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PREFACE

Andalas Journal of International Studies (AJIS) Volume VII, No.2 consists of 5 articles from various topics, which are: State and business groups in the spaces industry, motives of Kurdish Regional Government (KRG) Iraq and Turkey cooperation, effectiveness of *United Nations-African Union Hybrid Operation Mission In Darfur* (UNAMID) peacekeeping on Sudan conflict, and Rwanda's economic interest of in Congo war.

First article is written by Deasy Silvya Sari, Taufik Hidayat and Aliyuna Pratisti. This article describes Indonesian policy on Rohingya refugee by the end 2015 and explains why Indonesia willing to accept them. Second article is about the consignment of Indonesia migrant workers in Saudi Arabia and its resilience and examining the impacts of Indonesia's moratorium policy that written by Jihan Djafar Sidik and Witri Elvianti. Next article is written by Maryam Jamilah, it analyzes significant changes of KRG and Turkey government relation since 2013 and formulates motives behind their cooperation.

The other two articles analyze conflicts in African region. Hardi Alunaza SD and Bastian Andhony Toy's article explain how the effectiveness of peacekeeping by UNAMID in resolving the conflict between the Sudanese government and the rebel forces in Darfur from 2007 to 2010. The last article is written by Arinaldo Habib Pratama that identified how Rwanda is able to achieve their economic interest in Congo War. Each article provides explanation about international phenomenon by using International Relations theories.

We are very thankful to editorial board for its supporting, collaborating, and hard working in finishing this new volume of AJIS as finally this volume can be published online and printed publication.

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Article

State and Business Groups in the Space Industry

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ABSTRACT

Space exploration is growing from cold war to present. Actors also began to change, not only developed state or developing state, but also industry. Industry offers more economical space exploration, which is driving the industry increasing. However, state remains primary party responsible for ensuring space exploration are peaceful purposes and beneficial to all mankind. Thus, need to analyze how state and business groups relationships in the development of the private space industry? The method to be used in this research is content analysis related to governed interdependence. The analysis will use source data in the form of journals, books, and media information about the development of space industry by the state and business groups that influence it in political economy. From the analysis results know that the pattern of relationship between countries and groups in the development of space industry is interdependence to develop a world class strategic industry. This paper is important in the development of international political economy concept.

ABSTRAK

Eksplorasi antariksa terus berkembang dari perang dingin hingga sekarang. Begitu pula aktornya, tidak hanya negara besar atau berkembang tetapi juga industri. Industri menawarkan eksplorasi antariksa yang bersifat lebih ekonomis, sehingga mendorong industri ini semakin meningkat. Namun, negara tetap menjadi pihak utama yang bertanggung jawab menjamin eksplorasi antariksa bertujuan damai dan bermanfaat bagi seluruh umat manusia. Dengan demikian, perlunya analisis bagaimana hubungan negara dan kelompok bisnis dalam pengembangan industri antariksa swasta? Tulisan ini menggunakan metode *content analysis* yang menggambarkan mengenai hubungan negara dengan kelompok bisnis menurut teori *governed interdependence*. Analisis menggunakan sumber data berupa jurnal, buku, dan media informasi mengenai upaya pengembangan industri antariksa oleh negara dan kelompok bisnis beserta faktor yang mempengaruhinya dalam ekonomi politik. Dari hasil analisis diketahui bahwa pola hubungan negara dan kelompok bisnis dalam pengembangan industri antariksa bersifat saling ketergantungan dalam membangun industri strategis berkelas dunia. Tulisan ini diharapkan menjadi pengembangan konsep ekonomi politik internasional.

Introduction

Industry is an inseparable party in the development of the country. Industry plays a role in improving the country's economy through the absorption of labor and state income from foreign exchange of industrial products exports.¹ In addition, the industry also has a strategic nature that includes ways to achieve overall and long-term goals and interests. Strategic industry is defined as an industry that is considered by the government as very important for the economy or state security.² An example of a strategic industry is a high-level technology industry, namely the space industry because it can guarantee the security and welfare of the country. Thus, the importance of developing a strategic industry in this case the space industry to become a strong country.

Space technology provides greater benefits for human life. So the space industry increasingly encourages the development of the nation so that it is more strategic.³ The greatest benefit in the field of information and communication technology, which can be felt by all levels of society. So, more and more countries are trying to take advantage of their orbital slots for telecommunications satellites. However, the country has difficulties in mastering space technology coupled with large budgetary needs. Therefore, business groups see this opportunity by developing the space industry.

The space industry developed can be public or private. Private industry is superior because it aims at achieving the highest profit. Thus, the private space industry is efficient so that the competitive value of the space industry is increasing. This, put pressure on the state in the development of space exploration that is too much of the state budget. Therefore, countries eventually use the services of the private space industry, including the United States. Thus, the private space industry also generates greater profits every year.

Large investments are needed in this industry. This industry also gains long-term benefits. However, this industry is a strategic industry that should be developed by the state because it can benefit the country's politics and economy. As with international law, this industry is also the responsibility of the country where the industry is located. This, in ensuring the security and safety of space activities that are peaceful and beneficial for humanity. In addition, the state is indeed obliged to provide security guarantees for industrial operations in the country.

The space industry plays a role in the country's economy. First, it provides a more efficient budget use option in space exploration. Second, providing income to the state in the field of services and commercialization of space technology. Third, it facilitates the state's access to the use of space technology or as a vehicle for industrial transformation through technological mastery.⁴ So, economically the country can grow more. Thus, the space industry is positive for the country so that the potential for development by the state is quite large.

The role of the space industry is also large in politics. Given the beginning of its development was a political rivalry of the

¹ Jurnal Nasional, "Maju Mundur Industri Strategis." Retrieved June 3, 2018, from <http://www.kemenperin.go.id/artikel/4795/Maju-Mundur-Industri-Strategis>

² BINUS, I. "Industri Strategis di Persimpangan Jalan." Retrieved June 3, 2018, from <http://ir.binus.ac.id/2015/10/08/5306/>

³ Prasetyono, A. P. "Industri Strategis Faktor Utama Pendorong Pembangunan Ekonomi." Retrieved June 3, 2018, from <https://ristekdikti.go.id/industri-strategis-faktor-utama-pendorong-pembangunan-ekonomi/>

⁴ Sampurno-Kuffal, F. H. *Keruntuhan Industri Strategis Indonesia*. (Jakarta: Khazanah Bahari, 2011)

United States and the Soviet Union. So, the country that masters this technology has a bargaining position in global politics. In addition, also get socio-economic benefits from mastering space technology. Thus, the existence of the space industry enhances the country's political position in the international system.

Based on the economic and political role, the importance of the space industry is felt. The space industry produces competitive values that can develop space technology with economical costs. The space industry provides access to the use of space technology that can increase the bargaining power of the country. The space industry with state support can get higher profits. Thus, there is a relationship between the state and business groups in the mutualism space industry. As the iron triangle concept of US President Dwight Eisenhower in 1961, explained in his speech there was a collusion between US institutions and industry called the government industrial complex.⁵

Therefore, this paper attempts to answer how the state and business groups relate to the development of the private space industry? By juxtaposed the two actors.⁶ Then, focusing on the private space industry in China. China's private space industry can represent the development of the private space industry in developing countries. China's private space industry is increasingly attractive because it is a new industry, but has shown significant progress.

Research on the relationship of the state and business groups in the development of the space industry has not yet been carried out. Existing research related to the space industry regarding knowledge management in the space

industry.⁷ The study explained the importance of knowledge management for the space industry which not only focuses on technology but also on culture, human resources, and processes. In addition, further research on the space industry is a strategic source.⁸ The study explains the mistake of positioning the industry as a strategic source will lead to disintegration. Supply chains that reduce long-term competitive value. Whereas state relations research and business groups have been carried out so as to produce many concepts of state and business group relations models.⁹ Some of the concepts that have been common, among others: mutualism cooperation, alliances, until only an opportunity. Thus, this paper will be the first in reviewing the relationship between the state and business groups in the development of the space industry, using the concept that is still rare, namely the concept of interdependent relationships.

This paper is divided into five major sections. The first part becomes an introduction that implicitly consists of the background of the problem, problem formulation, literature review, and writing systematics. The second part explains about research method. Furthermore, in the third part, the presentation of empirical data on the development of China's private space industry. The fourth section describes how the type of relationship governed interdependence between the Chinese government and its business group in

⁵ BINUS, "Industri Strategis di Persimpangan Jalan."

⁶ Babic, M., Fichtner, J., & Heemskerk, E. M. (2017). "States versus Corporations: Rethinking the Power of Business in International Politics. The International Spectator," 52(4), 20–43.

⁷ Olla, P., & Jeanne, H. "The role of knowledge management in the space industry: important or superfluous?" *Journal of Knowledge Management*, 10 "(February, 2006), 3–7,

⁸ Rossetti, C., & Choi, T. Y. On the dark side of strategic sourcing: Experiences from the aerospace industry." (Academy of Management Perspectives, 2005), 19(1).

⁹ Lang, A., & Tenbücken, M. "IPSA World Congress, Section 38 – Business and Politics. In *State Business Relations: Mapping the Theoretical Landscape*" (pp. 1–35). (Fukuoka: David Coen, Fukuoka, Japan, 2006).

building the private space industry. Then the last part is the conclusion.

Research Method

This paper used qualitative research. This research emphasizes words rather than quantification in the collection and analysis of data.¹⁰ Qualitative research as a means for exploring and understanding the meaning individuals or groups ascribe to space industry. The process of research involves emerging questions and procedures, data typically collected in the literatures setting, then data analysis inductively building from particulars to general themes. Then, finally make interpretations of the meaning of the data. This research gives role of the researcher for validity strategies in data collection and analysis. And also, guarantee the accuracy of findings and narrative structure.

This paper used case study approach, so the researcher might explore processes, activities, and events. This approach interconnected themes into a story line. By this approach, data collections include setting the boundaries for the study. The collecting information did by through semi-structured documents. Then, it processed by recording, identifying and classifying data relevant to the subject matter and the use of theory. Data and information gathered related to state and business groups relations in space industry. Data and information are then analyzed by describing the phenomenon being studied and then to interpret the phenomenon.

The technique of analysis case study research involved a detailed description of the setting or individuals, followed by analysis of the data for themes or issues. Validating the accuracy of the information by several steps; organizing and preparing data from documents; coding the data by

read through all data; interrelating themes by case study approach; interpreting the meaning of themes. The interpreting did by analyzing the form and substance using the governed interdependence theory so that will be obtained the meaning contained in it.

Data collection techniques used is the method of literature that is through various references to both scientific journals, books, and other relevant sources. The library references were obtained from the China National Space Agency (CNSA), internet and library sites. In this paper will be more focused to answer the problem formulation by using factor indicators of the interdependence relationship in the case of space industry according to realism approach. The scope of the discussion divided into four types of relationships which can be divided into two in outline; pioneered by the state or spearheaded by business groups. This paper uses data from books, journals, and other relevant information media. By using case study research analysis methods that explain factors in interdependence relationship in various types relationship based on pioneered in realism view.

Result

The Chinese space program is one of the most complicated and not transparent in the world so that the explanation of the organization and its bureaucratic structure will be quite difficult.¹¹ Based on historical records, it turned out that China in the Song Dynasty in the 1200th century had begun rocket inventions.¹² The Chinese space

¹⁰ Creswell, J. W. "Research Design: Qualitative, Quantitative, and Mixed Method Approach (Third Edit)." (Los Angeles: SAGE Publication Inc, 2009)

¹¹ Aliberti, M. "China 's Space Programme : An Overview." In *When China Goes to the Moon* (pp. 17–22). (Switzerland: Springer International Publishing, 2015)

¹² Ebeling, P. "China's Space Program: How cooperation between China and Europe changes as China's space program advances." (Leiden University, 2016)

program¹³ began to get foreign assistance, namely from the Soviet Union in the late 1950s. Then, it continued with the development of communications satellites in 1975. Under Deng Xiaoping's administration, the Chinese space program focused on geo-synchronous communications satellites, which were successfully launched on April 8, 1984 using Long March 3. However, China's first satellite was launched in April 1970, which making China the fifth country in the world that can launch satellites and orbit the earth. In 1986, the status of the space program was the highest priority. In the 1960s, China tested small and medium rocket launches. In the 1970s, China tested inter-continental rocket launches. Then in May 1980, finally China was able to launch intercontinental rockets.

China shares in the development of space programs. Research and development of rocket technology is the responsibility of the Chinese Academy of Space Technology (CAST). Meanwhile, China Academy of Launch Vehicle Technology (CALT) is tasked with developing space launch stations. At present the development of rockets is under the Ministry of Aero-Space Industry (MAI). In 1993, two institutions were formed under the MAI. First, China Aerospace Science and Technology Corporation (CASC) as the main contractor of the Chinese space program. Second, China National Space Administration (CNSA) as China's national space agency, which is responsible for the national space program and plans and develops space activities. Under these two institutions, there are several other institutions with specialization of duties in the Chinese space program. China Satellite Launch and TT & C General (CLTC) are responsible for launch and telemetry stations. China Academy of Space Technology (CAST) is

developing Chinese satellite applications with a focus on remote sensing, communication, space exploration.

China entered the international satellite launch market since 1990.¹⁴ Furthermore, China also entered the study of high capacity communication satellites, multipurpose earth resource satellites, broadcast satellites, and earth stations. So the Chinese space policy, among others: the development of the entire type of satellite application system project, the construction of space stations, launch vehicles, and space transportation systems. According to Xie Mingbao, director of the China Manned Space Engineering Office, China spent 18 trillion yuan or about 2.2 trillion US dollars in the development of five Shenzhou series spacecraft. However, annual spending on the Chinese space program is difficult to determine. Joan Johnson-Freese, US Naval War College, estimates that China spends 1.4-2.2 trillion US dollars every year in its space program. With all its achievements, China is only one step behind the United States, among others: experience, expert team and resources, a regime that continues to support becoming a dominant space power. However, the last factor has been owned by China in the leadership of Xi Jinping.

China assesses the development of space activities as an important thing to improve national prestige, influence and defense, and to promote domestic industry and increase its economy again.¹⁵ Exploring the vast universe, developing space programs and becoming an aerospace power has always been the dream we have been striving for, President Xi Jinping said on China's first space day on April 24,

¹³ Acuthan, J. P. "China's Outer Space Programme : Diplomacy of Competition or Co-operation?" (China Perspectives, 2016) 63.

¹⁴ Acuthan, J. P. "China's Outer Space Programme : Diplomacy of Competition or Co-operation?"

¹⁵ Acuthan, J. P. "China's Outer Space Programme : Diplomacy of Competition or Co-operation?"

2016.¹⁶ Commemorating China's first satellite launch, Dong Fang Hong I, which reached orbit in 1970. In 2018, China aims to send explorer robots on the dark side of the Moon and land the taikonout on the Moon in 2036. One of the challenges is other than technical, environmental and international situations, namely public opinion regarding economic weakness.

Then the presence of the private space industry is an alternative in facing public opinion regarding economic weakness. The Chinese government seeks to increase China's economic growth through the commercialization of space technology products and services.¹⁷ In 1990, China became a major provider of commercial launch services. From 1990 - 1999, China was able to launch 30 satellites belonging to other countries. In an effort to integrate into the global space commercial mechanism, several policy documents were created. The documents include: Aerospace Development 11th 5-Year Plan, National Guidance for Medium and Long-Term Plans for Science and Technology Development (2006-2020).

The industry offers the development of space technology with the principle of companies pursuing economic benefits. This, pushes the industry to produce more economical space technology. Although economical, the industry still guarantees the quality of its products, because it seeks to ensure its products are selected by the user. So, Robin Li Yanhong, inventor and President of Baidu saw the opportunity. He

submitted a proposal to the National People's Congress in 2014 to open the space industry for private investors.¹⁸ He explained that the commercialization of the space industry is in line and accelerates the country's focus to become a space faring nations. He argued that with the presence of the space industry, Chinese space technology would be increasingly competitive. The proposal received positive answers from the government so that the government issued a policy to support China's private space industry as a national strategic priority in 2015 and put it in a white book of Chinese space activities in 2016. Thus, countries and business groups complement each other to achieve their respective goals -that.

Based on the white paper on China 's space activities 2016,¹⁹ the purpose of Chinese space activities is to meet the demands of economic development, scientific and technological development, national security and social progress. The objective is carried out in principle; innovative development, coordinated development, open development, peaceful development, and national strategic development. So, China issued a policy promoting the transformation and upgrading space industries in all-around ways; accelerating satellite application industry; strengthening the legislative work; improve a diversified investment system. China aims to accelerate the development of the space industry because it will add to the strength of the country. So, China also increases the capacity of the

¹⁶ Roxburgh, H. "China's Space Industry : Arriving At the Final Frontier." Retrieved May 18, 2018, from <http://knowledge.ckgsb.edu.cn/2017/11/21/technology/china-space-industry-final-frontier/>

¹⁷ Cliff, R., Ohlandt, C. J. R., & Yang, D. "China's Space Capabilities. In Ready for Takeoff China's Advancing Aerospace Industry." (California: RAND Corporation, 2011). Retrieved from <http://www.jstor.org/stable/10.7249/mg1100ucescr.13%0AJSTOR>

¹⁸ Chen, S. "Space the Final Frontier for Chinese Start-ups and Venture Capitalists." South China Morning Post Publishers Ltd. Retrieved from <http://www.scmp.com/news/china/article/1947369/space-final-frontier-chinese-start-ups-and-venture-capitalists>

¹⁹ China, G. "White Paper on China's Space Activities 2016." Beijing.

country by making policies for China's private space industry.

