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CIVIL SOCIETY AND DEMOCRACY IN POST- SOEHARTO INDONESIA

ABSTRACT

Untuk Indonesia abad 21 pertanyaan penting adalah bagaimana mengelola pluralisme secara demokratis dan beradab. Suatu Negara demokratis tentu memerlukan masyarakat yang madani, namun yang sering dilupakan, terutama dalam Negara-negara pasca-otoritarian, adalah bahwa masyarakat yang madani membutuhkan penegakan hukum. Secara teoretis hampir tak ada konsep yang jelas ihwal masyarakat madani itu, yang menyulitkan penelitian empiris. Maka artikel ini menggunakan pandangan dari wilayah ilmu politik dan filsafat politik untuk mendapatkan gambaran lebih jelas tentang situasi Indonesia saat ini.

Key Words:

*Pluralism • Disagreement • Citizenship • Democracy •
Democratization • Rule of Law • Civil Society • Open Society •
Tolerance • Political Liberalism • Secular State • Islam •
Indonesia*

Pluralism and rational disagreement about the truth are common features in today's societies. Indonesia is no different from that perspective. "The question of how to achieve civility and inclusive citizenship in deeply plural societies is today a near-universal one."¹ And Robert Hefner is right. In this essay I explore the relationship between society and the state in post-Soeharto Indonesia. This should be a relationship of mutual reinforcement: for a society to be civilized it needs a strong liberal democratic state and for a state to be democratic it needs a civil society.

The intuition many hold is that pluralism in society is a destabilizing factor for democracy, so writes the Freedom House president Karatnycky that "democracy has been significantly more successful in monoethnic societies than in ethnically divided and multiethnic societies."² Many political scientists and journalists alike agree that consensus and compromise are difficult to attain for when a society is highly divided. Many Indonesians fear that the plurality of cleavages—ethnic, linguistic, cultural, religious, political, ideological, economical—could cause disintegration or even a 'balkanization'.³ Fish and Brooks wrote an article titled 'Does Diversity Hurt Democracy?' to test this intuition. Their conclusion is that "ethnic homogeneity is *not* associated with more open political regimes [... and] the degree of diversity is not shown to influence democracy's prospects."⁴ Crawford Young concurs with this conclusion in a review on African identity politics. Young writes that "cultural pluralism alone is not the prime determinant [of conflict]; countries that have escaped disorder are no less diverse than those in which armed conflict has erupted."⁵ While scholars might be honest in their intentions,⁶ it is the idea that diverse countries are unfit for democracy which is misused by autocratic rulers all over the world. Soeharto claimed that the 'little people' (*wong cilik, rakyat* or *massa*) are not capable of making prudent decisions. During Soeharto's authoritarian New Order (*Orde Baru*) regime the 'little people' were the so called 'floating mass' and this mass should be left as much as possible outside the political realm. This mass was or is seen as an irrational mass of people who cannot be trusted and who do not realize what is really in their interest.

While we should not be too fast in concluding that pluralism has a negative correlation with the prospects of democracy, what about the relationship between Islam and democracy? The prospects of democracy, Samuel Huntington says, are bleak in countries with Muslim majorities⁷ and he states culture as the reason for these bleak prospects.⁸ There are

theological and anthropological reasons to shed doubt on Huntington's statement.

The scholar and former rector of Paramadina University Nurcholish Madjid has shown tirelessly to his fellow Indonesian Muslims that Islamic values are not static, for Madjid the door to *ijtihad* or renewal needs to and can remain open.⁹ And for Madjid there are no theological reasons why Islam should be in contradiction with human rights, democracy, rule of law, civil society, and tolerance. He writes that individual freedom and individuals with unalienable rights play an important role in Islam, and individual citizens can only live in freedom if and only if rulers and ruled are obliged by the same law, i.e. rule of law. And civil society, according to Madjid, is according to Islam a community where people obey the law and respect contracts made on mutual agreement.¹⁰ Another example is former president and former head of the largest Muslim organization Nahdlatul Ulama (NU) Abdurrahman Wahid (also known as Gus Dur), who holds a similar intellectual position as Madjid (even though their socio-cultural backgrounds are very different). Gus Dur has shown over and over again that Islam is not monolithic and should not be hijacked by its most conservative parts. A third example is the Liberal Islam Network ('Jaringan Islam Liberal JIL').¹¹

It remains a question, though, how much influence these views have in Indonesia. Madjid has often been criticized by fellow Indonesian Muslims as a Zionist agent who wanted to ruin Islam from within. Paramadina University used to conduct mixed marriages (in Indonesia couples should have the same religion), but under pressure this has been stopped. And Gus Dur was not only for just a short period president, he seems to have lost influence within NU.¹² Some of the neighbors of JIL are trying to get JIL evicted from their Utan Kayu base in East Jakarta, because JIL is supposedly untrue to Islam.

