisis and tension caused by withdrawal of French participation in Council of Ministers and the rejection of Charles de Gaulle against UK membership in 1963

and 1967 clearly demonstrate how national interests and states' preferences play significant forces in determining European integration process, although this argument has been put on the periphery by neo-functionalists.

Intergovernmentalism, the other opposing classical theory, was born as a reaction to constraints of neofunctionalism. Intergovernmentalist theory refers extensively to the work of Stanley Hoffman (in the 1960s) and Andrew Moravcsik (in the mid-1990s). Intergovernmentalist concept is realist/neorealist or state-centrism in nature in the sense that this theory put emphasis on the significant role of states in European integration process. In the view of intergovernmentalism, Cini (2007) notes that interstate bargaining invoked by domestic settings cannot be ignored when inter-state cooperation is taking place. At this point, states definitely look strong to control integration process.

It is therefore obvious that the intergovernmentalist theory represents strong proponent of greater position and bargaining of the European Council and EU Council in EU activities. As the key supporter of intergovernmentalism, Hoffman is critical of neofunctionalist theory, while defending how state still play pivotal role in European Community in the Post World War II. The clear example can be seen from the state's influence in European integration process in the aforementioned case of Charles de Gaulle's boycott. According to intergovernmentalist theory, manoeuvre and efforts demonstrated by the Franco-German axis indicate the driving force within the European Community (EC) to move forward. This feature has likely suggested the weight of state in integration process. Similarly, this Franco-German ally much determines the future path of the EC. Therefore, it is tough to imagine the existence of EU without France and Germany as both are regarded as the key member states.

Since the early 1990s, the reincarnation of intergovernmentalist theory has been revived by the appearance of Moravcsik's Liberal Intergovernmentalism (LI). To understand the theory, "Robert Putnam's two-level games" played by states help to acknowledge how the logic of liberal intergovernmentalism works. Indeed, the latter puts the emphasis on 'preferences' and 'power' which states undeniably ought to play. In this respect, the state will behave rationally to manage the interplay between external (international politics) and internal (domestic politics) forces and dynamics.

It has been three striking features of liberal intergovernmentalism pointed out by Moravcsik when he explains why state behave rationally. *Firstly*, it relates to national preference and domestic factors. *Secondly*, relative power among states requires strategic intergovernmental bargaining in interstate relations of European integration. *Lastly*, it is institutional delegation. By this argument, institutions are set up to enable political cost and efficiency of interstate bargains while advocating other states to cooperate (Cini, 2007).

Competing interests of member states are inevitably resulted in the division of 'big' states *versus* 'small' states to take greater interests and preferences. This argument is based upon the struggle within the Council as can be seen from Qualified Majority Voting (QMV) and the major issues which are to be tackled by member states. The stakes are relatively high in this situation.

Nevertheless, several critics have been addressed to LI. Among others, LI lacks to answer the empirical day-to-day EU works in which member states has less decisive involvement.

Apart from the above mentioned contending classical theories, the emergence of new theories and approaches in European integration has been intensifying over the last twenty years in response to the complexity and dynamics of EU polity and processes. To respond the constraints of classical concepts concerning contemporary problems and challenges, new theories and approaches of European integration have emerged and have been developed as complementary and alternative analyses and tools to be 'way out' of theoretical gap from the preceding classical theories.³

These new conceptual analyses are marked by the contribution of various disciplines of social sciences consisting of political science, public policy and International Relations (IR). It has been reflected by the appearance of new institutionalism, policy networks, multilevel governance (MLG), and social constructivism in the field. As a consequence, new patterns of analyses have shifted to more specific levels and areas of integration, rather than drawing more general views.

Taking into account, for example, one of these new theories, new institutionalist theory which has modified 'old' institutionalism, has received extensive attention besides the fact that new institutionalism is made up by fundamentally different schools of thought. According to the new institutionalist perspective, institutions matter in shaping institutional norms and actor behaviour. It is therefore said that institutions shape politics.

The most striking characteristics of new institutionalist theory can be overlooked through its three types composed of rational choice institutionalism, historical institutionalism and sociological institutionalism (Aspinwall and Schneider, 2000; Rosamond, 2007). The prominent form of this theory derived from historical institutionalism, is explaining the idea of *path dependency*. This term suggests that decision taken in the past hinders the scope of decision in the present and the future. It best describes how states get into 'locked in' a situation which leads them to European integration process, being unable to escape from.