The principle objectives of Chinese space activities are determined by status and function in safeguarding national interests and state development.²⁰ The principle objectives of Chinese aerospace activities are: space exploration, galactic and earth research, space use for peaceful purposes, enhancing human civilization, promoting economic growth, national security, developing science and technology, and building national strength comprehensively. In an effort to achieve this goal, China is industrializing and marketing technology and space applications. In this case, CASC was instrumental in reforming and developing the market, one of which was through the Aerospace Dongfanghong Satellite Co., Ltd, which was a company with joint funding of CASC and CAST. Plus, the China Great Wall Industry Corporation (CGWIC) is responsible for China's commercialization since the late 1980s.

Thus, China has an integrated, extensive and well-organized space exploration program.²¹ The Chinese space program focuses on developing space capabilities for socio-economic purposes. Over the past two decades, China has also carried out space cooperation bilaterally, regionally, multilaterally and internationally, with various forms including commercial launch services. This is a supporting step for success in the international arena.²² In the era of

globalization and information technology that requires state capacity to regulate the national economy,²³ industrialization and space corporations are hub areas. Increasing privatization, public-private participation and space tourism will be another important thing. History shows the fact that China has political will and technological capability in finding its own way towards developing deep space. Thus, China makes policies to support the state without weakening capabilities and the use of space technology.²⁴

Discussion

The governed interdependence developed by Linda Weiss, explains the strategic capacity of a field that does not weaken, let alone eliminate the autonomy of the state, but instead transforms it into a state capacity.²⁵ So according to the theory, cooperation between countries and strategic business groups is complementary to the power of the state. The state becomes an active actor in generating strategic trade and industry policies. The country coordinates economic transformation using institutional arrangements. One institutional arrangement instrument is a strategic industrial policy in which there is a governed interdependence relationship pattern. Governed interdependence explains the pattern of relations between the state and business groups through hand in hand coordination and cooperation. Economic

²⁰ Acuthan, J. P. China's Outer Space Programme : Diplomacy of Competition or Co-operation? (China Perspectives, 2006). 63.

²¹ Acuthan, J. P. China's Outer Space Programme : Diplomacy of Competition or Co-operation?

²² Weiss, L. Global Governance , "National Strategies: How Industrialized States Make Room to Move under the WTO." Review of International Political Economy, 12(Mei: (2005), 723-749. Retrieved from <http://www.jstor.org/stable/25124049>

²³ Weiss, L, Introduction: "Bringing Domestic Institutions Back In. In States in the Global Economy Bringing Domestic Institutions Back In." (New York: Cambridge University Press. . 2003).

²⁴ Jiyuan, L, "Space for Development: Launch Services in China's Space Program. Harvard International Review," 16 (Maret, 1994), 36-37. Retrieved from <http://www.jstor.org/stable/42762044>

²⁵ Weiss, L, "Governed Interdependence: Rethinking the Government-Business Relationship in East Asia." The Pacific Review, 8(April, 1995), 589-616.

projects are enhanced by public and private industries. However, its adoption and implementation are disciplined and supervised by the state. In this relationship pattern there are four types of relationships which can be divided into two in outline; pioneered by the state or spearheaded by business groups.

One of the strategic industries that the country continues to develop is the space industry. Space is seen as the Pole and the Deep Sea which uses it for all humanity. In the development of space technology, the state plays the main and dominant role to ensure the security and safety of space activities, including those conducted by non-state actors.²⁶ Thus, the activities of the space industry, both public and private, are the responsibility of the state to ensure its activities are peaceful and beneficial for all humanity. The space industry emerged driven by a global economic system that was increasingly interdependent, so that the state carried out economic transformation in funding the development of space technology. Through changes in funding that are not fixated on the state budget but also strategic industrial policies. In the beginning, this strategic industry only supported raw or upstream materials. However, along with globalization, this industry is increasingly downstream by offering commercialization of goods and services. The state sees it as an opportunity to further increase the power of the country. So, the state and business groups coordinate and cooperate. The state makes a policy of commercializing the space industry and oversees its implementation so that industrial economic projects increase.

China is one of the first countries to start developing space technology. However, the development does not go

easily. However, China's considerable achievement in space technology was finally achieved in 2003. In that year, China succeeded in firing anti-satellite (ASAT).²⁷ This is followed by subsequent achievements every year. China finally submitted a proposal to participate in the international space station project, but this was denied by the United States. This makes China choose to make its own space station. So the development of massive Chinese space technology has received international attention. However, China is open in its space technology development by issuing a white book of Chinese space activities. China's success to date in the development of space technology has made it equal to the United States and Russia.²⁸ China is able to show that as a developing country that despite facing a block of developmentalism in space technology, especially by the United States, China continues to develop its space technology.²⁹

The mastery of Chinese space technology is the same as other developing countries, namely experiencing several obstacles. Constraints originating from domestic and international. The obstacles that arise from the nature of space technology are high tech, high cost, high risk. Plus there is no regulation regarding commercialization activities by the private sector.³⁰ So in its development as List said

²⁶ Treaty, O. S. Treaty on principles governing the activities of states in the exploration and use of outer space, including the moon and other celestial bodies, Pub. L. No. 610 UNTS 205 (Washington, United States, 1967).

²⁷ Acuthan, J. P. China's Outer Space Programme : Diplomacy of Competition or Co-operation? (China Perspectives, 2006) 63.

²⁸ Chen, S. (2017, June 12). Space the Final Frontier for Chinese Start-ups and Venture Capitalists. South China Morning Post Publishers Ltd. Retrieved from <http://www.scmp.com/news/china/article/1947369/space-final-frontier-chinese-start-ups-and-venture-capitalists>

²⁹ Acuthan, J. P. China's Outer Space Programme : Diplomacy of Competition or Co-operation?

³⁰ Dula, A. M. REGULATION OF PRIVATE COMMERCIAL SPACE ACTIVITIES. *Jurimetrics*, 23 (Februari, 1983), 156–189.

it must increase productive power.³¹ However, in a global economic system that is interdependent, the country cannot be alone in facing these challenges. China in this case requires the support of the private space industry, as well as the private space industry needs state support to be able to develop more and generate large profits. In the case of China, business groups are proactive in giving proposals to the government so that the government issues a policy supporting the private space industry. Thus, business groups as pioneers in the country's cooperative relations and business groups in the development of the private space industry.

The government always strives to increase the capacity of the state to create prosperity for the community.³² The government must side with domestic strategic industries, through various policies that are able to create a conducive climate for national industrial development. Government alignments are very important in the process of industrial revitalization in order to be superior and compete with other countries' industries. In addition, the government must implement the concept, blueprint, and big plans for industrial revitalization through detailed, measurable and controlled programs. Industrial revitalization requires fiscal incentives for strategic industrial state-owned enterprises

(BUMN) (BUMNIS).³³ The factors that influence the strategic industry include the mastery of technology and a stronger political will and more extras from all stakeholders. Mastery of technology involves human resources, equipment, software, and technology management. Then, industry is generally a long-term activity, while commercialization is a short-term activity. Therefore, industrial activities and commercialization must be in line with following strategic decisions.³⁴

Based on the data previously explained, China in the development of the space industry was coordinated by a government agency, CASC. China considers the importance of space industrialization and commercialization by making various policies including the formation of high-tech companies of government or state-owned enterprises.³⁵ Along with globalization, business groups assess that space technology is increasingly important for human civilization. Then began to emerge private high-tech companies. Based on the Beijing-based investment institution Future Aerospace in three years there are already 60 Chinese private companies included in the space industry.³⁶ These companies include:

Retrieved from
<http://www.jstor.org/stable/29761822>

³¹ Levi-faur, D. (2018). Friedrich List and the Political Economy of the Nation-State Author (s): David Levi-Faur Source: Review of International Political Economy , Vol . 4 , No . 1 (Spring , 1997), pp . 154-178 Stable URL : <http://www.jstor.org/stable/4177218> Friedrich Lis, 4(1), 154–178.

³² Weiss, L. Government-Business Relations In East Asia: The Changing Basis Of State Capacity. Asian Perspective, 18 (Februari, 1994), 85–118. Retrieved from <http://www.jstor.org/stable/42704048>

³³ Daily, I. Bangkitkan BUMN Strategis. Retrieved June 3, 2018, from <http://www.kemenperin.go.id/artikel/3832/Bangkitkan-BUMN-Strategis>

³⁴ Nasional, J. Maju Mundur Industri Strategis. Retrieved June 3, 2018, from <http://www.kemenperin.go.id/artikel/4795/Maju-Mundur-Industri-Strategis>

³⁵ Acuthan, J. P.. China's Outer Space Programme : Diplomacy of Competition or Co-operation? (China Perspectives, 2006) 63.

³⁵ Chen, S. (2017, June 12). Space the Final Frontier for Chinese Start-ups and Venture Capitalists. South China Morning Post Publishers Ltd. Retrieved from <http://www.scmp.com/news/china/article/1947369/space-final-frontier-chinese-start-ups-and-venture-capitalists>

³⁶ Yamei, "China Focus: Sunrise for China's Commercial Space Industry?" Xinhuanet.Com.

Beidu, OneSpace, LinkSpace, Space Vision, LandSpace and others, because this industry continues to grow. The achievements of these companies have been quite a lot, some examples include: Beijing LandSpace Technology Corporation Limited (LandSpace) was established in 2015 with 200 million Yuan funds, has been able to launch 70 tons of oxygen / methane liquid rockets to put China behind the United States and Russia has been able to do it.³⁷

Then, OneSpace which was formed precisely in August 2015 with an investment of 500 million Yuan, developed a rocket engine through factory experiments, its mini rockets capable of gliding with a load of 100 kg. Furthermore, SpaceOK is a company that produces and launches 40 small communication satellites within three years for the development of internet of things and China's Belt Road Initiative. The estimated profit is reached in 2020 of US \$ 485 billion from the global market and US \$ 125.78 billion from the domestic market. In the next decade it is estimated that two-thirds of global satellite demand comes from commercial actors.³⁸ The Chinese private space industry business group also sought government support. As a result the government issued a policy to support China's private space industry, both subsidized and technical support. In fact, the government also made it a national strategic priority. This is because security issues in this case space

and the economy consistently coordinate with the country's domestic priorities.³⁹

CNSA spokesman Li Guoping expressed his hopes for the private space industry program to be in line with the nation's top-level plan. Nation's top-level plan supports the development of space commercialization. First, the government opens a space program for the private sector. Second, the government will also buy services from the private space industry. In fact, highly qualified industries will also receive research funding and company expansion as well as public industries. In the satellite application sector, specifically, it has the support for capital investment from the community. The satellite application starts from satellite communications, remote sensing, to navigation. Meanwhile, in the rocket development sector by private industry, government support at certain levels is obtained. Support will be obtained if research, production and launch are in accordance with state regulations. Therefore, the Chinese government is currently developing guidelines to improve the development of China's private space industry in an orderly manner.⁴⁰

In rapid economic development, China's private business sector has accumulated sufficient know-how technology, research talent, and financial strength to enter the space business.⁴¹

Retrieved from
http://www.xinhuanet.com/english/2018-05/13/c_137175948.htm

³⁷ Curcio, B., & Lan, T. (2018, May 25). Analysis The rise of China's private space industry. Spacenews.Com. Retrieved from <http://spacenews.com/analysis-the-rise-of-chinas-private-space-industry/>

³⁸ Yamei, "China Focus: Sunrise for China's Commercial Space Industry?"

³⁹ Jisi, W. China's Search for a Grand Strategy A Rising Great Power Finds Its Way. Foreign Affairs, 90 (February, 2011), 68–79. Retrieved from <http://www.jstor.org/stable/25800458>

⁴⁰ Yamei. (2018, June 5). China Focus: Sunrise for China's Commercial Space Industry? Xinhuanet.Com. Retrieved from http://www.xinhuanet.com/english/2018-05/13/c_137175948.htm

⁴¹ Chen, S. (2017, June 12). Space the Final Frontier for Chinese Start-ups and Venture Capitalists. South China Morning Post Publishers Ltd. Retrieved from <http://www.scmp.com/news/china/article/1947369/space-final-frontier-chinese-start-ups-and-venture-capitalists>

Where, these things are important in the development of China. So with its strategic nature and in accordance with China's vision to become a space faring nation, China's private space industry has the support of the government. Thus, the Chinese space industry both public and private get the same support from the Chinese government. However, government support for the private sector was obtained by private groups after submitting proposals to the National People's Congress. Thus, state relations and business groups in China's private space industry were initiated by business groups first.

According to governed interdependence⁴²; bureaucracy, country-industry networks, industrial organizations are interconnected and support the capacity of the state. The capacity of the country through macro policies and education policies can produce strategic industrial policies. Strategic industrial policy can create a system of public and private institutions that coordinate investment and increase innovation. The results of this series of processes are competitive industries in international dynamics. This has an important role in achieving economic security in the international system (Dent, 2003).⁴³ In governed interdependence, there are several types based on initiation of cooperation. First, disciplined support. Second, public risk absorption. Third, private sector initiative in public policies. Fourth, public-private innovation alliances.

⁴² Weiss, L. Governed Interdependence: Rethinking the Government-Business Relationship in East Asia. *The Pacific Review*, 8 (April, 1995), 589–616.

⁴³ Dent, C. M. (2003). *Transnational Capital, The State and Foreign Economic Policy: Singapore, South Korea and Taiwan*. *Review of International Political Economy*, 10(2), 246–277.
<https://doi.org/10.1080/0969229032000063225>

Based on the data, China's private space industry has a pattern of relations between the state and business groups as well as the private sector initiative in public policies. This pattern is characterized by private initiatives in policy making. The data shows that President Beidu submitted a proposal to the National People Congress in 2014 which ultimately made the Chinese Government make a policy of supporting the private space industry (Chen, 2017).⁴⁴ In this relationship pattern there is also a coordination strategy. The coordination strategy allows the country to carry out several interventions in an effort to avoid a crisis. Considering the crisis is vulnerable to occur in cooperation that does not have the capacity of the state as a supervisor. This pattern can arise because the country is weak and business dominates. Thus, in the case of China's private space industry, this pattern appears anomalously. China is a strong country and business groups are new industries so they are still weak.

Conclusion

The conclusion that can be drawn from the discussion above related to the relationship of the state and business groups in the development of the private space industry are a mutually supportive relationship. The cooperative relationship occurs with business groups as pioneers, but the state remains as the main actor by coordinating and supervising cooperation to be effective. When linked to the theoretical basis that the author uses, this paper supports the concept of governed interdependence in which there is a bureaucratic relationship, a state-industrial network of industrial organizations that support state capacity then produce

⁴⁴ Chen, S. (2017, June 12). Space the Final Frontier for Chinese Start-ups and Venture Capitalists. *South China Morning Post* Publishers Ltd. Retrieved from <http://www.scmp.com/news/china/article/1947369/space-final-frontier-chinese-start-ups-and-venture-capitalists>

strategic industrial policies that increase innovation so that it becomes a competitive industry. However, in this paper the authors find that this pattern can also arise in strong and weak business countries. This is driven by a strategic capacity industry that supports national strategies.

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Dinamika Hubungan Sipil-Militer di Zimbabwe: dari Pra-Merdeka hingga Lengsernya Robert Mugabe

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ABSTRACT

This paper study about the dynamics of the civil-military relations in Zimbabwe's politics. That civil-military relations dynamics tracked since the pre-independence until 2017 at the impeachment of 37 years Robert Mugabe's power. Two models of civil-military relations according to Huntington, i.e., the subjective and objective civil-military relations is used to analyze the pattern of relationships that formed during the reign of Mugabe. This paper is a descriptive study with data collection through the study documentation. The results indicate that civil-military relations in Zimbabwe take place dynamically. The early reign of Mugabe puts the military on their professionalism. However, in the next, the military used as a political tool to retain power making the pattern of civil-military relations become subjective control. Next, constitutional amendment sought to encourage the military to apolitical even though at the end back into the subjective control before finally shedding its support on Mugabe to keep his interests.

ABSTRAK

Tulisan ini membahas mengenai dinamika hubungan sipil-militer dalam politik di Zimbabwe. Dinamika hubungan sipil-militer tersebut dilacak sejak era pra kemerdekaan hingga lengsernya Robert Mugabe pada 2017 yang berkuasa selama 37 tahun. Dua model hubungan sipil-militer menurut Huntington, yakni hubungan sipil-militer subjektif dan objektif digunakan untuk melihat pola relasi yang terbentuk selama kekuasaan Mugabe. Tulisan ini merupakan jenis penelitian deskriptif dengan pengumpulan data melalui studi dokumentasi. Hasil kajian ini menunjukkan bahwa hubungan sipil-militer di Zimbabwe berlangsung dinamis. Awal pemerintahan Mugabe menempatkan militer pada profesionalismenya. Namun, dalam perjalanannya, militer digunakan sebagai alat politik untuk mempertahankan kekuasaan sehingga menjadikan pola hubungan sipil-militer menjadi kontrol subjektif. Selanjutnya, amandemen konstitusi mendorong militer untuk apolitis meskipun pada akhirnya kembali menjadi kontrol subjektif sebelum akhirnya menanggalkan dukungannya pada Mugabe untuk tetap menjaga kepentingannya.