In this perspective we can see the 2005 fatwa (religious decree) by the Indonesian Muslim Scholars Council ('Majelis Ulama Indonesia MUI')¹³ declaring pluralism, liberalism and secularism *haram* (unlawful). K.H. Ma'ruf Amin is the chairman of the MUI fatwa committee and he is also a senior NU *ulama* (scholar). While MUI acknowledges that a plurality of religions is a fact of life in Indonesia, pluralism is unlawful, because pluralism denies religious truth by seeing religions on an equal footing, hence relativism. Liberalism is declared unlawful because religion is not just based on freedom of thinking, but also on revelation. And third, secularism is declared unlawful because secularism cuts the world away from religion by limiting religion to the relationship between an individual and god.¹⁴

The liberal democratic state, though, does not promote secularization,¹⁵ or push religions into the private sphere, but gives room to all conceptions of the good life in general and all religions in particular (as long as the liberal democratic state is recognized as legitimate).¹⁶ The secular state is not allowed to force a conception of the good on society, nor is it allowed to force its citizens to believe in a certain way. A secular state should leave religion to society, and not necessarily secluded to the private sphere.¹⁷

Beside religious reasons there are also historical reasons which can contradict the claim that Islam and democracy is necessarily no good match in Indonesia. Just as Islam is not monolithic so is the history of Muslims not monolithic; the ways Muslims have organized their public life has always been pluralistic, in different ages and different areas different forms of organization have been implemented and Islamic statism has been the rare exception. Just as the West the Muslim world is very rich in its roots. Islam spread through the Indonesian archipelago not by force but “through commerce, urban growth, and a new cosmopolitan culture.”¹⁸ This commercial growth was a reason for traders to struggle to limit royal authority, but even during pre-colonial times legal codes were drawn on varied sources.¹⁹ *Pesantren* (Islamic boarding school), as a civil society organization to be found across the country, is a good example of a religious and educational network independent of the state.

Almost a decade ago Soeharto stepped down, 21 May 1998 presidential power was transferred to then vice-president B.J. Habibie, who called for new elections and a referendum in East Timor (now Timor Leste) to appease the pro-democracy demonstrators. Indonesia started on a long road of democratization, rule of law formation, and decentralization. A road which slowly meanders to a yet unknown future. Since 1998 many changes occurred in Indonesia. In this era known as *reformasi* Indonesians can elect not only their neighborhood chief but also their president (for the first time in 2004, in the second round Susilo Bambang Yudhoyono won over Megawati Soekarnoputri, who was the president since 23 July 2001 when Gus Dur was ousted from power). Indeed it is impressive to see how, by example, the constitution is amended, the amended 1945 Constitution includes almost the complete list of the Universal Declaration of Human Rights.

The Australian indonesiast Tim Lindsey concludes that Indonesia now embraces liberal democratic principles. He writes: “Yet within five years of the signing of the Bangkok Declaration [in 1993] Soeharto's Asian values discourse was gone from Indonesian public life, as suddenly as the 'old man'

himself. And within nine years, Indonesia had reconstructed its Rechtsstaat on liberal democratic principles.”²⁰ Lindsey makes a legal normative point. But legal norms can be paper tigers; a law against discrimination, by example, is one thing but it is another thing that it becomes part of the public sphere culture. The codification of liberal norms in laws does not necessarily cause more freedom or equality for all citizens in the polity. These norms should be embedded in civil society and enforced by a liberal-democratic state, and state and society should mutually reinforce one and another.