3 Some scholars would prefer naming it as a theory, while some would consider it as an approach.

The move to examine multivariate levels in EU institutional arena and structure has prompted scholars to utilize the approach of multi-level governance (MLG). At conceptual basis, the terms refer to “the existence of overlapping competencies among multiple levels of governments and the interaction of political actors across those levels” (Rosamond, 2000: 110). In MLG language, EU polity comprises the interaction of different actors in the different levels including several tiers of authority (the European, national and subnational). Segmented in its nature, decision-making procedure takes place at various levels which require a variety of channels to influence policy outcomes.

After all, correspondence between theory and reality is subject to critical analysis of European integration and EU political process. EU scholars have outlined the importance of contextualizing theories when analyzing European integration in order to match between theory and practice. With regards to the complexity of EU process, employing European integration’s theories or approaches depends heavily upon individual case study of one aspect of European integration and upon angels of scrutiny.

A wide range of elements of European integration and polity inevitably requires various theoretical analyses, rather than using single lens. As a matter of theoretical tools, Paterson (2001: 301) emphasizes the prerequisite of clarifying “what it is that is to be explained” before theorizing European integration or EU governance. In terms of application, Holland (2002: 235-242) explains remarkably how theories of European integration apply to EU development policy which represents one aspect of EU activities. He further argues that these theories which are normally internal European integration are compatible in studying other aspects of European external matters/relations

EU Multilevel Governance and Policymaking Process:

What is at Stake?

Governance is a competing concept because by its definition it is varied among scholars. It depends upon emphasis and areas of investigation. Exceptional and well-recognized term of governance has been explained by Rhode (1996) arguing that its notion is associated with “self-organizing, interorganizational networks”, while proposing six distinct uses of governance. Rhode’s definition describes the involvement of state and non-state actors in “governing structure” which has its final outcomes to better ameliorate administrative services in British Government.

The European Commission in its White Paper of 2001 defines governance as “rules, processes and behaviour that affect the way in which powers are exercised at European level, particularly as regards openness, participation, accountability, effectiveness and coherence”. The Commission’s White Paper

envisages the wider engagement from people and organisations policymaking process including the modification of EU treaties by acting together with member states and EU institutions in order to handle emerging issues. In this respect, five **political principles composed of openness, participation, accountability, effectiveness and coherence** are set up to underpin EU good governance. Such principles represent an engine of reform in European governance.

The basic idea of governance coming from Rhode and the Commission's White Paper seems alike in the sense that there is an impetus to make governance to be less central control and more network-structured. As per mentioned by the Commission, this reforming White Paper would renovate and strengthen the Community method in the support of greater openness in policymaking decisions.⁴

The reform in European governance gives more places to European Economic and Social Committee and the Committee of the Regions to reinforce their functions as intermediaries between the EU, in one hand, and civil society and regions (provinces) in the other. As a consequence of deepening European integration, the role of interest groups and organizations is likely increasing. These interest groups are emerging in response to or in anticipation of European legislative which may affect them.

Following the introduction of *co-decision* procedure firstly introduced in the Maastricht Treaty, the role of interest groups *vis-à-vis* triangle European Institutions (the Commission, the Council and the Parliament) is growing in particular to the work and competency seized the European Parliament. The term of lobbying is increasingly present to portray extensive interactions between EU institutions and interest groups and representatives. It has been stated by many that Brussels currently becomes the second largest city of lobbying behind Washington as a consequence of an increasing number of EU laws that affects European society as a whole.

Initially, EU policy or Community law has to be transposed by member states into their national legislatures. Such a feature is associated with the *top-down* approach. However, it has been a shift in European governance to combine the so-called "*top-down* and *bottom-up* policy approaches" in entire EU policy (Citi and Rhodes, 2007). In doing so, it takes into account the significant role of interest groups as a means to absorb bottom voices as a pressure, for or against, EU and member states' policymakers.

Nowadays, in Brussels, there are much more *satellites* or *radars* of interest groups comprising a wide range of domains of actions through national,

4 Community method refers to all processes of EC decision involved by the European Commission who makes legislative initiative while executing policy, agreed by the Council of Ministers and the European Parliament (EP). Compliance of law is under the jurisdiction of the European Court of Justice (ECJ).

regional/provincial and local representatives in order to monitor or influence EU policies in targeted concerns of these interest groups. As a result, this feature has encouraged the promising environment to deliberative democracy in Europe and *Europeanization* of domestic affairs in all aspects. The dynamics of EU systems affirms the existence of interconnection and interdependence between European governance and integration. According to Kohler-Koch (2005: 4), “European governance and system evolution are interdependent and part of a dynamic process of mutual structuration”.