Pendahuluan

Tulisan ini berusaha melacak perjalanan historis dinamika pola hubungan sipil-militer dalam politik Zimbabwe. Pelacakan perjalanan historis itu dimulai dari masa perjuangan kemerdekaan hingga lengsernya Robert Mugabe. Robert Mugabe sendiri adalah Presiden Zimbabwe yang berkuasa sejak kemerdekaan negaranya dari Inggris pada tahun 1980. Eksistensi kekuasaannya mampu bertahan selama 37 tahun hingga 2017. Keberhasilan mempertahankan kekuasaan selama hampir empat dekade itu tidak dapat dilepaskan oleh dukungan kekuatan militer.

Kekuasaan otoriter di mana pun, dalam sejarahnya, selalu ditopang oleh eksistensi kekuatan militer. Karena itu, Samuel Huntington menyatakan bahwa jatuhnya rezim otoriter sangat bergantung pada sejauhmana militer menarik dukungannya terhadap rezim.¹ Artinya, durasi eksistensi otoritarianisme akan sangat ditentukan oleh sikap, posisi, dan kontribusi militer pada rezim tersebut. Hal itulah yang terjadi pada Mugabe.

Selama 37 tahun kepemimpinan Mugabe, militer tidak jarang diarahkan untuk melakukan sebuah konspirasi guna mencapai kepentingannya dalam mempertahankan kekuasaan, baik dengan memboikot pemilu, maupun mengontrol masyarakat untuk tidak melakukan perlawanan terhadap aturan yang ditetapkan. Baik Mugabe maupun militer bersifat saling bergantung sehingga kekuatan militer dan otoritas eksekutif seolah menjadi kombinasi dalam mengeksploitasi negara. Meski militer tidak terlibat secara langsung dalam *day to day politics* Zimbabwe, namun dalam setiap kebijakan maupun keputusan Mugabe, kedudukan dan kepentingan militer tidak dapat dikesampingkan sehingga berimplikasi pada pembentukan skema peran militer yang dipolitisasi.²

Akan tetapi, pada 14 November 2017, terjadi gejolak politik yang menandai era baru dalam politik Zimbabwe. Angkatan Pertahanan Zimbabwe (*Zimbabwe Defence Force/ZDF*) melakukan sebuah operasi untuk mengambil alih daerah-daerah penting di ibukota Harare, menempatkan tank dan kendaraan militer di jalan, menyita siaran umum dan surat kabar, menduduki tempat tinggal Presiden, hingga menahan sejumlah Menteri Kabinet dan pejabat lainnya. Meski militer membantah untuk disebut melakukan kudeta, namun tindakan tersebut dilihat sebagai upaya melengserkan Mugabe.³

Krisis politik kemudian pecah. Masyarakat Zimbabwe menuntut mundurnya Mugabe. Para politisi di parlemen membicarakan upaya dan proses pemakzulan presiden berusia 93 tahun tersebut. Puncaknya pada 21 November 2017, hari ketika parlemen Zimbabwe memulai proses pemakzulannya, Mugabe melayangkan surat pengunduran diri dan meminta agar transisi kekuasaan berlangsung secara damai dan tanpa kekerasan.

“Saya, Robert Mugabe... dengan ini menyatakan pengunduran diri saya ... dengan cepat. Keputusan untuk mengundurkan diri ini saya lakukan secara sukarela dan muncul dari keprihatinan saya atas kesejahteraan rakyat Zimbabwe, serta keinginan saya untuk memastikan peralihan kekuasaan yang mulus, damai, dan tanpa kekerasan sehingga mewujudkan keamanan nasional, perdamaian, dan stabilitas... Mohon untuk memberi pemberitahuan ini kepada publik atas pengunduran diri saya sesegera mungkin, seperti yang ditulis dalam Pasal 96, Sub-Bab 1 Konstitusi Zimbabwe. Salam

¹ Samuel P. Huntington, *Gelombang Demokratisasi Ketiga* (Jakarta: Pustaka Utama Grafiti, 1995), 190.

² Godfrey Maringira dan Tyanai Masiya, “Implications of a Politicised Military,” *Zimbabwe Independent*, 11 Desember 2017, <https://www.theindependent.co.zw/2017/12/11/implications-politicised-military/> (diakses 15 Desember 2017).

³ Adam Taylor, “Zimbabwe : When A Coup Is Not A Coup?,” *The Washington Post*, https://www.washingtonpost.com/news/worldviews/wp/2017/11/15/zimbabwe-when-a-coup-is-not-a-coup/?utm_term=.c07cf8316f4a, (diakses 12 Desember 2017).

sejahtera, Robert Gabriel Mugabe, Presiden Republik Zimbabwe.”⁴

Demikian penggalan surat Mugabe yang dibacakan juru bicara parlemen Jacob Mudenda. Mantan Wakil Presiden Emmerson Mnangagwa, yang sebelumnya dipecat oleh Mugabe, kemudian ditunjuk sebagai Presiden. Naiknya Mnangagwa memberikan banyak harapan kepada rakyat untuk menuju pelaksanaan demokrasi yang lebih baik di Zimbabwe. Namun di lain pihak, Mnangagwa sendiri adalah orang yang memiliki kedekatan khusus dengan militer, apalagi Mnangagwa mempunyai latar belakang militer. Bahkan muncul dugaan bahwa operasi militer yang terjadi sebenarnya disengaja untuk menyokong lahirnya rezim kepemimpinan Mnangagwa untuk melindungi kepentingan militer yang tidak dapat terpenuhi lagi di dalam rezim Mugabe.⁵

Hal ini kemudian menarik untuk dikaji terkait dinamika hubungan sipil militer yang berlangsung dalam perjalanan politik Zimbabwe. Eksistensi Mugabe ditopang oleh dukungan militer, namun dalam perjalanannya kekecewaan dalam tubuh institusi militer kemudian mendorong upaya pelengseran Mugabe sendiri. Lengsernya Mugabe selanjutnya melahirkan kepemimpinan baru yang juga tidak dapat dilepaskan dari posisi dan peran militer.

Beberapa penelitian telah mengkaji tentang hubungan sipil-militer di Zimbabwe era Mugabe. Williamsom, misalnya, mengkaji aspek struktural dan historis intervensi militer di Zimbabwe sekaligus menawarkan *demonstrative model* untuk

mereformasi hubungan sipil-militer.⁶ Rupiya melihat hubungan sipil-militer di Zimbabwe sejak merdeka hingga Pemilu 2002 ketika institusi politik militer tampil sebagai suatu kekuatan politik utama.⁷ Adapun Bratton membahas tentang hubungan sipil-militer di Zimbabwe antara tahun 2008-2013 dan tantangan internal dalam mendorong terjadinya *power-sharing* di Zimbabwe.⁸ Penelitian lain seperti Chisaira,⁹ Southall,¹⁰ dan International Crisis Group¹¹ membahas militerisme di Zimbabwe dan keberlanjutan dominasi militer pasca lengsernya Mugabe. Adapun tulisan ini memiliki batasan rentang waktu yang cukup panjang yakni berusaha mengurai dinamika hubungan sipil-militer yang berlangsung sejak perjuangan kemerdekaan, era kemerdekaan, kekuasaan Mugabe hingga perpecahan antara militer dan rezim yang ditandai dengan lengsernya Mugabe dan lahirnya pemerintahan baru.

⁶ Jeremiah I. Williamson, “Seeking Civilian Control: Rule of Law, Democracy, and Civil-Military Relations in Zimbabwe,” *Indiana Journal of Global Legal Studies*: Vol. 17: Issue. 2, Summer: 2010, 389-411.

⁷ Maryin R. Rupiya, “Civil-Military Relation in Zimbabwe: Is There a Threat?,” https://oldsite.issafrica.org/uploads/OURSELVES_RUPIYA.PDF (diakses 11 Desember 2017).

⁸ Michale Bratton, “Institutional Obstacles to Power-Sharing in Zimbabwe: Civilian-Military Relations, 2008-2013,” Paper prepared for presentation on a panel on “Institutional Designs and Innovations in Power Sharing” at the 23rd IPSA World Congress, Montreal, Canada, July 19-24, 2014.

⁹ Lenin Tinashe Chisaira, “Zimbabwe’s November 2017 Military Action: A Critique on Constitutionalism, Liberation Armies and Political Realities,” November 2017, <https://www.researchgate.net/publication/321278208>, (diakses 11 Desember 2018).

¹⁰ Roger Southall, “Bob’s Out, the Croc Is In: Continuity or Change in Zimbabwe?,” *Africa Spectrum*, 52, 3/2017, 81-94.

¹¹ International Crisis Group, “Zimbabwe’s “Military-assisted Transition and Prospects for Recovery,” *Crisis Group Africa Briefing* N°134, 20 December 2017.

⁴ Choirul Arifin, “Presiden Zimbabwe Robert Mugabe Mundur Setelah 37 Tahun Berkuasa,” *Tribun News*, 22 November 2017, <http://www.tribunnews.com/internasional/2017/11/22/presiden-zimbabwe-robert-mugabe-mundur-setelah-37-tahun-berkuasa> (diakses 3 Januari 2018).

⁵ Yvonne Rowa, “After Mugabe: Why The Role of Zimbabwe’s Army Can’t Be Trusted?,” *The Conversation*, 26 November 2017, <https://theconversation.com/after-mugabe-why-the-role-of-zimbabwes-army-cant-be-trusted-87872>, (diakses 11 Desember 2017).

Metode Penelitian

Penelitian ini menggunakan metode deskriptif-kualitatif untuk menggambarkan permasalahan penelitian yang mengacu pada penyampaian fakta-fakta yang berhubungan dengan fokus penelitian tersebut.¹² Teknik pengumpulan data dilakukan melalui studi dokumentasi (library research), di mana data-data dikumpulkan melalui berbagai sumber tertulis, seperti buku, jurnal, artikel *online*, dan *website* resmi.

Tinjauan Pustaka: Hubungan Sipil-Militer

Fokus tulisan ini adalah tentang hubungan sipil-militer. Kajian tentang hubungan sipil-militer identik dengan politik dan pemerintahan di negara-negara berkembang, terutama di negara yang dipimpin oleh pemerintahan yang otoriter seperti Zimbabwe. Secara konseptual, hubungan sipil-militer merujuk pada luasnya interaksi antara kekuatan bersenjata (militer) sebagai institusi dengan berbagai sektor masyarakat (sipil). Hubungan ini fokus pada adanya distribusi dan pemisahan kekuasaan antara pemerintah (sipil) dengan militer dalam suatu negara.¹³

Menurut Huntington, hubungan sipil-militer dapat dilihat dari dua model, yaitu *subjective civilian control* dan *objective civilian control*.¹⁴ *Subjective civilian control*, yakni hubungan sipil-militer yang memaksimalkan kekuasaan sipil dan meminimalkan kekuasaan militer. *Objective civilian control*, yakni hubungan sipil-militer yang memaksimalkan profesionalisme militer dan menunjukkan adanya pembagian kekuasaan politik antara kelompok militer dan kelompok sipil yang kondusif menuju

perilaku profesional. Hubungan sipil-militer menjadi subjektif ketika salah satu dari sejumlah kekuatan yang berkompetisi dalam masyarakat berhasil mengontrol militer dan menggunakannya untuk tujuan dan kepentingan politik. Sementara, hubungan yang objektif mengandung adanya profesionalisme militer yang tinggi sesuai bidangnya sehingga meminimalisasi intervensi militer dalam politik dan minimalisasi intervensi politik dalam militer.

Terkait profesionalisme militer, Amos Perlmutter membagi profesionalisme militer menjadi dua, yakni profesionalisme personel dan profesionalisme korps.¹⁵ Profesionalisme personel meliputi keahlian, tanggung jawab dan kesatuan korps, yang didukung adanya sifat ulet, tekun, tegar, patuh, tulus, disiplin, dan menyenangkan profesinya. Sedangkan profesionalisme korps meliputi adanya spesialisasi peran, yang didukung satu sumber otoritas kekuasaan. Antara keduanya memiliki hubungan yang saling mempengaruhi. Lebih lanjut, profesionalisme militer memiliki tiga ciri.¹⁶ *Pertama* yakni *expertise* (keahlian), yaitu adanya pengetahuan dan keahlian dalam bidang perang. *Kedua* adalah *responsibility* (tanggung jawab), di mana loyalitas militer hanya kepada negara tanpa preferensi kepada siapa pun. *Ketiga*, *corporateness* (karakter korporasi), yaitu memiliki semangat kesatuan dan sejalan dengan doktrini institusi militer. Apabila militer terlibat dalam politik, maka ia disebut tidak profesional dan hal itu dipandang telah terjadi apa yang disebut sebagai pembusukan politik (*political decay*).

Lebih lanjut, keterlibatan militer dalam politik ini disebut dengan istilah pretorianisme. Pretorianisme mengacu pada situasi dimana militer tampil sebagai aktor politik utama yang dominan dan secara langsung menggunakan kekuasaan atau mengancam dengan menggunakan kekuasaan

¹² Ulber Silalahi, *Metode Penelitian Sosial* (Bandung: PT. Refika Aditama, 2012), 28.

¹³ Johanna Mendelson Forman and Claude Welch, *Civil-Military Relations: USAID'S Role*, (Washington: Center for Democracy and Governance Bureau for Global Programs, Field Support, and Research U.S. Agency for International Development, 2008), 7-8.

¹⁴ Samuel P. Huntington, *The Soldier and The State: The Theory and Politics of Civil-Military Relations* (Massachusetts: Harvard University Press, 1957), 80.

¹⁵ Dalam Peter Britton, *Profesionalisme dan Ideologi Militer Indonesia* (Jakarta: LP3ES, 1996), 11-36.

¹⁶ Samuel P. Huntington, *The Soldier and The State*, 8-10. Lihat juga dalam Muhadjir Effendy, *Profesionalisme Militer: Profesionalisasi TNI* (Malang: UMM Press, 2008).

mereka.¹⁷ Secara sederhana, pretorianisme merupakan campur tangan atau keterlibatan militer dalam politik. Selanjutnya, dalam tulisan ini, istilah atau konsep pretorianisme digunakan untuk menunjukkan keterlibatan militer dalam politik yang selanjutnya mempengaruhi pola hubungan sipil-militer yang terbentuk dalam perjalanan sejarah politik Zimbabwe.

Hasil dan Pembahasan Eksistensi Militer di Era Pra Kemerdekaan (1960-1980)

Pengakuan kemerdekaan atau pembebasan Zimbabwe dari kolonial Inggris pada 18 April 1980 menjadi titik awal untuk melihat eksistensi militer dalam politik Zimbabwe. Hal ini disebabkan karena pemerintah Zimbabwe maupun institusi militer sendiri baru secara resmi didirikan dan diakui pasca kemerdekaan negara tersebut. Tetapi, peran militer Zimbabwe sebenarnya telah terlihat bahkan sebelum kemerdekaan, tepatnya di mana Zimbabwe masih berada di bawah pengaruh otoritas Inggris.

Saat itu militer merupakan pendukung utama gerakan sipil oleh orang-orang kulit hitam yang berencana untuk mengubah sistem politik Rhodesia (nama Zimbabwe saat masih menjadi bagian kekuasaan Inggris) menuju kepada sistem yang lebih independen. Untuk merealisasikan hal tersebut, terdapat dua kelompok ternama yang dibentuk oleh gerakan sipil yaitu *Zimbabwe African National Union* (ZANU) yang dipimpin oleh Robert Mugabe dan *Zimbabwe African People's Union* (ZAPU) di bawah pimpinan Joshua Nkomo. Masing-masing dari kelompok ini memiliki sayap militer yang berbeda dengan sebutan *Zimbabwe African National Liberation Army* (ZANLA) yang mendukung kelompok ZANU serta *Zimbabwe People's Revolutionary Army* (ZIPRA) yang mendukung kelompok ZAPU.

Pada beberapa perang gerilya, ZANLA dan ZIPRA berada pada satu garis aliansi untuk melawan tentara Rhodesia. Namun pada peperangan skala besar yang

disebut dengan Perang Belukar Rhodesia atau *Rodhesian Bush War* dalam skema perang saudara pada tahun 1960-an, baik ZANLA maupun ZIPRA tidak saling mendukung yang kemudian menyebabkan wilayah Rhodesia berada dalam situasi darurat militer. Kelompok sipil yang terpecah juga mengakibatkan tidak adanya kepastian damai di wilayah tersebut, hingga akhirnya Inggris memutuskan untuk menjembatani negosiasi perdamaian yang berujung kepada kesepakatan penghentian perang dan pelaksanaan pemilihan umum untuk kelompok sipil Rhodesia di tahun 1980.

Dalam hal ini, kemenangan diraih oleh Robert Mugabe sebagai Perdana Menteri baru Rhodesia sekaligus menjadi sebuah simbol kemerdekaan. Pasca pemilu ini dilaksanakan barulah Inggris dan beberapa negara lainnya bersedia mengakui Rhodesia sebagai negara yang merdeka, yang kemudian diikuti dengan berubahnya identitas negara. Rhodesia berganti nama menjadi Zimbabwe dengan ibu kota Harare yang kemudian dikenal hingga saat ini.

Posisi dan Peran Militer Pasca Kemerdekaan (1980-1990)

Setelah merdeka, Zimbabwe menerapkan sistem pemerintahan parlementer di bawah rezim Mugabe. Birokrasi dan institusi negara ditata untuk memberikan pelayanan bagi masyarakat. Tidak terkecuali pada institusi militer, ZANLA, ZAPRI, maupun mantan tentara Rhodesia diintegrasikan dalam *Zimbabwe National Army* (ZNA) dan dirangkul bersama Angkatan Udara Zimbabwe (*Air Force Zimbabwe/ AFZ*) di bawah satuan gabungan institusi pertahanan Zimbabwe yaitu *Zimbabwe Defence Force* (ZDF).¹⁸

ZDF secara keseluruhan ditujukan untuk melindungi negara sesuai dengan prioritas utama profesionalismenya. Tetapi secara spesifik, militer juga diarahkan kepada sebuah doktrin militer berdasarkan konstitusi Zimbabwe yang memuat fungsi-fungsi utama militer seperti: (a) Mempertahankan kemerdekaan, kedaulatan, dan integritas teritorial, serta kepentingan nasional

¹⁷ Eric A. Nordlinger, *Militer dalam Politik, Kudeta dan Pemerintahan* (Jakarta: Rineka Cipta, 1990), 6.