But society is not per se civilized, “the mere facts of structural 'autonomy' and 'self-organization' that theorists and activists celebrate as the essence of civil society do not in any sense guarantee that the attitudes or actions of civil society groupings will be inclusive or democratic.”²¹ The political scientist Daniel Lev continues that “most professionals, NGO activists, and interested students presuppose that politics is fundamentally dangerous, amoral, corrupting, and well worth avoiding.” Lev claims that this is the reason that “there is no bridge between political power and reform activism.”²² Freedom does not mean that the state should be absent in society. The state has to guarantee every one's freedom. The state should guarantee everybody's equal right to freedom by refraining its own actions, but, sometimes, also by limiting the actions of some citizens against other citizens; thus when some members of society do not want to be civilized by threatening the freedom of some others, the state has the duty to protect and prosecute. Even when something unlawful occurs it should be the state's monopoly to act upon it and guarantee a fair trial, i.e. no one is allowed to take the law in one's own hands. Democracy does not just mean elections, but also that citizens behave civilly and tolerate pluralism, so all citizens are able to enjoy their equal right to freedom.²³

Democracy does not just mean that citizens are a floating mass of spectators and only have to get out of their comfortable sofa once in a while to vote for a neighborhood chief or president candidate. Democracy also means that citizens have to act in a democratic spirit; democracy cannot survive without people behaving civilly. Citizens should tolerate pluralism and thus each other's differences pluralism is an empirical given citizens have to cope with. Pluralism and rational disagreement about the truth are common features in today's societies,²⁴ and from this follows the need for the virtue of civil tolerance (i.e. there is no need for tolerance if there are no differences that need to be tolerated).

To define civil society in opposition to the state fits two trends. First, in post-authoritarian states, like the post-communist states in Eastern Europe, there is a widespread distrust of the state, its institutions and its representatives. And this fits a second, global trend: general confidence in governments seems to be declining. Citizens tend to become politically cynical when they believe that politicians promise more than they can deliver, that politicians are in politics to serve their own interests, and that politicians can only get involved in politics if they are part of an old-boys network and not because they possess the required talents to serve the public. Where the state and its government are widely considered as illegitimate it is unlikely that democracy will grow strong roots in society of a post-authoritarian state.²⁵ When public means are often used for private instead of common ends, for personal gain instead of, by example, relieving poverty, politicians will be seen as a self-serving and unresponsive class instead of representing the citizenry. The illegitimacy that comes with corruption, collusion, and nepotism (in Indonesia known under the acronym KKN) can be overcome in a long established democracy with a strong and independent judiciary (France is an example), but that could be entirely different in a young democracy.

The legal ontology that the 'ought' of liberal legal institutions is connected to the 'is' of the empirical reality is at the least naïve. An anti-discrimination law, by example, can be a good start to eradicate discrimination in society to set out a norm and a penalty when this norm is trespassed, but society and culture cannot be engineered just by means of legal norms and an enforcement apparatus. Institutions are not enough. What seems to be done with liberal intentions can have illiberal consequences, which should not come as a surprise when we realize that in Indonesia no major political party is based on a liberal ideology with an agenda promoting rule of law formation.²⁶ While decentralization is often coupled to democratization, it is not always the case that decentralization leads to more democracy,²⁷ decentralization can also be done for the reason to hold on to a network one has (this could have been the reason behind the decision of Habibie to push for decentralization legislation), and decentralization can therefore lead to the strengthening of anti-democratic power holders at the local level.²⁸ In the 'third wave' literature it seems as if transition is an irreversible process from A to B²⁹. Hadiz and Robinson claim, though, that Indonesia is no longer in a transition, they write: "The pervasiveness of money politics and political violence in post-New Order politics should not be understood as the mere growing pains of a slowly

maturing liberal democracy. Instead, they are more fundamentally inherent to the logic of power relations that define an illiberal form of democracy already consolidated and entrenched.”³⁰ But perhaps it is still too early to draw up this conclusion.³²

Below in more detail three examples of how Indonesian society is at times uncivil.

The Front for the Defense of Islam ('Front Pembela Islam FPI') is a good example of an uncivilized civil society organization. FPI was established on 17 August 1998, the first Independence Day in the post-Soeharto era, by Al-Habib Rizieq Shihab. The FPI fights, as they claim, vice and sin by cracking down cafés, nightclubs and discos in the Ramadan period. FPI also blocked several Christian houses of worship; FPI justifies this by claiming that these buildings are used as churches while lacking the proper permits (houses of worship should be built with the explicit consent of local administration heads and residents of the surrounding area). FPI and others see a conspiracy of *Kristenisasi* by the spread of Christian institutions.³² Islam specialist Martin van Bruinessen claims that FPI is “more like a mob for hire than a genuine Islamic movement.”³³ State representatives justify their inaction by claiming that no violence is used. But obstructing other people from acting is illegitimate. Azyumardi Azra, rector of Hidayatullah State Islamic University (UIN) in Jakarta, said that this is encouraged by the “almost complete absence of law enforcement and, worse still, impunity.” And “the law enforcement vacuum has been an important *raison d'être* for certain radical groups to take the law into their own hands through unlawful activities.”³⁴ Azra's conclusion: Indonesia is turning into a 'mobocracy'.³⁵ And worse still: the ones who are attacked are blamed for inciting social disorder.