Pertaining policymaking process, EU is no doubt unique entity representing distinct characteristics of structure and functioning which differ from *traditional nation-states* and international organizations. It has been commonplace to suggest that EU’s policymaking decision constitutes *multilevel* and *multipillar* characters in governance system (Kohler-Koch, 2005; Knodt and Princen, 2003; Hyde-Price, 2004). **The dynamics and the complexity** of EU policymaking has been source of inquiry to scrutinize decision-making process in the EU. Peterson & Bomberg (1999: 5) provides three distinct levels of analyses in multilevel EU decision-making comprising super-systemic, systemic, subsystemic levels which correspond to the history-making decision; policy setting; policy shaping respectively. Nevertheless, applicability of such levels of analyses is again subject to critical study to examine the extent and nature of decision within the EU.

Before introducing the Lisbon Treaty, EU was propped up by three pillars set up by the Maastricht Treaty (1992) and reformed by the Treaty of Amsterdam (1997) and the Treaty of Nice (2003). **These three pillars of the EU** are following: Community Pillar (EC); the Common and Foreign Security Policy (CFSP); and police and judicial cooperation in criminal matters (PJCCM-former Justice and Home Affairs). Notwithstanding the fact that there is a growing competence of EC in many fields, CFSP and PJCCM remain Intergovernmental Conferences (IGCs).

With the introduction of the Treaty of Lisbon (2007), however, the pillar structure (the 1st, 2nd and 3rd) of the preceding Treaties have been merged together. As a result, under the reformative Lisbon Treaty, areas under the triangle pillars will be known as the Union’s competence. For instance, it is wording “*The Union’s competence in matters of common foreign and security policy*” (Article 24 of the Lisbon Treaty, ex Article 11 Treaty on European Union). Nonetheless, does this reformative Treaty will modernize areas of competence? To bear in mind, it has to wait more than 15 years before the Lisbon Treaty entering into force. Over that period since the Maastricht Treaty in which three pillars were firstly introduced, problematic competence over cross-pillars has been taking place. In fact, the pillar structure now remain similar in its nature, albeit the introduction of Lisbon Treaty.

As explained earlier, the EU policymaking decision operates with the involvement and interaction of various actors in different levels and in

different arena. Such interactions pose inevitable tensions among interest actors, which it may be positive or negative effects. The dynamics and the complexity of EU policymaking are highlighted by Polo (2003) in studying one of EU policy areas. Using the approach of historical institutionalism, he analyzes the creation of post within the Commission in charge of audiovisual policy. He then suggests that “the process of institutionalization and internal competition and tension is taking place in the EU administration in which politico-administrative actors including national and European levels, professionals and experts in targeted policies, interest groups, and member states all defend their own logics and particular interests”.

Polo’s account in accordance with audiovisual matters demonstrates the involvement of variety and of widely formal or non-formal actors in producing and influencing policies within the EU. Hence, EU policy process is segmented across multiple levels and actors. It is noteworthy to suggest that the EU governance is experiencing ongoing process. Being unique feature of polity, EU system of policy-making has been subject to the transformation and revitalization from time to time in search of efficient governance structure.

Understanding Complex Configuration of EU External Relations

EU’s external relations have come in the concern of EU in 1970s in the form of humanitarian and development assistance and cooperation. Initially, the most beneficiary states were African countries. The EU aid was then extended to Asia, Latin America and the Southern and Eastern Mediterranean. The traditional EU assistance comprising trade and financial and technical support to beneficiary countries, has expanded to other targeted sectors. The place of the EU in international arena is likely moving up, if we look at EU increasing role as donor. It is not surprising to say that the EU becomes global player. The EU engagement dealing with international affairs meets its relevance in the context of the Post-Cold War marked by complex process and a multiplication of actors and the transformation in international system.

Growing international contemporary challenges ranging from the threat of international security to economic matters require EU’s strategic response and presence along with other international actors and international institutions. Consequently, the need of EU for reorienting its role as global player has been echoed by many to outstrip EU’s origin which was predominantly economic integration. A number of European observers and scholars have shared ideas that European integration and its enlargement has a huge impact on EU’s capacity, coherence, recognition and effectiveness to engage an act in international arena.