¹⁸ Jeremiah I. Williamson, "Seeking Civilian Control," 391.

Zimbabwe, (b) Berpartisipasi dalam pembuatan arsitektur keamanan regional yang umum, (c) Berkontribusi pada pemeliharaan perdamaian dan stabilitas internasional, (d) Memberikan bantuan militer kepada otoritas sipil pada saat dibutuhkan.¹⁹

Dalam konteks ini, pemerintahan Mugabe mengarahkan militer pada profesionalismenya, terlihat dengan kerangka kerja yang mengerahkan dan mengalokasikan kekuatan militer tidak hanya berfokus untuk mengembangkan kapasitas berperang demi melindungi negara, tetapi juga menyediakan bantuan jasa di berbagai bidang kehidupan masyarakat dengan memberikan bantuan secara fisik maupun material. Di sisi lain, pasukan pertahanan Zimbabwe yang merupakan gabungan dua kekuatan Angkatan Udara (AZF) dan Angkatan Darat (ZNF) dalam fungsinya untuk memantau dan membela wilayah teritorial telah berhasil memberikan lingkungan yang kondusif untuk membangun ekonomi Zimbabwe.

Tindakan militer ini mengacu pada pemenuhan perannya yaitu *Military Assistance to Civil Community* (MACC) yang bersamaan dengan dua peran lainnya yaitu *Military Assistance to Civil Ministries* (MACM) dan *Military Assistance to Civil Authorities* (MACA).²⁰ Agenda kerja militer ini secara keseluruhan dilaksanakan di bawah mandat Mugabe yang didukung dengan implementasi yang nyata dari pihak militer. Dalam kaitannya dengan ini, tampak bahwa militer menjalankan profesionalismenya di awal pemerintahan Mugabe. Hal ini setidaknya menunjukkan terbentuknya relasi sipil-militer yang objektif di mana institusi militer menjalankan tugas, fungsi, dan perannya sesuai dengan profesionalisme yang ada.

Tetapi, dalam perjalanannya, gejolak politik yang terjadi di Zimbabwe beberapa tahun setelah merdeka menjadi salah satu

penyebab ketidakstabilan negara. Permasalahan utama yaitu persaingan dan perebutan kekuasaan oleh kelompok ZANU dan ZAPU yang berkembang menjadi dua partai politik besar di Zimbabwe. Selain berlatar belakang karena konflik etnis antara etnis Ndebele (ZAPU) yang melawan adanya hegemoni kekuasaan oleh orang-orang yang ditunjuk Mugabe dari etnis Shona (ZANU). Mugabe juga menuntut adanya penyerahan hak prerogatif partai ZAPU kepada pemerintah yang ditolak keras oleh pihak ZAPU sehingga menyebabkan lahirnya konflik yang berujung pada sebuah peristiwa Pembantaian Gukurahundi.

Pembantaian Gukurahundi sendiri merupakan teror politik yang disponsori oleh Mugabe pada tahun 1983 dengan melibatkan kekuatan militer yang diarahkan untuk melakukan intimidasi, kekerasan, bahkan pembunuhan. Sasarannya adalah para pendukung partai ZAPU yang dianggap sebagai pembangkang karena memilih untuk menjadi oposisi dan tidak menuruti tuntutan pemerintah. Peristiwa ini menyebabkan sekitar 8.000 orang terbunuh dalam kurun waktu tiga tahun sejak dimulainya peristiwa tersebut.²¹

Pembantaian Gukurahundi ini berakhir di tahun 1987 dengan penandatanganan kesepakatan untuk mempersatukan partai ZANU dan ZAPU di bawah *Zimbabwe African National Union-Patriotic Front* (ZANU-PF) yang berkembang menjadi partai politik dengan otoritas terbesar di Zimbabwe. Terjadinya peristiwa pembantaian ini sekaligus menandai titik awal terjadinya maksimalisasi kekuatan militer untuk melindungi sebuah kepentingan pihak tertentu, khususnya kepentingan politik Mugabe. Hal ini sekaligus menunjukkan terjadinya kontrol yang subjektif atas militer dari yang sebelumnya objektif.

Pelibatan kekuatan militer dalam urusan politik Zimbabwe tidak berhenti sampai di situ. Beberapa peristiwa dalam skema kontrol subjektif terhadap militer dilakukan oleh Mugabe menjadi sebuah kultur politik yang dipraktikkan secara berkelanjutan. Kontrol subjektif ini menjadi

¹⁹ "Zimbabwe Military-Doctrine, <https://www.globalsecurity.org/military/world/africa/zw-doctrine.htm>, (diakses 25 Desember 2017).

²⁰ "Zimbabwean Soldiers in Peacetime," *Chronicle News*, 11 Agustus 2015, <http://www.chronicle.co.zw/zimbabwean-soldiers-in-peacetime/> (diakses 11 Desember 2017).

²¹ Jeremiah I. Williamson, "Seeking Civilian Control," 392.

tidak terelakkan karena, menurut Williamson, adanya dukungan regulasi dalam konstitusi Zimbabwe yang mengatur tentang bagaimana konstitusi menempatkan presiden sebagai panglima tertinggi pasukan pertahanan yang memiliki kekuatan untuk menyatakan perang atau berdamai, serta menentukan penggunaan operasional pasukan pertahanan.²²

Selain itu, dengan adanya prinsip bahwa militer juga harus memenuhi perannya dalam *Military Assistance to Civil Authorities* (MACA) yang secara tidak langsung harus mendukung keputusan pemerintah maka hal-hal tersebutlah yang kemudian menjadikan posisi Mugabe semakin diperkuat untuk dapat mengoperasikan militer sesuai dengan kepentingan politiknya. Pada kenyataannya, proses implementasi konstitusi maupun prinsip militer sering kali disalahgunakan, sehingga secara tidak langsung berdampak pada hubungan sipil-militer yang menghasilkan pretorianisme yang memberikan peluang intervensi militer dengan lebih jauh dalam urusan politik negara.

Hubungan Sipil-Militer Era 1990-2017

Tahun 1990, pemilihan umum Presiden pertama kali dilaksanakan setelah perubahan konstitusi negara yang dilakukan oleh Mugabe pada tahun 1987 untuk menciptakan sistem pemerintahan presidensial.²³ Pemilu ini kiranya dipandang sebagai awal keberlangsungan demokratisasi di Zimbabwe. Pemilu dipastikan akan dilaksanakan setiap lima tahun sekali. Tapi dengan syarat bahwa Mugabe dapat mencalonkan diri untuk waktu yang tidak terbatas. Pemilu yang menjadi indikator demokrasi elektoral atau demokrasi prosedural yang berlangsung di Zimbabwe ini membawa Mugabe untuk memenangkan pemilu sekaligus berkuasa selama lima kali masa jabatan: tahun 1990, 1996, 2002, 2008, dan 2013. Tetapi, hasilnya tidak terlepas dari kritik dan kecaman dari masyarakat

internasional yang melihat adanya politisasi militer untuk melindungi rezim berkuasa.

Hal tersebut diperjelas dengan peristiwa yang terjadi beberapa bulan menjelang pemilu di tahun 2002. Militer secara eksklusif memproklamasikan dirinya bahwa mereka tidak akan mendukung kepresidenan yang tidak berpartisipasi dalam upaya perang kemerdekaan. Hal ini dilakukan seiring terbentuk dan berkembangnya partai politik *Movement for Democratic Change* (MDC) yang dipimpin oleh Morgan Tsvangirai di tahun 1999. MDC memiliki pengaruh yang cukup luas untuk dapat mengambil suara rakyat dalam beberapa agenda demokrasi yang menjadi prioritas utamanya. Eksistensi MDC sekaligus menjadi ancaman bagi Mugabe dan partai politiknya yang pada saat itu mengalami *social distrust* akibat intervensi militer setelah sebelumnya sempat netral dan apolitis akibat tuntutan masyarakat sipil di akhir tahun 1999.²⁴ Bahkan posisi militer cukup dominan, di mana secara sepihak militer menyatakan berhak untuk menetapkan kriteria bagi orang-orang yang dapat menjadi kandidat presiden. Sejak saat itu, militer bahkan mengancam untuk memveto setiap hasil pemilu yang bertentangan dengan kandidat pilihannya.²⁵

Akhirnya, Mugabe kembali memenangkan pemilihan presiden tahun 2002 untuk masa jabatan ketiga. Hal ini memicu perdebatan, mengingat pernyataan militer yang berjanji untuk menyokong kandidat Presiden tertentu yang sesuai dengan kriteria pilihannya. Kemenangan Presiden Mugabe dianggap tidak adil karena keberpihakan militer. Bahkan militer sendiri membenarkan bahwa militer menolak kepemimpinan di bawah partai MDC dan tidak akan menerima pemimpin tanpa keterlibatan dalam perang kemerdekaan. Selain itu, kepemimpinan MDC juga dianggap berbahaya sebab akan

²² Jeremiah I. Williamson, "Seeking Civilian Control," 399.

²³ "Keterangan Dasar Negara Republik Zimbabwe," <https://www.kemlu.go.id/harare/id/Pages/Zimbabwe.aspx>. (diakses 11 Desember 2017).

²⁴ Martin R Rupiye, "Civil-Military Relations in Zimbabwe."

²⁵ Elias Mambo, "Army Must Stay Away From Politics," *Zimbabwe Independent*, 9 Oktober 2015, <https://www.theindependent.co.zw/2015/10/09/army-must-stay-away-from-politics/> (diakses 11 Desember 2017).

berpotensi untuk mengembalikan kolonialisme di Zimbabwe dengan asumsi bahwa MDC merupakan bagian dari sekutu yang akan menjadi boneka Inggris untuk menjalankan pemerintahan di Zimbabwe.²⁶

Namun demikian, dalam pemilu tahun 2008, MDC justru mampu meraih suara lebih banyak dari pada ZANU-PF. Suara Morgan Tsvangirai dalam pemilihan presiden unggul dengan 47.9% suara dibanding Robert Mugabe hanya mendapatkan 43.2% suara.²⁷ Akan tetapi, hal ini tidak secara langsung mengantarkan Tsvangirai untuk menduduki kursi kepresidenan. Hasil pemilu ternyata ditangguhkan karena alasan yang tidak jelas. Robert Mugabe yang dikabarkan siap untuk menyerahkan kursi kepresidenan ternyata tidak mendapat persetujuan dari pihak militer yang mendukungnya. Alasannya karena, militer sendiri mengetahui konsekuensi terhadap kekalahan Mugabe secara otomatis akan merugikan mereka. Militer memandang karakter dari kepemimpinan MDC sangat kontra terhadap militer sehingga memungkinkan mereka untuk dapat menuntut militer berdasarkan peristiwa pemilu sebelumnya.

Posisinya yang terancam akan kehilangan hak-hak istimewa (*privileged*) jika rezim Mugabe berakhir mendorong militer kemudian menyepakati kesepakatan dengan Mugabe untuk menjamin pemilihannya kembali.²⁸ Sebagaimana ketika Mugabe memberikan mandat pertama kali kepada militer untuk melakukan sebuah pembantaian terhadap para pendukung ZAPU yang dianggap membangkang terhadap pemerintah, hal yang sama juga dipraktikkan. Operasi militer dilakukan dengan aksi kekerasan, penyiksaan, pembantaian, bahkan pembunuhan yang ditargetkan kepada para pendukung partai MDC. Tindakan ini

dimaksudkan untuk memberikan tekanan kepada mereka agar tidak memberikan dukungan terhadap MDC di putaran kedua pemilu. Dalam kurun waktu beberapa bulan, jumlah korban tercatat kurang lebih 85 orang terbunuh, 1.300 orang disiksa, dan 35.000 lainnya kehilangan tempat tinggal setelah aksi pembakaran rumah yang dilakukan oleh pasukan militer.²⁹

Setelah kejadian ini, dan karena kekhawatiran terhadap pendukungnya, pemimpin partai MDC Morgan Tsvangirai mengumumkan untuk tidak mengikuti pemilihan tahap kedua, yang akhirnya mengantarkan kembali Mugabe dilantik untuk masa jabatan baru. Pada titik inilah, tampak pola hubungan sipil-militer yang lahir sangat subjektif dan militer menjadi institusi yang terlibat secara langsung dalam aktivitas politik bahkan dengan penggunaan kekerasan untuk kepentingan politik tertentu. Hal ini menunjukkan tidak sehatnya pola hubungan sipil-militer yang lahir di era pemerintahan Mugabe. Polarisasi hubungan sipil-militer yang seperti ini berlangsung selama bertahun-tahun di Zimbabwe, dan sebagai akibatnya baik militer maupun rezim pemerintahan membentuk keadaan saling ketergantungan satu sama lain dalam sebuah sistem patronase yang mengakibatkan eskalasi konflik berbasis politisasi militer di Zimbabwe tidak kunjung reda.

Tetapi apa yang terjadi pada pemilihan umum di tahun 2013 tampak berbeda dengan proses pemilu di tahun-tahun sebelumnya. Meskipun Robert Mugabe kembali menjadi kandidat terpilih dengan suara yang jauh lebih besar dari Tsvangirai, namun hasil pemilihan ini tidak menimbulkan kontroversi, kehadiran militer untuk memboikot hasil pemilihan umum seperti pada pemilu-pemilu sebelumnya tidak ditemukan. Kekalahan MDC, menurut Tendi, ditafsirkan sebagai sebuah kesalahan fatal akibat kampanye yang tidak efektif sebelum pemilu karena menghadapi kendala finansial. Sementara di sisi lain, ZANU-PF mengalahkan MDC dengan cara yang adil,

²⁶ "Presiden Zimbabwe Menuduh Inggris-AS Pembohong," *Liputan 6*, 3 Desember 2004, <http://global.liputan6.com/read/91032/presiden-zimbabwe-menuduh-inggris-as-pembohong> (diakses 11 Desember 2017).

²⁷ "Zimbabwe-2008 Elections," <https://www.globalsecurity.org/military/world/afrika/zw-politics-2008.htm> (diakses 11 Desember 2017)

²⁸ Jeremiah I. Williamson, "Seeking Civilian Control," 397.

²⁹ Jeremiah I. Williamson, "Seeking Civilian Control."

yang menyebabkan rakyat jatuh cinta kembali pada partai ini.³⁰

Lebih lanjut, tahun 2013 juga sekaligus menjadi tahun di mana amandemen dan pemberlakuan konstitusi tahun 2013 dilaksanakan. Perubahan konstitusi ini juga diarahkan untuk mengatur dan memperjelas kedudukan militer di dalam politik Zimbabwe. Penjelasan terhadap fungsi maupun tugas militer Zimbabwe diatur dalam Bagian 1 tentang *General Provision* (ayat 206-210) dan Bagian 2 tentang *Defence Forces* (ayat 211-218).³¹ Hal yang penting dalam konstitusi ini adalah adanya aturan tentang posisi militer yang harus apolitis dan tidak diperkenankan untuk memihak kepada kelompok tertentu. Militer dituntut untuk menghormati hak dan kebebasan fundamental semua orang.

Pada poin ini, konstitusi 2013 setidaknya menunjukkan tentang hubungan sipil-militer ke arah yang sehat sesuai dengan profesionalisme militer. Selain itu, konstitusi 2013 ini juga memperbaharui aturan mengenai masa jabatan presiden terpilih yang hanya diperbolehkan memimpin selama dua kali masa jabatan atau maksimal 10 tahun. Tetapi, tidak berlaku mundur untuk Presiden Mugabe sendiri. Dengan kata lain, Mugabe diperbolehkan untuk dipilih kembali untuk masa jabatan kedua dalam pemilu di tahun 2018.

Militer dan Lengsernya Robert Mugabe

Namun, apa yang terjadi di tahun 2017 menjadi titik balik bagi upaya menempatkan militer pada profesionalismenya. Alih-alih menjadi institusi yang profesional, dorongan untuk memperoleh kembali hak-hak istimewanya (*privileged*) mendorong intervensi politik militer. Intervensi ini diidentifikasi

sebagai sebuah upaya kudeta oleh berbagai pihak, termasuk masyarakat lokal dan dunia internasional. Aksi militer yang melakukan pengepungan terhadap kediaman presiden, para pejabat dan menteri, jalanan umum, bahkan media massa menjadi indikasi upaya kudeta. Meskipun begitu, militer yang menolak operasinya dikatakan sebagai sebuah kudeta, lebih memilih untuk menyebutnya sebagai sebuah tindakan untuk menangkap “penjahat” di sekitar presiden yang dianggap sebagai akar permasalahan yang telah banyak menyebabkan penderitaan sosial dan krisis ekonomi berkepanjangan di Zimbabwe.³²

Tindakan yang dilakukan oleh militer ini mengindikasikan tidak harmonisnya hubungan antara militer dan Mugabe. Tindakan tersebut dapat dilihat sebagai usaha untuk meninggalkan rezim Mugabe yang selama ini ditopangnya. Tidak hanya itu, tindakan militer dapat pula ditafsirkan memiliki motif yang lebih besar dari pada sekedar menggantikan pemimpin. Sebab, krisis suksesi terjadi di Zimbabwe, di mana memunculkan perdebatan tentang siapa yang akan menggantikan kekuasaan Mugabe. Krisis suksesi ini memicu persaingan dalam internal partai ZANU-PF sebagai partai yang berkuasa, terutama karena Mugabe lebih mempersiapkan istrinya Grace dalam suksesi.