As I wrote above, decentralization does not necessarily lead towards more democracy, let alone liberal democracy, and Hadiz claims that decentralization has been captured by predatory interests of “individuals and groups who had earlier functioned as the local operators and apparatchik of the previous New Order.”³⁶ Decentralization gives these individuals and groups the institutional context to work at the local level, but these individuals and groups are willing to mobilize their powerbase or hire support when favored outcomes cannot be reached through institutionalized means, Hadiz speaks therefore of the militarization of society.³⁷ Ryter describes how this works in Medan, the capital of North Sumatra, where, according to him, a 'bad boy democracy' flourishes.³⁸ In Medan *preman* (literally a free man but with the connotation of the outlaw)

and groups as *Pemuda Pancasila* (a youth organization) run gambling, drugs trafficking and prostitution, but are also for hire for the extra-legal political handwork. In the post-Soeharto era youth organizations adapted to the new multi-party system by supporting different parties (but sometimes (members of) youth organizations switch sides when the opportunity calls for it) to intimidate by the number.³⁹

Another example is how the free press is treated in the democratization and civil society literature. The press is seen as a necessary component of democracy. While ideally speaking this holds a truth, the reality is often all too different. In what legal-political context does the press operate? And are the media civil? According to Reporters Without Borders the press in Indonesia is "one of the freest in South-East Asia."⁴⁰ But Binsar Gultom, a judge at Ad-Hoc Human Rights Court in Jakarta, speaks of the criminalization of the press when in stead of the Press Law the Criminal Code is used, which has as its consequence that journalists can be jailed and that media outlets can go bankrupt.⁴¹ So reported Human Rights Watch of 'old measures' used by the Megawati government.⁴² Media is big business, and the collusion between business, media and politics is not uncommon (Italian mogul Silvio Berlusconi comes to the fore, an Indonesian example is business man and cabinet member Aburizal Bakrie whose family has a majority share in ANTV),⁴³ and mass media are not necessarily a neutral vehicle.⁴⁴ The difference between information and commercials is blurred by the use of advertorials (some of Yudhoyono cabinet members boosted about their performances in dailies),⁴⁵ and sometimes the content is clearly partisan and one-sided (former president Megawati Soekarnoputri used state television station TVRI to campaign in the 2004 elections).⁴⁶ While journalists are in danger of being prosecuted, and even abducted or executed, on the other hand the 'envelop' culture persists so that objectivity can get sold to the highest bidder.

What these examples show is that the normative 'civil society' argument has its shortcomings. Obviously, if we take 'civil society' as a normative argument we cannot see it as synonymous with society at large, because as a normative argument it entails inclusive citizenship and tolerance, which supports liberal democracy.⁴⁷ Liberals see civil society as a setting of settings where liberalism functions as an anti-ideology.⁴⁸ But liberals should not make the mistake to suggest that pluralism is self-sufficient and self-sustaining.⁴⁹ So locates John Rawls civil society as where "we as citizens discuss how justice as fairness is to be formulated, and whether this or that aspect of it seems acceptable [...]."⁵⁰ This is, Rawls

admits it himself though, an ideal civil society.