It is not surprising then the competing *Euroenthusiastic* and *Eurosceptic* standpoints become inevitable in response to how EU can play its role in European internal and external matters as well as a global actor. At the same

time, due to current economic downturn and global recession, unemployment rates are raising in Europe, accounted for 9.7% of EU 27 in April 2010 compared to 8.7% of EU 27 in April 2009 (Eurostat, 01 June 2010). It unavoidably affects the degree on how EU is able to support the development in third countries and involve in international stage, whereas EU ought to tackle the climbing unemployment across EU 27.

Back to EU external affairs, the Post-Cold War era has been a turning point for EU while the latter endeavours to extend and boost its role as a global player. In this regard, EU's external policies play a significant role in increasing its influences, interests, norms, values, preferences and concerns to its interlocutors in the world. Since the image of bipolarity is no longer useful to describe the structure of international politics, there has been a shift from *hard* power to *soft* power even nowadays *smart* power to exercise the internationalisation of one's preferences, norms and interests. Some suggest that Europe should develop a coherent and effective common foreign policy in response to American primacy (Clark, 2008). This idea seems plausible if we look at dominant role of the United States (US) at international stage.

The European Commission had released its communication (2006) entitled *Europe in the World - Some Practical Proposals for Greater Coherence, Effectiveness and Visibility*, to overcome the globally contemporary challenges. This communication asks the Member States and the EU institutions for working together on "how to develop and implement European external policy, how to increase the effectiveness and impact or EU coherent policies and actions, and how to strengthen the democratic accountability and visibility and to increase public acceptance".

It has been also underlined in the subsequent Communication that *public diplomacy* becomes a frontline in projecting EU models and policies and increasing the visibility of EU external actions. Nevertheless, Laïdi (2008: 3) argues that European preferences to its interlocutors are linked to 'the degree of Europe's engagement in promoting them'. From this perspective, the efforts to raise the EU visibility as a global actor as well as EU's 'exporting model' cannot be separated from the way in which the EU is perceived in the World. In facing the changing world, EU has to consider *smart* approaches to deal with its global counterparts by means of *multitrack diplomacy* and *soft diplomacy* in order to achieve EU outcomes.

As was aforementioned above, EU policymaking process is underpinned by multilevel and multipillar configuration which leads to complicated analyses and theories themselves. These EU characteristics are similarly embedded when EU deals with its external affairs. One issue or problem may be handled between two pillars. It is therefore that the boundaries between three pillars are somewhat puzzling and blurring. For instance, while EU imposes economic sanctions against Serbia (third countries), its political

decision is undertaken under Pillar II and implementing decision under *communautaire* Pillar 1. Buchet de Neuilly (2003) points out that long series of tough negotiation and discussion are taking place along with the technical, institutional, legal arguments as well as economic interests of member states in targeted country. As consequence, several delays of days even months had occurred for every decision.

The other example of multipillars configuration of EU has been mentioned by Wiessala (2002: 43) to describe the Asian awareness among EU decision makers. He suggests that “*intergovernmentalism*, the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy, working parties/groups (such as the Council Working Group responsible for Asia and Oceania-COASI) and the rotating Presidency play an important part in defining, shaping and refining the EU’s Asia strategy”. Thus, these two examples have proved the argument asserting that EU’s external policies have been conducted through inter-pillar and multilevel actors, structures and processes.

As the executive arm of the European Union, the European Commission plays a central role in initiating and carrying out policy in particular with its competences under Community pillar (pillar 1). A raising role of the EU as global actor economically and politically has been taken into account by the European Commission to establish several Directorate Generals (DGs) dealing with external affairs comprising DG External Relations, DG Trade, DG Development, DG Enlargement, EuropeAid Co-operation Office, and DG Humanitarian Aid (DG ECHO).

With regards to EU external policies, EU external relations have brought interconnection with internal EC policies. It reminds us to idea of spillover which has driven unintended consequences in EU policies internally and externally. That is to say, EU’s internal policies are inevitable to cope with external dimension of EU activities in response to current challenges. Smith (2007: 228) argues when the Common Agricultural Policy (CAP) was set up to regulate a policy within the Community, nowadays, CAP deals either with external policies such as the “regulation of food imports” (from third countries).