Fakta menunjukkan bahwa setelah Robert Mugabe secara resmi mengundurkan diri pada 22 November 2017, Emmerson Mnangagwa yang sebelumnya dipecat Mugabe sebagai Wakil Presiden untuk memuluskan langkah Grace, kemudian ditunjuk sebagai Presiden. Naiknya Mnangagwa memunculkan optimisme tentang demokratisasi di Zimbabwe. Tetapi, di lain pihak, Mnangagwa sendiri adalah orang yang memiliki kedekatan khusus dengan militer, apalagi Mnangagwa mempunyai latar belakang militer. Bahkan muncul dugaan bahwa operasi militer yang terjadi sebenarnya disengaja untuk menyokong lahirnya rezim kepemimpinan Mnangagwa untuk melindungi kepentingan militer yang tidak dapat terpenuhi lagi di dalam rezim Mugabe.³³

³⁰ Blessing-Miles Tendi, “Why Robert Mugabe Scored a Landslide Victory In Zimbabwean Election,” *The Guardian*, 5 Agustus 2013, <https://www.theguardian.com/world/2013/aug/05/robert-mugabe-zimbabwe-election-zanu-pf>, (diakses 11 Desember 2017).

³¹ “Constitution of Zimbabwe Amendment (NO 20),” http://www.parl.zim.gov.zw/component/k2/download/1290_da9279a81557040d47c3a2c27012f6e1 (diakses 27 Desember 2017).

³² Adam Taylor, “Zimbabwe : When A Coup”.

³³ Yvonne Rowa, “After Mugabe.”

Mnangagwa merupakan anggota partai ZANU-PF dari etnis Ndebele. Militer berada dalam barisan pihak yang mendukung kepemimpinan Mnangagwa. Dalam hal ini, Mnangagwa sendiri yang dalam catatan reputasi militernya, merupakan salah satu personil utama yang diandalkan untuk melancarkan beberapa operasi militer yang digunakan untuk mencapai kepentingan politik. Misalnya pada operasi militer di tahun 1983-1987 tepatnya dalam Pembantaian Gukuruhundi, Mnangagwa juga turut terlibat sebagai bagian dari militer yang melakukan pembantaian terhadap para pendukung partai ZAPU pada waktu itu. Meskipun Mnangagwa sendiri sempat tidak menyetujui keterlibatannya, namun beberapa laporan dari surat kabar yang dikelola oleh negara menginformasikan bahwa Mnangagwa turut mendukung aksi tersebut.³⁴

Selain itu, Mnangagwa juga dikabarkan menjadi aktor utama yang memberikan kontribusi ide dalam menggencarkan kampanye kekerasan politik di tahun 2008 untuk mengantisipasi kekalahan Mugabe dari Morgan Tsvangirai dalam pemilihan umum di putaran pertama. Suksesnya operasi militer untuk menghapuskan kubu oposisi terkuat tersebut yang mengantarkan Mugabe ke kursi kepresidenan untuk keempat kalinya kemudian menjadi catatan prestasi Mnangagwa. Hal ini kemudian diapresiasi dengan pengangkatannya sebagai wakil presiden pada tahun 2014. Artinya, posisi Mnangagwa sebagai wakil presiden perlu dibaca sebagai representasi kepentingan militer di pemerintahan. Sehingga, pemecatannya sebagai wakil presiden memicu polemik dalam institusi militer yang selanjutnya mendorong upaya kudeta terhadap Mugabe.

Karena itu, kursi presiden yang diduduki Mnangagwa diprediksikan sebagai bentuk dan hasil konspirasinya dengan militer

untuk menurunkan rezim Mugabe. Peristiwa pemecatannya dilihat sebagai sebuah penghinaan terhadap harga diri militer, terlebih dengan pencalonan Greece Mugabe sebagai calon suksesor. Mnangagwa sendiri juga merupakan orang ambisius yang dinilai haus akan kekuasaan. Asumsi ini didukung dengan adanya pernyataan dari Mnangagwa sendiri yang disampaikan melalui beberapa media beberapa hari setelah pemecatannya, yang mengatakan bahwa ia menyayangkan tindakan Presiden Mugabe yang dianggap tidak benar untuk memasukkan dirinya sebagai salah satu kubu oposisi yang harus dibersihkan dalam rangka meneruskan suksesi kepemimpinan yang ditujukan untuk keluarganya. Kekecewaannya itu ditunjukkan ketika mengumumkan pada rakyat Zimbabwe, bahwa suatu saat nanti ia akan kembali ke Zimbabwe sebagai seorang pemimpin yang akan memberikan kesejahteraan kepada rakyatnya.³⁵ Pada akhirnya, pernyataannya tersebut benar-benar dibuktikan, di mana selang beberapa hari setelah pemecatannya, diikuti dengan upaya kudeta yang akhirnya menempatkan Mnangagwa sebagai presiden, setelah sempat melakukan pengasingan diri di luar negeri.

Kesimpulan

Uraian dalam tulisan ini menunjukkan bahwa akar historis pola relasi hubungan sipil-militer dalam politik telah dimulai sejak perjuangan kemerdekaan. Kemerdekaan Zimbabwe selanjutnya mengantar Robert Mugabe sebagai presiden. Awal pemerintahan Mugabe menempatkan militer pada profesionalismenya. Namun, dalam perjalanannya, militer digunakan sebagai alat politik untuk mempertahankan kekuasaan Mugabe sehingga menjadikan pola hubungan sipil-militer menjadi kontrol subjektif.

Selanjutnya, amandemen konstitusi pada tahun 2013 menandai upaya menempatkan militer sesuai dengan profesionalismenya. Konstitusi menuntut militer untuk apolitis. Namun, faktanya,

³⁴ Andrew Simmons, "Zimbabwe: Victims Of Mass 1980s Killings Still Wait For Justice," *Al-Jazeera*, 11 Desember 2017, <http://www.aljazeera.com/news/2017/12/zimbabwe-es-president-implicated-1980s-massacres-171210133044991.html>, (diakses 15 Desember 2017).

³⁵ Lebo Diseko, "Emmerson Mnangagwa : Will He Be Different From Mugabe?," *BBC News*, 24 November 2017, <http://www.bbc.com/news/world-africa-42073481> (diakses 11 Desember 2017).

upaya untuk melanggengkan dominasi kekuasaan Mugabe menjadikan militer menyokong keberlanjutan rezim. Hal ini tidak terlepas dari hak-hak istimewa yang dimiliki oleh militer. Namun, upaya Mugabe untuk mewariskan kekuasaan kepada istrinya dan memecat wakil presiden Mnangagwa dipandang sebagai ancaman bagi kepentingan pihak militer. Karenanya, dukungan militer terhadap Mugabe berbalik arah yang ditandai dengan upaya kudeta.

Tindakan militer ini dipandang sebagai skenario untuk menjadikan Mnangagwa sebagai presiden yang dinilai dapat menjaga kepentingan militer. Hal ini menunjukkan dinamika pasang surut hubungan sipil-militer dalam politik Zimbabwe dari kontrol objektif menjadi kontrol subjektif, kemudian menjadi kontrol objektif hingga kembali kontrol subjektif sebelum akhirnya menanggalkan dukungannya pada Mugabe untuk tetap menjaga kepentingannya. Pada akhirnya, beralihnya dukungan militer atas Mugabe

menandai berakhirnya kekuasaan Mugabe selama 37 tahun. Hal ini sejalan dengan penegasan Huntington, bahwa eksistensi kekuasaan otoriter sangat ditentukan oleh posisi militer. Namun kepemimpinan Mnangagwa, sebagaimana temuan Southall, mengindikasikan kelanjutan dari pemerintahan otoriter, alih-alih mendorong reformasi.

Implikasi tulisan ini mempertegas kembali bahwa hubungan sipil-militer dalam pemerintahan otoriter akan selalu bersifat kontrol subjektif karena pemerintahan otoriter ditopang oleh kekuatan militer. Kemudian, berakhirnya pemerintahan otoriter cenderung selalu diawali dengan penarikan dukungan oleh militer terhadap rezim. Namun, momentum berakhirnya era otoritarianisme akan menjadi peluang bagi militer untuk tetap kembali menjadi aktor politik utama ketika tampilnya pemerintahan yang baru difasilitasi oleh militer.

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Article

When FIFA Rules the World: Hegemoni FIFA Terhadap Indonesia Dalam Kasus Pembekuan PSSI 2015-2016

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A B S T R A C T

The bitter sanctions against the Indonesian Football Association (PSSI) by the Fédération Internationale de Football Association (FIFA) in 2015-2016 revealed an irritate reality regarding how weak the position of the state is; when dealing with organizations that are considered as representations of global institutions in the world of football. Therefore, Indonesia's powerlessness has made the question why the state is powerless before FIFA as an international organization finds its importance. Using the Coxian approach to understand the World Orders, this article argues that FIFA's hegemony supported by three main aspects, namely; first, the idea of football which is a populist sport, must be separated from the political intervention of state power. Second, FIFA's material capacity has made football as a sport with high economic value, even in Indonesia itself. Finally, supported by the previous two aspects, the governance of FIFA institutions has gripped various regions of the world, so that it has created hegemony superstructure in the world of football. Using critical analysis, the intellectual work of this paper does not only intend to improvise in the selection of topics but also presents alternative narratives in the contemporary constellation of contemporary international relations studies.

A B S T R A K

Kasus sanksi terhadap Persatuan Sepak Bola Seluruh Indonesia (PSSI) oleh The Fédération Internationale de Football Association (FIFA) pada tahun 2015-2016 telah mengungkap realitas pahit menyangkut betapa lemahnya posisi negara ketika berhadapan dengan organisasi yang dianggap sebagai representasi institusi global di dalam dunia sepak bola. Oleh karena itu, ketidakberdayaan Indonesia menjadikan pertanyaan mengapa negara tidak berdaya dihadapan FIFA sebagai sebuah organisasi internasional menemukan arti pentingnya. Menggunakan pendekatan Coxian dalam memahami World Orders, artikel ini berpendapat, hegemoni FIFA terhadap Indonesia berlandaskan pada tiga basis utama; pertama, ide terkait sepak bola yang merupakan olahraga populis, sehingga harus terlepas dari intervensi politik kekuasaan negara. Kedua, kapasitas material FIFA yang telah menjadikan sepak bola sebagai olahraga dengan nilai ekonomis yang tinggi, bahkan di Indonesia sendiri. Terakhir, ditopang oleh dua aspek sebelumnya, tata-kelola institusi FIFA telah mencengkram berbagai kawasan di dunia ini, sehingga

memunculkan superstruktur hegemoni di dalam dunia sepak bola. Menggunakan analisis kritis, kerja intelektual tulisan ini, tidak hanya bermaksud berimprovisasi dalam pemilihan topik namun juga menyajikan narasi alternatif di dalam konstelasi studi hubungan internasional kontemporer dewasa ini.

Introduction

Pada 30 Mei 2015, *Fédération Internationale de Football Association* (FIFA) resmi menjatuhkan sanksi kepada Indonesia berupa larangan bertanding di turnamen Internasional serta larangan mendapatkan bantuan dari FIFA beserta Konfederasi Sepak Bola Asia (AFC), mencakup pemberhentian dana bantuan program atau kursus. Larangan ini, dijatuhkan tanpa batas waktu tertentu, hingga syarat-syarat yang diberikan oleh FIFA dipenuhi oleh PSSI dan Indonesia sendiri sebagai sebuah negara.

Sanksi ini berlandaskan pada justifikasi FIFA yang menganggap pemerintah Indonesia telah mengintervensi kegiatan PSSI selaku organisasi sepakbola nasional yang berada di bawah koordinasi FIFA selaku institusi global yang melarang adanya campur tangan pemerintah terhadap organisasi sepak bola pada aras nasional. Seperti yang terungkap dalam pernyataan berikut “*FIFA's decision "resulted from the effective 'take over' of the activities of PSSI (the Indonesian football association) by the Indonesian authorities,"* dan oleh karenanya, “*All Indonesian national teams (national or club) are prohibited from having international sporting contact which includes participating in FIFA and AFC competitions*”.¹

Menyikapi kejadian ini, rakyat Indonesia terusik, dikarenakan publik harus

menghadapi kenyataan Tim Nasional sepak bola Indonesia tidak berlaga di panggung internasional, bahkan organisasi yang menaungi seluruh organisme sepak bola di bumi pertiwi akan terancam mati-suri sampai FIFA mencabut sanksi yang diberikan kala itu. Sedangkan selama ini, sepak bola telah dianggap sebagai sebuah *Fiesta* rakyat yang memiliki basis pendukung luar biasa besar di Indonesia.

Hal ini memunculkan amarah publik yang menuduh KEMENPORA melakukan intervensi terhadap PSSI, terutama merujuk pada Statuta FIFA yang melarang campur tangan negara di dalam organisasi sepak bola nasional untuk menjalankan tugasnya sebagai anggota FIFA. Lebih jauh lagi publik menjustifikasi seluruh drama KEMENPORA *versus* PSSI ini merupakan sebuah drama politik kekuasaan yang sedang dilancarkan oleh rezim yang berkuasa, serta menuntut untuk KEMENPORA segera mencabut sanksi kepada PSSI.² Seluruh prosesnya semakin di dramatisasi dan menjadi sebuah santapan publik yang hanya bisa menerka – nerka kausalitas dari permasalahan yang terjadi.

¹ Seperti yang termuat di dalam sumber media online <http://www.channelnewsasia.com/news/sport/football-fifa-suspends/1882540.html> diakses pada tanggal 26 Desember 2015 pukul 00.00 WIB

² Septi, Amalia. 2015. “Gelar Demonstrasi, Jakmania Minta Menpora Cabut SK Pembekuan PSSI”. Diakses secara daring pada halaman <https://sport.detik.com/sepakbola/liga-indonesia/2988856/gelar-demonstrasi-jakmania-minta-menpora-cabut-sk-pembekuan-pssi> pada tanggal 19 Agustus 2018 pukul 00.00 WIB

Setidaknya, terdapat 3 (tiga) tulisan yang telah membahas permasalahan antara Indonesia, PSSI, dan FIFA. Pertama, tulisan Khrisna Ariyanto bertajuk “*Analyzing the Conflict between Football Organizations in Indonesia*” fokus pada dinamika permasalahan antara FIFA, Indonesia, PSSI, dan Komite Penyelamatan Sepak Bola Indonesia (KPSI) yang terjadi sejak tahun 2011.³ Menggunakan *Drama Theory* dan *Graph Model for Conflict Resolution*, artikel ini menjelaskan dinamika konflik yang terjadi, tulisan ini memberikan gambaran pola-pola yang terjadi di dalam konflik antar aktor dalam kasus yang diangkat.

Kedua, tulisan yang secara spesifik membahas tentang kasus sanksi yang dijatuhkan oleh FIFA kepada Indonesia ditulis oleh Indra Kusumawardhana dan Muhammad Badarrudin. Tulisan dengan tajuk “*FIFA and Sport Sovereignty: Analyzing the Triangular Relationship among the FIFA, Kemenpora RI, and the PSSI*” telah mengungkap cara-cara FIFA menegasikan kedaulatan negara untuk menegakkan kedaulatan sepak bola di dalam sistem internasional.⁴ Adapun, tulisan ketiga, ditulis oleh Tibortius Melkior Saceira dengan judul “Diplomasi Indonesia Dalam Mengakhiri Sanksi FIFA Tahun 2015”, menghadirkan konsep diplomasi tulisan ini mengklaim bahwasanya Indonesia

menggunakan pendekatan *Multi-track Diplomacy* dalam meretas solusi dalam menghadapi sanksi yang dijatuhkan oleh FIFA.⁵

Bertolak dari pustaka terdahulu di atas, jika kebanyakan tulisan-tulisan yang ada fokus pada upaya menjawab pertanyaan “*How*” atau “*How could*” di dalam dinamika permasalahan yang terjadi. Tulisan ini fokus kepada pertanyaan “*Why*” dalam mengungkap hegemoni FIFA terhadap Indonesia selaku negara yang memiliki kedaulatan dengan sebuah organisasi yang merepresentasikan *global sport governance*. Oleh karenanya, pertanyaan sentral yang akan disasar oleh artikel ini adalah mengapa negara, dalam konteks ini Indonesia, tidak berdaya menghadapi FIFA sebagai sebuah organisasi yang mengelola sepak bola dunia? Menggunakan pendekatan *Coxian* yang menyinggung tentang super-struktur dari hegemoni dari tatanan dunia (*world orders*), artikel ini mengklaim bahwasanya ketidakberdayaan Indonesia bersumber pada hegemoni FIFA telah berhasil menegakkan dominasi terselubung sebagai Organisasi Internasional non-negara yang mempunyai *sport sovereignty*.

Adapun hegemoni FIFA, menurut artikel ini, ditopang oleh popularitas sepakbola yang merepresentasikan ide olah raga universal, kapasitas material FIFA dalam menopang aktifitas sepakbola dunia, dan institusi-institusi yang berada di dalam koordinasi FIFA. Kekuatan FIFA dengan menggunakan popularitas sepak bola menjadi

³ Ariyanto, Khrisna. "Analyzing the Conflict between Football Organizations in Indonesia." *Procedia-Social and Behavioral Sciences* 115 (2014): 430-435.