Major research on civil society organizations is done by Robert Putnam.⁵¹ Putnam defines a civil society organization as a non-hierarchical organization that cuts across social cleavages. An organization, according to Putnam, that cuts across cleavages amounts to bridging social capital between people from different segments of society, which leads to greater solidarity and tolerance in society as a whole in stead of distrust between segments of society. In contrast to bridging social capital bonding social capital amounts from the trust in one's own subgroup. Putnam seems to leave (a part of) society out of civil society. He cannot imply that we should rather want a strong state with a weak society if the only possible civil society organizations are those which generate bonding social capital which could polarize and politicize society.⁵² If civil society is to be constructive to liberal democracy, as the normative argument goes, then civil society organizations should be able to specify political issues and social interests.⁵³ Organizations which are organized to generate bonding social capital are not necessary a danger for democracy. Indonesians who identify with NU or Muhammadiyah, the second biggest Muslim organization, are active in diverse other, non-Muslim civil society organizations.⁵⁴ Mujani and Liddle claim that radical Islamist movements will not gain wider support because of the strength of NU and Muhammadiyah, and they conclude: "Their strength is one of the great causes for hope in Indonesian democracy."⁵⁵

To speak of transition and that institutions can do the job (and that behavior of citizens follows) is rather misleading. To conclude with Michael Walzer: "Only a democratic state can create a democratic civil society; only a democratic civil society can sustain a democratic state."⁵⁶ The relationship between the state and society should not be one of a zero-sum game. If this holds a truth it means that every state is at best a project in progress (even though the word 'progress' might be too misleading as well) and never a finished product, which is a liberal conclusion: we liberals favor an open society by keeping the future open even if we think the present is already (or should be) perfect, because we cannot know what political issues and social interests will be important in the future.

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End Notes:

1. See p. 4, Hefner, R.W. (ed.), *The Politics of Multiculturalism, Pluralism and Citizenship in Malaysia, Singapore, and Indonesia*, Honolulu: University Of Hawai'i Press, 2001.
2. See p. 107, Karatnycky, A., 'The 2001 Freedom House Survey: Muslim Countries and the Democracy Gap', in: *Journal of Democracy*, Vol.13, no.1 (January 2002): pp99-112; on p108 Indonesia is rated as partly free considering political rights and civil liberties.
3. See, by example, the interview with the head of the largest Muslim organization Nahdatul Ulama Hasyim Muzadi, 'The country could disintegrate...', in: *Tempo*, 14-8-6, pp. 20-3.
4. See p160, Fish, M.S., Brooks, R.S., 'Does Diversity Hurt Democracy?', in: *Journal of Democracy*, Vol.15, no.1 (January 2004): pp154-167.
5. See p. 540, Young, C., 'Deciphering Disorder in Africa: Is Identity the Key?', in: *World Politics*, Vol.54 (July 2002): 532-57.
6. See by example Lijphart, A., *Democracy in Plural Societies, A Comparative Exploration*, New Haven: Yale University Press, 1977; and Chua, A., *World on Fire, How exporting free market democracy breeds ethnic hatred and global instability*, New York: Doubleday, 2003. Amy Chua's Indonesian example to support her argument is odd: her example of the anti-Chinese riots is from a time, 1998, that Indonesia was still under the autocratic rule of Soeharto.
7. See p193, Huntington, S.P., *The Clash of Civilizations and the Remaking of World Order*, New York: Simon Schuster, 1996. While Huntington is right to claim that there are differences between east and west, but he makes those differences too pronounced, there exists considerable overlap; not civilizations can clash, persons can, and a person is never only a Muslim, nor is one Muslim a representation of Islam as such.
8. See p. 315, Huntington, S.P., *The Third Wave, Democratization in the Late Twentieth Century*, London: University of Oklahoma Press, 1991.
9. See Madjid, N., *The Necessity of Renewing Islamic Thought and the Problem of the Integration of the Ummah*, in: Madjid, N., *The True Face of Islam, Essays on Islam and Modernity in Indonesia* (edited by Rudy Harisyah Alam and Ihsan Ali-Fauzi), Jakarta: Voice Center Indonesia, 2003.
10. See pp. 299-301, Madjid, N., *The Potential Islamic Doctrinal Resources*