Taking into account differences in features, contexts and cases among nation-states as well as international organisations, one may observe that EU’s external conducts should be varied in its implementation with regard to distinct third countries. The overwhelming focus on the EU’s Common Foreign and Security Policy (CFSP) in pillar II would pose problems of neglecting equally significant dimensions of the external activities of the EU under pillar I. Indeed, the relations with third countries are not merely handled under intergovernmental pillars. Depending upon concerns and contexts, EU-USA relations may have distinct conducts compared with EU’s relations with

developing countries. It means that EU external policies should vary from one of third countries to another. However, the study of EU's external relations which concentrate on a large scale of competencies under pillar I, does not receive still adequate attention, compared to those which deal with pillar II. It is not surprising EU external relations have been vast focused on the fields of Common Foreign & Security Policy (CFSP), Common European Security and Defence Policy (ESDP), EU enlargement and TransAtlantic allies. In fact, EU's contemporary external relations are encompassing political, economic, development, environment etc which are more than just foreign affairs/policies or **security and military dimensions**.

Likewise, the existence of various personalities on behalf of the EU raises question: "Who speaks for Europe (EU)? For many, such a question is provoked by the obscurity of single personality and voice of the EU within key EU internal institutions and bodies when acting in external matters with third countries. In addition, it comes to our mind to "what do EU external relations signify? Are they complementary or competing notion *vis-à-vis* EU foreign affairs?"

The notion of external actions is no doubt fragmented and varies among scholars and practitioner. The term has been widely used in EU external matters. In this paper, I am not going to **problemitize such definition**. To take clear terms, Maddalon (2008: 1) maintains "the external action carried out by a state or an international organization, traditionally comprise three dimensions: diplomatic wording (discourse, position paper and political meetings); economic relations (development relief, trade policy); and security and defence". Since the world has become *global village* and new global challenges rise, the fields of foreign affairs are consequently developed, exceeding its traditional-foreign matters. Indeed, EU external dimensions represent a wide range of activities with third countries.

As the legal framework for EU external actions, consolidated Treaty on European Union (TEU) and the Treaty Establishing the European Community (TEC) has generally outlined a wide range of activities in EU external affairs. Article 3 of Common Provisions states:

"The Union shall in particular ensure the consistency of its external activities as a whole in the context of its external relations, security, economic and development policies. The Council and the Commission shall be responsible for ensuring such consistency and shall cooperate to this end. They shall ensure the implementation of these policies, each in accordance with its respective powers".

However, the Treaty of Lisbon repeals this article, while addressing the external dimension of EU action under Title V of General Provisions on the Union's External Action and Specific Provisions on the Common Foreign

Security Policy. In spite of being more comprehensive than previous Treaties, it still remains difficult to identify the scope of external relations due to the fact that external dimension of internal policies are not completely included in external actions such as environment. But, on the top of that, the reformative Lisbon Treaty establishes single external representative of the European Union by creating the new post for the High Representative of the Union for Foreign Affairs and Security Policy which merges both High Representative of CFSP and the European Commissioner for External Relations which is now assured by Catherine Ashton. *Spillover* consequence from this recent development is that EU establish its own diplomatic corps under European External Action Service (EEAS) in early 2010.

Concluding remarks

Overall, by exploring political factors and process driving internal European integration to move forward, this paper comprehensively attempts to understand the interplay between the European integration and political and policymaking process in contemporary EU. Embarking from providing classical and new conceptual perspectives in European Integration, this paper presents an insight how European integration and policymaking process interact. It has been demonstrated the interdependence of various actors whether at EU level or national, regional and local ones as well as the role of supranational institutions in forging European integration ahead.

It is clear that European integration is at stake for EU. In brief, the most striking display of contemporary EU characteristics is multilevel and multipillar configuration. In spite of the fact that we found some constraints of dynamics and complexity of EU expressed in this paper, EU project of integration is moving ahead in relevance to the idea of spillover in which one area has extensively fragmented and spread to other areas of integration and cooperation.

As one element of EU concerns, EU external relations constitute dynamics and complexity of European governance in matters of external affairs. It includes multiplicity of actors, national and EU, and multilevels in the political and policymaking process. In some policy areas, the EU has to share competences with member states particularly in accordance with the domains of CFSP and ESDP. These unique characteristics are two folds: *firstly*, it gives more room for manoeuvre among concerned actors to defence their interests or achieve their goals. *Secondly*, it may undermine EU capacity to act externally at international level. In this regards, Putnam's two-level games approach help best to explain such interactions within EU context internally and externally. The other point related to the subject is that EU external relations reflect a broad range of external activities with third countries comprising traditional or non-traditional external dimensions which are much more than just "foreign affairs". ●

References

Books and Articles:

- Aspinwall, Mark. D and Schneider, Gerard. 2000. "Same Menu, Seperate Tables: The Institutionalist Turn in Political Science and the Study of European Integration", *European Journal of Political Research*, 38: 1-36
- Buchet de Neuilly, Yves. 2003. "European External Relations Fields: The Multipillar Issue of Economic Sanctions against Serbia", in Knodt, Michèle and Princen, Sebastiaan (eds). *Understanding the European Union's External Relations*, Routledge.
- Cini, Michelle. 2007. "Intergovernmentalism", in Cini, Michelle (ed), *European Union Politics*, 2nd edition, Oxford University Press.
- Citi, Manuele and Rhodes, Martin. 2007. "New Modes of Governance in the EU: Common Objectives versus National Preferences", *European Governance Papers (EUROGOV)* No. N-07-01 / January 16.
- Commission of the European Communities. 2006. *Communication from the Commission to the European Council: Europe in the World – Some Practical Proposals for Greater Coherence, Effectiveness and Visibility*, Brussels, 8.6.2006 COM (2006) 278 final.
- Commission of the European Communities. 2001. *European Governance: A White Paper*, Brussels, 25.7.2001 COM (2001) 428 final.
- Council of the European Union, "Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union", Brussels, 30 April 2008.
- Haas, Ernst B. 1958. *The Uniting of Europe: Political, Social and Economical Forces 1950-1957*, London: Stevens & Sons Limited.
- Holland, Martin. 2002. *The European Union and the Third World*, Palgrave
- Hyde-Price, Adrian. 2004. "Interests, institutions and identities in the study of European foreign policy", in Tonra, Ben and Sen, Thomas Christian (eds), *Rethinking European Union Foreign Policy*, Manchester University Press.
- Juris Classeur Europe Traité. 2006. *UNION EUROPÉENNE. Histoire de la construction européenne*, LexisNexis SA.
- Knodt, Michèle and Princen, Sebastiaan (eds). 2003. *Understanding the European Union's External Relations*. London and New York, Routledge.
- Kohler-Koch, Beate. 2005. "European governance and system integration", *European Governance Papers (EUROGOV)*, No. C-05-01 / March 14.
- Laïdi, Zaki. 2008. "European Preferences and their Reception", in Laïdi, Zaki (ed) *EU Foreign Policy in a Globalized World: Normative power and social preferences*, Routledge/GARNET series: Europe in the World.
- Maddalon, Philippe. 2008. 'L'action Extérieure de l'Union Européenne', *Europe* no 7, July, dossier 11 (electronic version).
- Peterson, John. 2001. "The choice for EU theorists: Establishing a Common

- Framework for Analysis”, *European Journal of Political Research* 39: 289-318
- Peterson, J and Bomberg, E. 1999. *Decision-making in the European Union*, London and New York: Macmillan and St. Martin’s press.
- Polo, Jean-François. 2003. ‘La Naissance d’une Direction Audiovisuelle à la Commission : La Consécration de l’Exception Culturelle’, *Politique Européenne*, no 11, automne, pp. 31-56.
- Rhodes, R. 1996. “The New Governance: Governing without Government”, *Political Studies*, Vol. 44: 652-667
- Rosamond, Ben. 2000. *Theories of European Integration*, New York: Macmillan Press LTD.
- _____ (2007), “New Theories of European Integration”, in Cini, Michelle (ed), *European Union Politics*, 2nd edition, Oxford University Press.
- Smith, Michael. 2007. “European Union External Relations”, in Cini, Michelle (ed) (2007), *European Union Politics*, Oxford: Oxford University Press, 2nd edition
- Strøby-Jensen, Carsten. 2007. “Neo-functionalism”, in Cini, Michelle (ed), *European Union Politics*, Oxford: Oxford University Press, 2nd edition.
- Urwin, Derek. W. 2007. “The European Community: From 1945 to 1985”, in Cini, Michelle (ed), *European Union Politics*, Oxford: Oxford University Press, 2nd edition.
- Jacquot, Sophie and Woll, Cornelia. 2008. ‘Action Publique Européenne: Les Acteurs Stratégiques Face à l’Europe’, *Politique Européenne*, No. 25, printemps, p.161-192.
- Rhodes, R.A.W. 1996. “The New Governance: Governing Without Governance”, *Political Studies*, XLIV, 652-667.

Websites:

http://ec.europa.eu/governance/index_en.htm#1b

<http://www.connex-network.org/eurogov/>

http://ec.europa.eu/world/what/external_relations/index_en.htm

http://europa.eu/abc/12lessons/lesson_4/index_en.htm