⁴ Kusumawardhana, Indra dan Muhammad Baddarudin. “FIFA and Sport Sovereignty: Analyzing the Triangular Relationship among the FIFA, Kemenpora RI, and the PSSI.” *Proceeding Re-examining Governance: Strengthening Citizenship in The Changing World* (2016): 237

⁵ Saceira, Tibortius. ““Diplomasi Indonesia Dalam Mengakhiri Sanksi FIFA Tahun 2015”.” *eJournal Ilmu Hubungan Internasional*, 2018, 6 (1) 095-108

tantangan nyata terhadap *post-westphalian model* dengan menerobos batas – batas kedaulatan negara – bangsa dalam hal ini menculik salah satu cabang olah raga yakni sepak bola dari *Domestic Sovereignty* sebuah negara serta melemahkan kapasitas negara dalam mengatur pranata domestik dalam kedaulatannya.

Metode Penelitian

Penelitian ini merupakan penelitian deskriptif menggunakan pendekatan kualitatif. Metode kualitatif dianggap menjadi pilihan terbaik ketika mengkaji kehidupan manusia untuk kasus-kasus terbatas, sifatnya kasuistik dan kontekstual namun mendalam (*in depth*) dan bersifat total atau menyeluruh (*holistic*), dalam arti tidak mengedepankan pemilahan-pemilahan gejala secara konseptual ke dalam aspek-aspeknya yang eksklusif dan terisolir. Siapa pun yang terlibat dalam bentuk penelitian ini harus menerapkan cara pandang penelitian yang bersifat induktif, berfokus terhadap makna individual dan menerjemahkan kompleksitas sebuah situasi.

Teknik pengumpulan data menggunakan upaya pengumpulan data sekunder. Data sekunder diperoleh dari bahan hukum primer yang difokuskan kepada bahan-bahan studi dokumen atau kepastasaan seperti buku, majalah, dokumen resmi dari FIFA, makalah-makalah, jurnal, artikel-artikel, surat kabar serta situs-situs internet yang berkaitan dengan objek yang ditulis. kepastasaan berupa, literatur terkait seperti naskah ilmiah, media massa, laporan penelitian serta dokumen yang relevan.

Theoretical Framework: Global Private Governance dan Hegemoni

Seperti yang telah dinyatakan sebelumnya; tulisan ini akan mengkaji varian dari institusi global yang belum banyak mendapat perhatian yakni FIFA. Salah satu konsep yang tersedia untuk memahami keberadaan FIFA adalah dengan mengkaitkannya sebagai *Global Private Governance* yang telah begitu lama eksis di dalam sistem internasional. *Global Private Governance* (GPG) secara umum dipandang sebagai sebuah fenomena baru yang sarat dengan nuansa globalisasi neo-liberal.⁶ Walaupun, baik *international Olympic Committee* (IOC) yang didirikan tahun 1894 dan *International Federation of Association Football* (FIFA) yang didirikan pada tahun 1904 jauh lebih tua dari semua institusi - institusi *intergovernmental* yang telah banyak menjadi kajian dalam studi hubungan internasional pasca Perang Dunia Ke-II dan kajian – kajian globalisasi kontemporer. Bahkan, realitas menunjukkan bahwa olah raga internasional memiliki rezim pemerintahan yang canggih hingga mampu mempertahankan klaim absolut berkaitan dengan sifat otonom dari seluruh hukum – hukum negara dan otoritas publik.⁷ “*The character of global sport law as transnational autonomous order created by the private global institutions has inspired legal scholars to compare the lex sportiva to the lex mercatoria*”.⁸

⁶ Dingwerth, Klaus and Philipp Pattberg. 2006. ‘Global Governance as Perspective on World Politics.’ *Global Governance* 12(2), 185-203.

⁷ Chappelet, Jean Loup. *Autonomy of Sport in Europe*. 2010. Strasbourg: Council of Europe Publishing.

⁸ Foster, Ken. "Is there a global sports law." *Ent. L.* 2 (2003): 2

Menurut tulisan ini, melemahnya otoritas negara dalam kasus FIFA sangat relevan jika dilihat dari sudut pandang ini. Dikarenakan FIFA memiliki kecanggihan postur pemerintahan yang jauh dari sekedar investasi yang dilakukan para perusahaan trans-nasional sekalipun. Terutama dalam kasus sepak bola sebagai representasi kultur dan ekonomi global yang mempunyai otoritas yang bersifat global seperti FIFA, negara memiliki tantangan dikarenakan FIFA mengatur aktivitas yang sangat spesifik dan menyangkut kegemaran rakyat yang berada di dalam kotak kedaulatan yang melingkupinya. Preferensi dari warga dunia yang sangat menggemari sepak bola sebagai olah raga dapat kita takar hanya dari satu kalimat berikut “*With more than 200-member associations the Fédération Internationale de Football Association (FIFA) is one of the largest nonprofit organizations in the world*”.⁹

Secara kritis, tulisan ini melihat bahwasanya postur FIFA sebagai satu-satunya organisasi global yang mengatur sepakbola, menjadikannya sangat berkuasa untuk dapat mengatur olahraga yang memiliki basis penggemar yang sangat luar biasa luas ini. Oleh karenanya, konsep hegemoni menjadi penting dalam kaitan membahas kekuasaan FIFA di dalam sistem internasional, terutama dalam konteks menjawab keingintahuan seputar ketidakberdayaan negara menghadapi FIFA.

Konsep hegemoni di dalam studi hubungan internasional dihadirkan oleh Robert Cox selaku pioneer pendekatan kritis

⁹ Eick, Volker. "A neoliberal sports event? FIFA from the Estadio Nacional to the fan mile." *City* 14, no. 3 (2010): 278-297.

di dalam Hubungan Internasional dengan meminjam buah pemikiran progresif Gramsci seorang Marxis Italia. Karya – karya progresif Gramsci yang terserak di dalam berbagai catatan penjara ketika menjadi tahanan politik di bawah rezim Mussolini telah memberikan ilham terhadap cendekia ilmu sosial setelah Zamannya, termasuk Cox yang menggunakannya sebagai batu loncatan dalam memahami hegemoni di dalam sistem internasional. Oleh karenanya, memahami pemikiran Gramsci sangat penting sebagai pintu masuk pendekatan tulisan ini. Hegemoni di dalam pemikiran Gramsci digambarkan sebagai “*hegemony rests on the ability of a dominant class to form a consensual relationship with subaltern classes through a variety of social and cultural channels*”.¹⁰ Dalam perspektif ini, kekuasaan dikonstruksikan bukan melalui koersi, kekerasan, ataupun paksaan, melainkan dengan menggunakan konsensus dan kontrol.¹¹

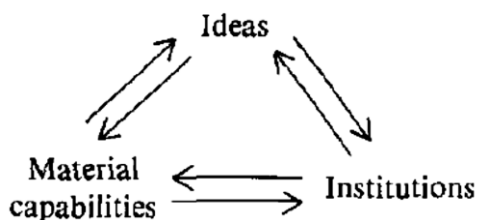
Kerja intelektual Cox beranjak lebih jauh dalam mengelaborasi konsep Gramsci tentang basis struktur dan superstruktur, dalam upaya kritisnya meretas pendekatan alternatif di dalam teori hubungan internasional. Cox memainkan fleksibilitas pemahaman Gramsci tentang relasi kekuasaan di dalam masyarakat domestik dengan mengangkat level of analysis-nya untuk menelaah relasi

¹⁰ Gramsci, Antonio. *Selections from the Prison Notebooks of Antonio Gramsci*: Ed. and Transl. by Quintin Hoare and Geoffrey Nowell Smith. Eds. Geoffrey Nowell-Smith, and Quintin Hoare. International Publishers, 1971. (55–60, 415–25)

¹¹ Sugiono, Muhadi. “Kritik Antonio Gramsci terhadap pembangunan dunia ketiga”. Pustaka Pelajar. 1999. Hal.35

kekuasaan di dalam sistem internasional. Robert Cox menggambarkan hegemoni sebagai suatu manifestasi struktur sosial, ekonomi, dan politik yang diekspresikan dalam bentuk norma-norma universal, institusi-institusi, dan mekanisme-mekanisme yang mendasari aturan dan tingkah laku negara serta *civil society* yang melampaui batas-batas nasional – suatu tatanan yang menopang mode produksi yang dominan.¹²

Gambar.1: Three Categories of Forces



Dalam konteks menciptakan tatanan, menurut Cox ada tiga macam kekuatan yang berinteraksi di dalam struktur yang disinggung oleh Gramsci yakni kapasitas material, ide, dan institusi - institusi. Dimana hegemoni menuntut ketiganya berinteraksi secara resiprokal dalam mengartikulasikan potensi – potensi untuk melakukan rekonfigurasi kekuatan sosial “.....a fit between material power, ideology and institutions, hegemony may seem to lend itself to a cyclical theory of history; the three dimensions fitting together in certain times and places and coming apart in others”. Penekanan terhadap sifat interaksinya yang berpola serupa siklus di dalam sejarah menjadikan aspek - aspek tersebut tidak memiliki sistematika yang kaku namun lebih bersifat lentur dan interaktif saling mempengaruhi secara resiprokal.

¹² Hadiwinata, B. S., 2002. *Politik Bisnis Internasional*. Kanisius. Hal. 47

Dimensi pertama yang dicermati oleh tulisan ini adalah Institusionalisasi, dimana aktus institusionalisasi dalam pemahaman politik merupakan alat untuk melakukan stabilisasi, penyelarasan dan pelanggengan sebuah tatanan sosial. Menurut Cox (1981) “*Institutions reflect the power relations prevailing at their point of origin and tend, at least initially, to encourage collective images consistent with these power relations*”. Dimana di dalam pemahaman kritis tulisan ini, institusi selalu memiliki kecenderungan politis dikarenakan ketidakberdayaannya terhadap relasi kekuasaan antar aktor yang menjadi entitas politik di dalamnya. Karena institusi menyediakan kanal-kanal untuk mengatur konflik – konflik internal bahkan mencegah penggunaan kekuatan dalam

Sumber: Cox, Robert W. "Social forces, states and world orders: beyond international relations theory." *Millennium* 10, no. 2 (1981): 137. *but* *cut* *ich* *a hegemonic strategy since they lend themselves both to the representations of diverse interests and to the universalisation of policy*".¹³ Trajektori tata kelola sepak bola dunia yang telah lama diinstitusionalisasikan di bawah keberadaan FIFA menemukan relevansinya dengan pandangan ini, sehingga keberadaannya tidak bisa dipisahkan dengan potensi munculnya hegemoni etis di berbagai agenda yang dipromosikannya.

Kemudian “Kapasitas Material” (*Material Capabilities*) menjadi dimensi ketiga yang menopang hegemoni FIFA, dimana menurut Cox memainkan peran potensi – potensi destruktif dan produktif. Seperti yang dijelaskan oleh Cox sebagai

¹³ Cox, Robert W. "Social forces, states and world orders: beyond international relations theory." *Millennium* 10, no. 2 (1981): 137.

berikut “*In their dynamic form these exist as technological and organisational capabilities, and in their accumulated forms as natural resources which technology can transform, stock equipment (e.g industries and armaments), and the wealth which can command these*”. Menurut pemahaman tulisan ini, di dalam wujudnya yang dinamis, ada tiga aspek penting dalam memahami artikulasi dari kapasitas material dari kekuatan-kekuatan sosial di dalam struktur hegemon yakni kapasitas organisatoris, penggalangan dana secara ekstensif, dan penguasaan teknologi di ranah praktis dapat menjadi instrumen untuk mengkonsolidasikan konsensus antar aktor di dalam sistem internasional (Baik aktor negara maupun non-negara).

Dimensi kekuatan ide menjadi konsep ketiga dalam tulisan ini; kekuatan ide berdasarkan penjelasan Cox, memuat dua bentuk; intersubjektif dan kolektif. Pertama, ide yang memainkan peran sebagai kekuatan intersubjektif di dalam benak antar aktor, dimana makna – makna intersubjektif yang direproduksi aktor di dalam interaksinya berperan sebagai makna bersama yang melandasi hakekat alami hubungan antar aktor di dalam sistem internasional. Keberadaan makna bersama sangat penting adanya, karena mampu memunculkan semacam ekspektasi dan pola hubungan yang dianggap wajar dari perilaku aktor di dalam sistem sosial. Sedangkan bentuk kedua dari ide, memainkan peran untuk memunculkan citra bersama (*Collective Images*) yang dipatuhi sebagai sebuah tatanan di dalam sistem sosial. Dimana keberadaannya memberikan pemahaman terhadap aktor terkait *the nature and the legitimacy of*

*prevailing power relations, the meanings of justice and public good, and so forth.*¹⁴

Pembahasan

Tata Kelola FIFA Sebagai Institusi Global

Sepak Bola telah menjadi cabang olah raga yang paling populer di dunia, setidaknya realitas ini terjadi sejak akhir abad kesembilan belas dimana sepak bola digaungkan dalam tataran internasional oleh Inggris. Sepak Bola menjadi permainan yang mendunia yang berkembang secara kultural diberbagai komunitas sosial seluruh kontinen dunia.¹⁵

Menariknya, hingga saat ini, di dalam dunia sepak bola hanya mengenal satu organisasi internasional yang mempunyai wewenang untuk mengatur hal – hal yang berkaitan dengan sepak bola yakni FIFA baik dalam tataran global, regional bahkan nasional; mengacu pada realitas ini FIFA dapat dikatakan sebagai representasi dari *Global Governance* dalam sepak bola. Keberadaannya menjadi akar tunjang untuk berlangsungnya olah raga yang dapat dianggap hiburan paling massal di dunia. Menurut Cox, *an international organization ‘functions as a process through which the institutions of hegemony and its ideology are developed’*.¹⁶ Sehingga keberadaan FIFA sebagai organisasi satu-satunya yang

¹⁴ Cox, Robert W. "Social forces, states and world orders: beyond international relations theory." *Millennium* 10, no. 2 (1981): 136.

¹⁵ Giulianotti, Richard, ed. *Sport and modern social theorists*. Hampshire: Palgrave Macmillan, 2004.

¹⁶ Cox, Robert W., and Timothy J. Sinclair. *Approaches to world order*. No. 40. Cambridge University Press, 1996. 139

menaungi seluruh organisme institusi sepakbola dunia baik pada tataran regional maupun nasional dapat dikatakan menjadi representasi penting dari pendapat Cox tersebut. Meskipun Cox sendiri, tidak membahas FIFA sebagai diskursus inti dari teorisasi yang Cox lakukan.

Keunikan dari pemerintahan yang dilakukan oleh FIFA merupakan ujud dari keinginan untuk melakukan monopoli terhadap olah raga. Setiap pihak yang berkepentingan di dalam olah raga internasional baik itu atlet, federasi olah raga, konsumen hiburan olah raga, otoritas publik dan kepentingan komersil mendapatkan keuntungan yang signifikan dari kompetisi yang digulirkan oleh pemerintahan global olah raga yang menderas hingga level nasional tiap – tiap negara anggota.¹⁷

Namun, kompetisi yang baik menuntut peraturan yang stabil dan jelas serta konsisten, dimana hal ini hanya bisa dilakukan dengan maksimal melalui monopoli regulasi itulah FIFA dengan statuta-nya.¹⁸ Kontribusi unik yang tidak tergantikan ini telah berlangsung sangat lama bahkan semakin menguat setelah FIFA dalam era kepemimpinan Joao Havelange (1974) melebarkan sayapnya kepada negara – negara yang baru muncul pasca perang dunia kedua. Seperti yang diungkap oleh Bill Crane dalam tulisannya “*How FIFA ruined Soccer*”.

FIFA as it exists today is the creation of its last president, João Havelange, who

¹⁷ Neale, Walter C. "The peculiar economics of professional sports: A contribution to the theory of the firm in sporting competition and in market competition." *The Quarterly Journal of Economics* (1964): 1-14.

¹⁸ Scully, Gerald W. *The market structure of sports*. University of Chicago Press, 1995.

*unseated Stanley Rous, long known for supporting apartheid soccer teams. After coming to power in 1974, Havelange presided over FIFA's transformation into a fully corporate structure, financed by sponsorship deals rather than contributions from national and regional federations. Under Havelange FIFA executed an unprecedented turn toward the nations of the Global South, which it had previously ignored but who were now international soccer's fan base. But the turn wasn't an inclusive gesture. It was designed to capitalize on business opportunities in rapidly growing countries like Mexico — where Havelange's associates were accused of bribery in connection with the 1992 World Cup and future Olympic games — and Brazil, where Swiss authorities estimated Havelange himself took over \$50 million in bribes during the 1990s.*¹⁹

Kepedulian FIFA yang sebelumnya bisa dikatakan merupakan simbol dari kekuatan imperium kolonial akhirnya menunggangi kesempatan yang ditawarkan oleh Globalisasi dalam mengakumulasi kapital melalui ekspansi pasar yang sebelumnya hanya berpusat pada tangkai – tangkai ekonomi benua biru eropa menuju seluruh dunia. Perubahan ini terakomodasi dengan adanya momentum dekolonialisasi pasca Perang Dunia II yang memunculkan negara – negara baru yang terbentuk pasca bangkitnya gelombang nasionalisme melawan Imperialisme kolonial. Meskipun banyak yang mengkritik kepentingan kapitalis yang dibawa oleh FIFA, namun indahnya sepak

¹⁹ Dikutip dari media online <https://www.jacobinmag.com/2015/06/sepp-blatter-world-cup-qatar-charges/>. Diakses pada 05 Januari 2016 pukul 11.00

Kapasitas Material FIFA Sebagai Representasi Global Sport Governance

Namun dalam hal ini, dapat dikatakan landasan dari postur pemerintahan FIFA sebagai aktor non- negara yang bersifat lintas-batas teritori negara-bangsa mempunyai dua modalitas yakni satu kekuatan sepak bola sebagai olah raga yang mendunia kemudian kekuatan kapital yang didukung oleh pihak – pihak yang ingin mengambil keuntungan dari kompetisi sepak bola yang digulirkan oleh negara – negara anggota FIFA. Dua kekuatan ini menjadi keunikan FIFA dalam memaksakan peraturannya terhadap negara – negara yang ingin mempunyai tim sepak bola yang diakui oleh dunia internasional. Sebuah organisasi internasional non-negara yang sangat canggih mampu lepas dari kaca mata kritis publik yang tidak dapat melihat sifat dari otoritas FIFA dalam sistem internasional.