- for the Establishment and Appreciation of the Modern Concept of Civil Society, in: idem.
11. See www.islamlib.com for numerous articles in English and Indonesian.
 12. The top of NU at least seems to be more conservative now, but NU is no monolithic organization, see Suratno, 'Structural and cultural conflict within NU', in: *The Jakarta Post*, 24-5-6, p. 7.
 13. MUI is founded in 1975 by Soeharto, but it is not clear what the legal status is of the organization or its decrees, as Bowen asks: "Does an MUI decree have the force of law [...], or is it only advisory to the government, and to Muslim citizens [...]?" See p. 235, Bowen, J.R., *Islam, Law and Equality in Indonesia, An Anthropology of Public Reasoning*, Cambridge: Cambridge University Press, 2003.
 14. Pancasila, the Indonesian state ideology, states that Indonesia is *neither* a secular state *nor* a religious state.
 15. Secularization is the process that less and less people intend to view themselves as part of a religion. And that they do not view themselves as part of a religion does not necessarily mean they are atheists. We can define religion as an institutionalized belief system. See Chapter 10, Walzer, M., *Spheres of Justice, A Defense of Pluralism and Equality*, New York: Basic Books, 1983. Madjid defines secularization, though, as the desacralization of domains wrongly perceived as sacred.
 16. In France, the secular state as *laïcité* is overstated; religion is in France seen as a private matter that has to be kept out of the public domain, see p. 15, Habermas, J., 'Religious Tolerance, The Pacemaker for Cultural Rights', in: *Philosophy*, Vol.79, no.1 (2004): pp. 5-18.
 17. See p. 190, Gutmann, A., *Identity in Democracy*, Princeton: Princeton University Press, 2003.
 18. See p. 28, Hefner, R.W., *Civil Islam, Muslims and Democratization in Indonesia*, Princeton: Princeton University Press, 2000.
 19. See p.29, idem.
 20. See p. 286-7, Lindsey, T., 'Indonesia, Devaluing Asian Values, Rewriting Rule of Law', in: Peerenboom, R. (ed.), *Asian Discourses on Rule of Law, Theories and Implementation of Rule of Law in twelve Asian Countries, France, and the U.S.*, London/New York: 2004.
 21. See pp.9-10, Hefner, R.W. (ed.), *The Politics of Multiculturalism*; see also p. 47, idem.
 22. See p.88, Lev, D.S., 'Law and State in Indonesia', in: *Jentera Jurnal Hukum*, Vol.8, no.3 (March 2005): pp. 63-102.

23. See p175-6, Hart, H.L.A., 'Are there any Natural Rights?', in: *The Philosophical Review*, Vol.65, no.2 (April 1955): pp. 175-91.
24. See pp. 50-1, Larmore, C.E., *Patterns of Moral Complexity*, Cambridge: Cambridge University Press, 1997.
25. See pp. 3-4, Diamond, L., 'What Civil Society can do to Reform, Deepen, and Improve Democracy', Paper presented to the Workshop on 'Civil Society, Social Capital, and Civic Engagement in Japan and the United States', June 12-13, 2001, Tokyo.
28. See p113, Hadiz, V.R., 'Reconsidering the Idea of 'Democratic Transition' in Indonesia', in: Prasetyo, S.A., Priyono, A.E., Törnquist, O. (eds.), *Indonesia's Post Soeharto Democracy Movement*, Jakarta: Demos, 2003; and p. 121, Hadiz, V.R., 'Power and Politics in North Sumatra: The Uncompleted *Reformasi*', in: Aspinall, E., Fealy, G. (eds.), *Local Power and Politics in Indonesia, Decentralisation and Democratisation*, Singapore: Institute of Southeast Asian Studies, 2003. One exception is the United Democratic Nationhood Party ('Partai Persatuan Demokrasi Kebangsaan PPDK') founded by Ryaas Rasyid en Andi Alfian Mallarangeng, the latter quit the party when it decided to support Gen. (ret.) Wiranto's bid to become president for Golkar ('Partai Golongan Karya', formerly Soeharto's party).
29. See p. 551, Schulte Nordholt, H., 'Renegotiating boundaries. Access, agency and identity in post-Suharto Indonesia', in: *Bijdragen tot de Taal-, Land- en Volkenkunde* Vol.159 (2003): pp. 550-589.
30. See p. 113, Hadiz, V.R., 'Reconsidering the Idea of 'Democratic Transition' in Indonesia'; and p. 130, Hadiz, V.R., 'Power and Politics in North Sumatra'.
31. See p. 551, Schulte Nordholt, H., 'Renegotiating boundaries'.
32. See p. 231, Hadiz, V.R., Robison, R., 'Neo-Liberal Reforms and Illiberal Consolidations: The Indonesian Paradox', in: *The Journal of Development Studies*, Vol.41, no.2 (February 2005): pp. 220-41.
33. See p. 14, Carothers, T., 'The End of the Transition Paradigm', in: *Journal of Democracy*, Vol.13, no.1 (January 2002): pp. 5-21.
34. See p. 39, Bruinessen, M. van, 'Post-Soeharto Muslim Engagements with Civil Society and Democratization', in: Samuel, H., Schulte Nordholt, H. (eds.), *Indonesia in Transition, Rethinking Civil Society, Region, and Crisis*, Yogyakarta: Pustaka Pelajar, 2004.
35. See p. 148, Bruinessen, M. van, 'Genealogies of Islamic Radicalism in post-Suharto Indonesia', in: *South East Asia Research*, Vol.10, no.2 (2002): pp. 117-154. An interesting question then would be to find out who is ordering and paying for their services, if we can answer this