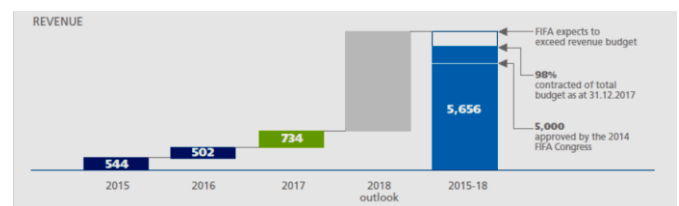
Kekuatan kapital yang didukung oleh sponsor perusahaan – perusahaan multi-nasional besar memuluskan proses komersialisasi sepak bola yang dilakukan FIFA serta menyokong kekuatan politik FIFA dalam melegitimasi otoritasnya yang bersifat otonom terhadap negara – negara yang memiliki liga - liga dalam tataran nasional serta tim nasional sebagai representasi dari kebanggaan nasional.

However, commercialization has further increased FIFA's importance as an arena of identity politics. Not only has FIFA's membership experienced a massive growth; improved revenues have also enabled

*FIFA to grant substantial development aid.*²³

Terlebih lagi, sepak bola di bawah komando FIFA telah berkembang menjadi bisnis raksasa yang melibatkan jutaan manusia baik sebagai target pasar maupun aktor-aktor yang terlibat langsung dalam tata kelola sepak bola dunia. Setidaknya gambaran tersebut dapat dilihat dari grafik di bawah ini.

Grafik.1
FIFA Revenue 2015-2018 (Outlook)²⁴



Berdasarkan grafik.1, dapat dilihat begitu luar biasanya peningkatan akumulasi kapital yang didapatkan oleh FIFA jika ditakar dari *revenue* setiap tahunnya, dalam jangka waktu 4 tahun perputaran kapital yang dilakukan dalam dunia sepak bola terus menunjukkan grafik peningkatan. Sepak bola yang memang memiliki basis massa yang sangat luar biasa besar di dunia ini menjadikannya sebagai bisnis yang menawarkan potensi pasar tanpa batas. Baik dari aspek penyiaran laga-laga sepak bola di seluruh dunia, bahkan hingga kapitalisasi

²³ Eisenberg, Christiane. "FIFA 1975-2000: The business of a football development organisation." *Historical Social Research/Historische Sozialforschung* (2006): 55-68.

²⁴ FIFA Financial Report, 2017. Halaman online: <https://resources.fifa.com/image/upload/fifa-financial-report-2017.pdf?cloudid=pinrmrodexmnqoettgqw>. Terakhir akses 19 Agustus 2018.

dari pemain-pemain bintang yang bertebaran di berbagai liga-liga sepak bola di dunia ini. Potensi pasar tersebut dapat kita pahami melalui ilustrasi berikut.

an estimated 250 million people are direct participants, around 1.4 billion have an interest,¹ and football's flagship tournament, the World Cup finals, attracts a cumulative global television audience of 33.4 billion.² Only relatively recently has the game's unparalleled cross-cultural appeal been realized financially. In 1998, football's world governing body, FIFA,³ controlled contracts worth some £4 billion; by 2001, world football's turnover was estimated at around £250 billion, equivalent to the Netherlands' GDP.²⁵

Ilustrasi di atas dapat menjadi gambaran betapa masif dan ekstensif olah raga ini, seperti mengalir deras di dalam pusaran urat nadi peradaban manusia; bahkan jika diperbolehkan untuk menarik kesimpulan meminjam tipologi Durkheim mengenai bentuk – bentuk kultur kontemporer dapat dikatakan Sepak Bola merupakan sebuah urusan yang serius (*Football is a serious life*). Bahkan peningkatan pendapatan FIFA melalui bisnis sepak bola tidak terpengaruh oleh kasus “*FIFA Corruption Scandal*” yang menimpa FIFA di tahun 2015, hingga menyebabkan beberapa petinginya masuk penjara.²⁶

²⁵ Walvin, James. "The Only Game." (2001).

²⁶ Baxter, Kevin. "Soccer federation presidents arrested in widening FIFA corruption probe". 2015. Halaman:

Dari sini kita dapat melihat bahwa terakumulasinya kapital melalui menduniannya sepak bola menjadikan FIFA sebuah organisasi yang mandiri dan otonom. Dalam hal ini petinggi FIFA bebas mendistribusikan kebijakan yang menurutnya sesuai dengan kepentingan FIFA terhadap negara – negara yang memiliki organisasi sepak bola yang menjadi anggota FIFA. Pendapat ini selaras dengan pendapat Giulianotti dan Robertson yang menyatakan bahwa “*FIFA's executive is now capable of organizing majorities among the FAs by employing distributional policies.*”²⁷

Kapasitas material FIFA semakin terlihat luar biasa dalam kasus sanksi yang menimpa sepak bola Indonesia, Akibat diberi sanksi oleh FIFA, dampak internal yang dialami Indonesia antara lain adalah FIFA menghentikan bantuan yang biasanya diberikan sebesar USD 250.000 kepada Indonesia untuk perbaikan sarana dan prasarana olahraga juga sebagai pembinaan pemain usia muda selanjutnya pemain dan wasit yang berasal dari Indonesia mengalami kerugian karena hilangnya mata pencarian mereka akibat tidak adanya kompetisi di Indonesia dan terakhir hilangnya sponsor akibat dibekukannya PSSI, perginya pemain asing untuk mengikuti kompetisi di negara lain menyebabkan daya tarik sepak bola di Indonesia semakin berkurang sehingga

<http://www.chicagotribune.com/sports/soccer/lasp-sn-concacaf-conmebol-presidents-arrested-in-fifa-probe-20151203-story.html>. Terakhir akses 19 Agustus 2018.

²⁷ Giulianotti, Richard and Roland Robertson. 2012. 'Mapping the Global Football Field: A sociological Model of Transnational Forces within the World Game.' British Journal of Sociology 63(2), 216-240.

sponsor kurang tertarik berinvestasi di Indonesia.²⁸

Normalisasi organisasi sepak bola Indonesia baru terjadi setelah FIFA mencabut sanksi pembekuan PSSI. Federasi Sepak Bola Asia (AFC) sebagai organisasi regional di bawah FIFA menggelontorkan dana segar kepada PSSI sejumlah USD. 600.000 atau sebesar Rp. 7.8 Miliar.²⁹ Bahkan dokumen *financial report* FIFA, mengungkapkan bahwasanya berdasarkan statuta FIFA no.12 pasal 1 butir (e) yang memberikan hak kepada organisasi sepak nasional yang menjadi anggota FIFA untuk *to take part in FIFA's assistance and development programme*. Indonesia berhak untuk mendapatkan bantuan FIFA dalam kerangka program "*Development & Education*" sebesar USD 2,9 juta pada tahun 2017.³⁰

Ilustrasi di atas dapat menjadi gambaran kapasitas material FIFA baik pada tataran makro, maupun ketika berkaitan dengan negara-negara yang memiliki organisasi sepak bola di bawah kekuasaan FIFA selaku institusi global di dalam sepak bola. Namun, analisis artikel ini berpendapat, jumlah yang digelontorkan FIFA bukanlah jumlah yang fantastis. Apalagi jika

dibandingkan dengan anggaran negara yang seharusnya mampu secara mandiri mendanai olah raga sepak bola pada aras nasional. Oleh karenanya, aspek kedua, yakni kapasitas material dalam konteks keberadaan FIFA tidak bisa berdiri sendiri. Selain ditopang oleh tata kelola insitutional dari FIFA, kapasitas material FIFA juga ditopang oleh dimensi ide dari olahraga sepakbola. Oleh karenanya, pembahasan selanjutnya akan mencoba menelusuri dimensi ide yang menopang FIFA sebagai institusi global pada dunia sepak bola.

Who rules the people's game: Kekuatan Ide di Dalam Olah Raga Sepak Bola

Menurut Cox, ide sebagai kekuatan yang menopang hegemoni memiliki dua varian; pertama, ide yang berperan sebagai *intersubjective meaning*. Kedua, ide yang memainkan *shared notions of the nature of social relations* yang awamnya menjadi jangkar terkait prilaku dan kebiasaan yang diterima oleh masyarakat.³¹ Ide pada varian makna intersubjektif, menurut pemahaman artikel ini memberikan basis terkait hubungan antara kelas dominan dengan massa yang lebih luas. Dimana kekuasaan untuk mengatur ditopang oleh aspek konsensual yang diartikulasikan di benak kelas-kelas yang secara struktur di bawah kendali hegemon. Kemudian ide pada varian kedua, berlandaskan pada ide intersubjektif yang bermain di dalam benak para aktor, kelas dominan memunculkan berbagai norma dan aturan yang menjadikan

²⁸ Saceira, Tibortius. "Diplomasi Indonesia Dalam Mengakhiri Sanksi FIFA Tahun 2015". *eJournal Ilmu Hubungan Internasional*, 2018, 6 (1) 095-108

²⁹ Setyawatie, Wina. "PSSI Dapat Bantuan Rp 7,8 Miliar dari AFC". 2017. Diakses pada halaman <http://www.pikiran-rakyat.com/olahraga/2017/02/07/pssi-dapat-bantuan-rp-78-miliar-dari-afc-392831>. Terakhir akses 19 Agustus 2018

³⁰ FIFA Financial Report, 2017. Halaman online: <https://resources.fifa.com/image/upload/fifa-financial-report-2017.pdf?cloudid=pinrmrodexmnqoettgqw>. Terakhir akses 19 Agustus 2018.

³¹ Cox, Robert W. "Social forces, states and world orders: beyond international relations theory." *Millennium* 10, no. 2 (1981): 126-155

hubungan antar aktor di dalam struktur memiliki kebiasaan dan perilaku yang dianggap layak di dalam hubungan sosial tertentu.

Secara intersubjektif, sepak bola merupakan olahraga yang telah menyatukan dunia secara luas. Sejak permainan sepakbola dipopulerkan oleh Inggris Raya pada tahun 1863, kemudian FIFA berdiri pada tahun 1904 di Paris.³² Sepak bola telah menjadi olahraga yang sangat terkenal; basis penggemar sepakbola di 5 negara Eropa (Spanyol, Italia, Jerman, Inggris Raya, dan Prancis) berjumlah 131 juta jiwa, sedangkan di Rusia 52% populasinya menggemari Sepakbola sebagai olahraga rakyat.³³ Bahkan jika berbicara basis penggemar perempuan terhadap olahraga ini, data yang sama dari Nielsen menunjukkan bahwasanya 70% perempuan yang dijadikan responden menyatakan pria yang bermain di Piala Dunia sangat menarik (*Very Appealing*).

Sedangkan di Indonesia, basis massa penggila sepakbola mencapai 77%, terutama ketika Timnas Indonesia mendapatkan kesempatan untuk berlaga di ajang kompetisi sepakbola internasional. Angka ini menjadikan Indonesia sebagai negara dengan prosentase penggila sepakbola kedua

tertinggi setelah Nigeria.³⁴ Berlandaskan data ini, jika populasi Indonesia ada pada kisaran 250 jiwa, maka penggemar sepakbola di Indonesia mencapai 175 juta jiwa. Bahkan melebihi jumlah penggila sepakbola di lima negara besar Eropa Barat yang memiliki Liga Sepak Bola terkenal.

Berlandaskan fakta-fakta empiris tersebut, dapat dikatakan masyarakat dunia memiliki keterikatan yang sangat kuat terhadap olahraga sepakbola. Menurut Matthew Nicholson dan Russell Hoyer di dalam bukunya "*Sport and Social Capital*" menyatakan bahwasanya "...in other words, there is an inherent logic in the idea that the more connections individuals make within their communities the better off they will be emotionally, socially, physically and economically". Semakin besar dan fanatik massa yang menggemari sepakbola, maka olahraga ini menjadi aktifitas yang lebih dari sekedar olahraga untuk menjaga kebugaran, namun terbenam secara mendalam di benak semua individu yang mencintai sepakbola sebagai olahraga rakyat. Pada titik ini, meminjam terminologi Bourdieu, dapat dikatakan sepakbola memiliki kapital sosial yang sangat luar biasa.³⁵

³² FIFA.com. "History of FIFA-Foundation". Halaman online: <https://www.fifa.com/about-fifa/who-we-are/history/index.html> terakhir diakses pada 21 Agustus 2018.

³³ Nielsen.com. "Fan Favorite: The Global Popularity Of Football Is Rising". Halaman online: <http://www.nielsen.com/id/en/insights/news/2018/fan-favorite-the-global-popularity-of-football-is-rising.html> terakhir diakses pada 21 Agustus 2018

³⁴ Arifianto, Nova. "Indonesia Negara Penggila Sepak Bola Nomor Dua di Dunia". 2017. Halaman online: <https://www.cnnindonesia.com/olahraga/20171219204103-142-263606/indonesia-negara-penggila-sepak-bola-nomor-dua-di-dunia> terakhir akses pada 21 Agustus 2018.

³⁵ Bourdieu pada tahun 1986 menjelaskan Kapital Sosial sebagai "*social capital was 'the aggregate of the actual or potential resources which are linked to possession of a durable network of more or less institutionalised relationships of mutual acquaintance or recognition.'*" Lihat. Bourdieu,

Modalitas sosial ini direkatkan oleh ide besar dari sepakbola yang memuat nuansa adicita humanis, dimana sepakbola menyatukan semua individu di dunia ini, tidak hanya merekatkan relasi sosial namun juga memberikan kesempatan kepada siapa pun di muka bumi ini untuk berkompetisi dan menjadi pemain sepakbola terkenal. Seperti yang diungkap oleh Louis Saha; pemain kulit hitam berkebangsaan Prancis ini menyatakan *"Football brings everyone together, it brings smiles to people's faces, it brings races together and more"*. Lebih jauh lagi, Saha menyatakan, *"Football is a symbol that means that everyone can- at the same time, compete and live together"*. Menjadikan sepakbola sebagai simbolisasi dari kesetaraan antar bangsa di dunia ini merupakan penjabaran yang sangat dalam dan bernuansa filsafat pergerakan. Sehingga, tulisan ini dapat memahami betapa dalamnya ungkapan tersebut untuk seorang manusia yang warna kulitnya sering dikaitkan dengan fenomena perbudakan yang kerap terjadi di dalam rentang sejarah dunia.

Pada titik ini, ketika membenturkan makna masyarakat di dalam sepakbola dengan masyarakat di dalam negara dan kedaulatannya. Praktik kenegaraan modern sampai saat ini masih merupakan aktus yang melandaskan dirinya pada sebuah gagasan sentral yakni "Kedaulatan. Berdasarkan Traktat Westphalia 1648, setidaknya ada 3 (Tiga) indikator yang menandakan sebuah negara memiliki "Kedaulatan": Pertama, memiliki batas atau teritori yang jelas; Kedua, Kedaulatan Kedalam, yakni memiliki pemerintahan yang bertugas mengatur

kehidupan domestik; Ketiga, kedaulatan keluar, dimana tidak ada kekuatan lain yang lebih tinggi dari negara.³⁶

Dari sini, dapat kita lihat kontradiksi ide yang termuat di dalam masyarakat sepakbola sebagai olahraga, ketika dikomparasikan dengan pemahaman terkait masyarakat negara di dalam sistem internasional. Jika masyarakat sepakbola merepresentasikan simbol inklusivitas masyarakat dunia yang transenden, negara merupakan representasi dari eksklusivitas masyarakat secara imanen di dalam sistem internasional yang selalu digaungkan anarki. Distingsi yang nampak dalam pemahaman ini menjadikan kedaulatan negara memiliki keterbatasan dalam mengatur bahkan mencegah preferensi masyarakat terhadap sepakbola yang memiliki basis loyalitas massa yang lebih transenden dan cair.