- question we can get a clearer picture of a power network in current Indonesia.
34. See Azra, A., 'Islamic radical movements in Indonesia', in: *The Jakarta Post*, 30-12-5, p. 15.
 35. See Gunawan, T.S., 'Law enforcement vital to ending moral mobocracy', in: *The Jakarta Post*, 26-4-6, p. 2.
 36. See p.711, Hadiz, V.R., 'Decentralization and Democracy in Indonesia: A Critique of Neo-Institutionalist Perspectives', in: *Development and Change*, Vol.35, no.4 (2004): pp. 697-718.
 37. See p. 129, Hadiz, V.R., 'Power and Politics in North Sumatra'.
 38. See Ryter, L., 'A Tale of Two Cities', in: *Inside Indonesia*, No.63 (2000).
 39. See Ryter, L., 'Reformasi Gangsters, Preman have had to change to stay in bussiness', in: *Inside Indonesia*, No.82 (2005).
 40. See http://www.rsf.org/country-50.php?id_mot=259&Valider=OK.
 41. See Gultom, B., 'Press Criminalization in the KUHP Bill', in: *Tempo*, 30-5-5, p. 25.
 42. By using the so called 'haatzaai' articles from the Criminal Code, see 'A return to the New Order? Political prisoners in Megawati's Indonesia', in: *Human Rights Watch*, Vol.15, no.4 (July 2003).
 43. PT Capital Management Asia (Bakrie Group) owns 80% and 20% is owned by Star TV Hong Kong (Rupert Murdoch), see Dharmasaputra, M., 'Consumed by TV Tycoons', in: *Tempo*, 10-7-6, p. 44.
 44. See p.3. 99, Yulianto, O.A., 'The Media Watch Movement, Case Studies on the LKM, KIPPAS and MWCC', in: Prasetyo, S.A., Priyono, A.E., Törnquist, O. (eds.), *Indonesia's Post Soeharto Democracy Movement*.
 45. See Agustina, W., Sunariyah, Wiguna, O., 'Advertising Ministers', in: *Tempo*, 7-11-5, p. 33.
 46. See Tanjung, L., 'Campaign Talk Show?', in: *Tempo*, 6-9-4, p. 26.
 47. See p. 30, Seda, F., 'The making of Civil Society in Historical Perspective: Some Preliminary Observations', in: Samuel, H., Schulte Nordholt, H. (eds.), *Indonesia in Transition, Rethinking Civil Society, Region, and Crisis*.
 48. See p. 163, Walzer, M., 'The Civil Society Argument', in: Beiner, R. (ed.), *Theorizing Citizenship*, New York: State University of New York Press, 1995.
 49. See p. 168, idem.
 50. See p. 382, Rawls, J., *Political Liberalism*, New York: Columbia University Press, 1996.

51. See Putnam, R.D., 'Bowling Alone: America's Declining Social Capital', in: *Journal of Democracy*, Vol.6, no.1 (1995): pp. 65-78.
52. See p45, Foley, M.W., Edwards, B., 'The Paradox of Civil Society', in: *Journal of Democracy*, Vol.7, no.3 (1996): pp38-52; and p54, Bruinessen, M. van, 'Post-Soeharto Muslim Engagements with Civil Society and Democratization'.
53. See p. 40, Foley, M.W., Edwards, B., 'The Paradox of Civil Society'.
54. See p. 45, Bruinessen, M. van, 'Post-Soeharto Muslim Engagements with Civil Society and Democratization'.
55. See p. 122, Mujani, S., Liddle, R.W., 'Indonesia's approaching elections: politics, Islam, and public opinion', in: *Journal of Democracy*, Vol.15, no.1 (January 2004): pp. 109-23.
56. See p170, Walzer, M., 'The Civil Society Argument'; see also p. 48, Foley, M.W., Edwards, B., 'The Paradox of Civil Society'.