Oleh karenanya, dalam konteks tata kelola sepakbola dunia, kemanjuran doktrin ala westphalia dengan kedaulatannya menjadi berkurang ketika pemerintahan oleh aktor non-negara dapat menyediakan kebutuhan yang dituntut oleh publik dimana negara sendiri tidak memiliki kapasitas dalam menyediakan kebaikan yang serupa. Seperti yang diungkap oleh Calvert, *assumed that persistent international private governance regimes represent an*

³⁶ Stephen D Krasner memberikan sebuah elaborasi yang lebih spesifik mengenai Kedaulatan dalam tulisannya *"Sovereignty and its discontent"* Setidaknya ada Empat (4) indikator yang menandakan sebuah negara memiliki "Kedaulatan" : Pertama, memiliki batas atau teritori yang jelas; Kedua, Kedaulatan kedalam (*Domestic Sovereignty*); Ketiga, kedaulatan keluar (*Westphalian Sovereignty*) Keempat: Kedaulatan Internasional (*International Legal Sovereignty*). (Stephen D Krasner, 1999)

Pierre. "The forms of capital. (1986)." Cultural theory: An anthology 1 (2011): 81-93.

institutional equilibrium whose stability results from the absence of pareto-improving alternatives (Calvert 1995a, b). Selaras dengan pendapat tersebut, Dixit juga menyatakan bahwasanya “*Moreover, in any moderately complex social context, institutional change requires considerable efforts*”.³⁷

Berangkat dari titik ini, FIFA selaku institusi sepakbola global memiliki keistimewaan dalam memunculkan norma yang harus dipatuhi oleh seluruh negara yang menginginkan rakyatnya memiliki Tim Nasional yang dapat berlaga pada tataran yang lebih tinggi dari kompetisi domestik, yakni kompetisi internasional. Karena baik pada aspek tata kelola institusional maupun kapasitas material dan ide-ide yang melandasi sepakbola, FIFA memiliki kapasitas jauh melebihi kapasitas negara untuk mengontrol aktifitas sepakbola dunia. Sehingga setiap negara yang ingin berlaga pada perhelatan internasional harus mengikuti norma yang dibentuk oleh FIFA dalam menjaga hakikat sepakbola sebagai olahraga rakyat.

Norma utama yang dimunculkan oleh FIFA dalam menjaga independensi Sepakbola adalah “*Non-Intervention Principle*” dari pihak ketiga terutama negara dalam mengatur aktifitas sepakbola pada tataran manapun, bahkan pada aras domestic sepakbola harus bebas dari campur tangan negara. Norma ini semakin menguat pada awal tahun 1990-an setelah FIFA menerapkan kebijakan pembekuan ataupun mengancam untuk membekukkan federasi

sepakbola nasional yang dianggap terlalu banyak diintervensi oleh kuasa negara.³⁸ Selain kehilangan hak untuk mengikuti kesempatan untuk terlibat dalam berbagai perhelatan sepakbola internasional. Konsekuensi dari pembekuan ini, federasi yang dibekukan kehilangan kesempatan untuk mendapat bantuan secara finansial dari FIFA untuk pengembangan institusi setiap tahunnya.

Selama tiga dekade, FIFA telah berhasil mengembangkan sepakbola sebagai cabang olahraga yang sangat terkenal di seluruh dunia. Menanjaknya popularitas sepakbola berkelindan dengan pendapatan FIFA yang terus meroket setiap tahunnya melalui siaran pertandingan dan berbagai kontrak lisensi.³⁹ Menurut FIFA, lebih dari 70% pendapatannya didistribusikan kembali kepada federasi-federasi sepakbola pada aras nasional melalui berbagai program bantuan dan pengembangan.⁴⁰ Dana-dana tersebut, untuk beberapa federasi kecil di dunia merupakan bantuan yang sangat bermakna, bahkan merepresentasikan porsi

³⁸ Sebagai contoh dari tindakan ini, lihat surat dari Fatma Samoura, Sekretaris Jenderal, FIFA, kepada seluruh anggota FIFA pada 17 Maret 2017, surat tersebut diakses secara online pada halaman

http://resources.fifa.com/mm/document/affederation/administration/02/87/68/52/circularno.1577-suspensionofthemalianfootballfederationasof17march2017anduntilfurthernotice_neutral.pdf.

Terakhir akses pada 21 Agustus 2018.

³⁹ FIFA, FINANCIAL AND GOVERNANCE REPORT 2015 (13 Mei 2016), http://resources.fifa.com/mm/document/affederation/administration/02/77/08/71/gb15_fifa_web_en_neutral.pdf at 16. Terakhir akses 21 Agustus 2018.

⁴⁰ FIFA Expenditure, FIFA.COM, <http://www.fifa.com/governance/finances/expenditure.html>. Terakhir akses 21 Agustus 2018.

yang cukup besar dari anggaran tahunan mereka.⁴¹ Bertolak dari penjelasan tersebut, sanksi pembekuan dari FIFA memiliki konsekuensi konkret yang dapat mematikan federasi sepakbola nasional secara institusional. Dalam hal ini FIFA sebagai pemerintahan dari aktor non-negara yang bersifat global mempunyai kekuatan dikarenakan tidak ada organisasi internasional lainnya yang dapat mengatur sepak bola dan menyediakan solusi yang dapat dilakukan dalam meningkatkan kualitas sepak bola setiap negara anggota.

Selaras dengan pemahaman Cox terkait hegemoni pada tataran internasional yang menyatakan “*Historical phases are thereby identified when a coherent fit has occurred between material power, the development of collective world images and the administration of an order through a set of institutions claiming universality.*”⁴² Secara sepihak FIFA dapat memaksa untuk setiap organisasi sepak bola dalam tataran nasional dapat diakui kesahihannya dalam konteks dunia internasional jika telah mengikuti seluruh aturan main yang ditetapkan FIFA. Bagaimana jika tidak ikut dikarenakan intervensi politik oleh negara? Maka negara

yang bersangkutan akan langsung berhadapan dengan rakyatnya yang mencintai sepak bola sebagai identitas global. Hal inilah yang nampak pada kasus yang menimpa Indonesia. *Sport is prone to politicization because it can serve as symbol of cohesion and exclusion due to its dramatic and antagonist qualities.*⁴³

Sejenak kita perlu melihat kembali pemahaman yang ada dalam melihat fenomena yang terjadi dalam kisruh antara KEMENPORA-PSSI dan FIFA. Sekilas ini hanyalah masalah sepak bola yang mungkin menurut pandangan masyarakat jauh dari urusan perebutan kekuasaan ala realis atau mengenai kekuatan pasar dan kebebasan individu ala kapitalis-liberalis apalagi tidak juga dikaitkan dengan struktur yang tercipta dari sudut pandang strukturalis marxis. Namun, keberanian KEMENPORA dibawah kepemimpinan Imam Nahrowi dalam melakukan pembekuan terhadap PSSI bisa dibilang sebagai langkah yang sangat diluar ekspektasi publik. Selama ini masyarakat sepak bola Indonesia selalu dihantui dengan sanksi FIFA yang mengacu pada Statuta FIFA Pasal 13 Ayat 1 (j): “*to comply fully with all other duties arising from these statutes and other regulations.*”. Pasal itu menjadi senjata untuk memukul mundur keinginan pemerintah negara untuk turut campur dalam sepak bola, persepsi ini bukan hanya terjadi di Indonesia. Ancaman tersebut secara otomatis menjadikan kebijakan mengintervensi PSSI sebagai kebijakan yang tidak populer. Bahkan negara seperti Yunani,

⁴¹ Governance: Finances, FIFA.COM, <http://www.fifa.com/governance/finances/>. Terakhir akses 21 Agustus 2018. Untuk pembahasan terkait bagaimana FIFA mengelola pendapatannya, lihat Isabelle Frazier, FIFA's Finances – Where Does All the Money Come From?, THE TELEGRAPH (29 Mei, 2015), <http://www.telegraph.co.uk/sport/football/fifa/11635985/Fifas-finances-where-does-all-the-money-come-from.html>. Terakhir akses 21 Agustus 2018.

⁴² Cox, Robert W. "Social forces, states and world orders: beyond international relations theory." Millennium 10, no. 2 (1981): 126-155.

⁴³ Giulianotti, R., & Robertson, R. (2004). The globalization of football: a study in the glocalization of the 'serious life'. *The British journal of sociology*, 55(4), 545-568.

Polandia dan Spanyol pernah merasakan kekarnya statuta FIFA yang dapat menjadi senjata untuk melemahkan otoritas negara dalam hal sepak bola.⁴⁴

Indonesia yang mencoba untuk melakukan langkah berani dengan membekukan PSSI sebagai organisasi yang secara sah diakui oleh FIFA untuk mengatur sepak bola di Indonesia mengalami nasib serupa dengan dengan tiga negara tersebut. Imam Nahrowi selaku Menteri Pemuda dan Olah Raga (MENPORA) mendapatkan hujatan publik yang berpendapat bahwa kebijakan tersebut dilandaskan pada minimnya kompetensi dalam memahami mekanisme sepak bola secara holistik.⁴⁵

Perkembangan yang selanjutnya menjadi menarik ketika kebijakan yang dilakukan untuk mengatur pranata domestik nasional ternyata ketika FIFA masuk dan membuat kebijakan sebagai otoritas sepak bola internasional berimplikasi terhadap kebijakan KEMENPORA untuk membekukan PSSI menjadi sebuah kebijakan yang melambung hingga dimensi *foreign policy*. Akhirnya untuk menghadapi tuntutan untuk bernegosiasi pada tataran internasional KEMENPORA membentuk tim kecil yang berisikan pakar diplomasi Indonesia sebagai juru bicara Kementerian Pemuda dan Olahraga yakni Gatot S. Dewabroto, bekas

Duta Besar Indonesia untuk Swiss Djoko Susilo, bekas Duta Besar Indonesia untuk Perserikatan Bangsa-bangsa Makarim Wibisono, bekas Ketua Komite Olimpiade Indonesia Rita Subowo, serta Dede Sulaiman, mantan pemain nasional.⁴⁶

Indonesia sebagai sebuah negara berdaulat dipaksa untuk berdiplomasi keluar negeri untuk kebijakan yang ditujukan untuk organisasi yang berada di dalam kedaulatannya. Bahkan langkah – langkah diplomasi tersebut terkesan tidak mendapatkan hasil maksimal karena dibatasi oleh mekanisme FIFA sebagai organisasi internasional dalam melakukan dialog dengan negara yang berdaulat. Lantas lebih ironis lagi ketika melihat bahwa diplomasi ini ditujukan pada organisasi internasional yang secara entitas bersifat *non-state actor*.

Sehingga dapat kita lihat proses bagaimana kekuatan FIFA ini menjadi sebuah kerangka yang sangat kekar untuk negara manapun di dunia ini. Beberapa negara yang tidak patuh dengan peraturan FIFA harus siap untuk mendapatkan sanksi keras dan berhadapan langsung dengan kemarahan publik dalam negeri atas ketidak patuhannya terhadap aturan main FIFA. Indonesia menjadi contoh empiris yang membuktikan hukum besi FIFA terhadap negara-bangsa. Di dalam representasi FIFA sebagai institusi global ini, pandangan Cox terkait “*A hegemonic world order therefore emerges out of the successful formation of an international historic bloc of social forces which in turn is premised upon the*

⁴⁴ Borja Garcia membahas 3 kasus ini secara komprehensif dalam jurnal “*keeping private governance private: Is FIFA blackmailing national governments?*”

⁴⁵ Sumber media online <http://soccer.sindonews.com/read/1016991/58/menpora-diminta-belajar-lagi-soal-mekanisme-kompetisi-dan-statuta-1435243521> , diakses pada tanggal 06 Januari 2016 pada pukul 20.00 WIB

⁴⁶ Tempo.co, 2015. Sumber online: <http://bola.tempo.co/read/news/2015/12/07/237725544/komite-ad-hoc-pssi-pemerintah-kalah-selangkah>. Terakhir akses 31 Agustus 2018

articulation of a dominant ideology accepted by subordinate classes"⁴⁷, telah menemukan konsteks empirisnya.

Hegemoni FIFA ditopang oleh tata kelola institusional yang telah begitu mapan, kapasitas material yang mampu menembus setiap negara di dunia ini, serta modalitas ide sebagai sosial kapital yang menjadikan masyarakat dunia memiliki keterkaitan kuat dengan sepakbola sebagai olahraga. Kesadaran transendental tersebut dapat dipahami melalui narasi intelektual Cox yang menjabarkan bahwasanya "[H]egemony at the international level is ... not merely an order among states. It is an order within a world economy with a dominant mode of production which penetrates into all countries and links into other subordinate modes of production. It is also a complex of international social relationships which connects the social classes of the different countries".⁴⁸ Pada titik ini, tulisan ini dapat memahami ketidakberdayaan negara ketika berhadapan dengan *Global Sport Governance* seperti FIFA.

Conclusion

Tidak dapat dipungkiri, berdasarkan apa yang telah dinarasikan dalam tulisan ini bahwa FIFA telah secara luar biasa dapat mempertahankan otonomi dari otoritasnya dalam hal sepak bola. Lebih dari sekedar mempertahankan legitimasinya sebagai

sebuah aktor non-negara yang mempunyai pemerintahan imajiner, namun juga dapat memaksa pemerintahan yang berdaulat untuk tersungkur dalam menapaki jalan perubahan nasional melalui kebijakan olah raga yang nampak dari kisruh KEMENPORA versus PSSI dan FIFA. Artikel ini telah menunjukkan ketidakberdayaan Indonesia dalam menghadapi FIFA dikarenakan hegemoni FIFA di dalam sistem internasional yang ditopang oleh tata kelola institusi yang begitu mapan, kapasitas material yang mampu menembus seluruh negara-negara di dunia ini, serta modalitas ide dari sepakbola sebagai olahraga yang merepresentasikan inklusivitas masyarakat dunia serta norma non-intervensi yang ditegakkan untuk menjaga kesucian sepakbola dari kuasa negara.

⁴⁷ Burnham, Peter. "Neo-Gramscian hegemony and the international order." *Capital & Class* 15, no. 3 (1991): 73-92.

⁴⁸ Cox, Robert W., and Timothy J. Sinclair. *Approaches to world order*. No. 40. Cambridge University Press, 1996. Hal. 137

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Article

Co-Operative Maritime Diplomacy: The Resolution Of The Philippines-Indonesia Maritime Border Dispute (1994-2014)

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ABSTRACT

This article aims to analyze the Philippines-Indonesia maritime border dispute in the Exclusive Economic Zone from Celebes to Mindanao sea. Using the neoliberalism perspective, the authors analyzed the interest of the Philippines to establish cooperation with Indonesia related to the national territory of each country, each legislation, maritime zones, and exercise of sovereignty over disputes maritime territories. Meanwhile, co-operative maritime diplomacy also used to determine the Philippines action in the form of bilateral cooperation, joint exercise on maritime security and regional cooperation to secure the Philippines and Indonesia maritime areas. On behalf of common interest, both countries succeed in maintaining their relations to achieve mutual goals regardless of boundaries. Furthermore, the foreign policy theory will also play an intervening role to explain the regulation about the dispute settlement efforts of delimitation boundary between the Philippines and Indonesia.

ABSTRAK

Artikel ini bertujuan untuk menganalisis sengketa perbatasan maritim Filipina-Indonesia di Zona Ekonomi Eksklusif dari Celebes ke laut Mindanao. Menggunakan perspektif neoliberalisme, para penulis menganalisis kepentingan Filipina untuk menjalin kerjasama dengan Indonesia terkait dengan wilayah nasional masing-masing negara, masing-masing undang-undang, zona maritim, dan pelaksanaan kedaulatan atas sengketa wilayah maritim. Sementara itu, diplomasi maritim kooperatif juga digunakan untuk menentukan tindakan Filipina dalam bentuk kerjasama bilateral, latihan bersama tentang keamanan maritim dan kerjasama regional untuk mengamankan wilayah maritim Filipina dan Indonesia. Atas nama kepentingan bersama, kedua negara berhasil mempertahankan hubungan mereka untuk mencapai tujuan bersama tanpa menghiraukan batas. Selanjutnya, teori kebijakan luar negeri juga akan memainkan peran intervensi untuk menjelaskan peraturan tentang upaya penyelesaian sengketa batas pemisah antara Filipina dan Indonesia.

Introduction

The Philippines is one of the archipelagic countries in the world with more than 7,100 islands in the South China Sea. It lies off the coast of Southeast Asia, surrounded around the Pacific ocean, Celebes sea, Bornean waters and South China sea. The Philippines argued that its territorial limits described in accordance with the Treaty of Paris 1898 which define the archipelago of the Philippines shown up in the form of vast rectangle, with the size 600 miles in width and 1200 miles in length.¹²⁸

Recognized as one of the founding fathers of the Association of Southeast Asian Nations (ASEAN), the Philippines actively plays its role to achieve ASEAN's regional agenda and maintain the significance of ASEAN in the international affairs. In its relations with ASEAN member states, the Philippines always seeks to strengthen its relationship on behalf of national priorities, particularly in security matters, which can pose a threat to regional stability. For instance, the Philippines embraced the ASEAN Declaration in the South China Sea in 1992, which guides the country to manage all sovereignty and jurisdiction issues, particularly in the South China Sea dispute to seek a peaceful resolution by promoting safer Southeast Asia, stable and free, in the form of initiatives in terms economic, trade and functional cooperation activities among the member states.¹²⁹

Reflected by the geographical condition, the Philippines and Indonesia considered as the largest and the most potential archipelagic countries in the World. Both countries also constituted as the official party of the United Nations Convention on the Law of the Sea (UNCLOS) 1982. Although both countries ratify at different time, the importance of the UNCLOS cannot be denied, especially for the Philippines as the first country who advocate the concept of archipelagic state in the world.

This article discusses the the Philippines-Indonesia maritime border dispute in the Exclusive Economic Zone from Celebes to Mindanao sea. Using the neoliberalism perspective, this article analyzed the interests of the Philippines to establish maritime border cooperation with Indonesia. Meanwhile, co-operative maritime diplomacy also used to determine the Philippines action in the form of bilateral cooperation, joint exercise on maritime security and regional cooperation to secure the Philippines and Indonesia maritime areas. On behalf of common interest, both countries succeed in maintaining their relations to achieve mutual goals regardless of boundaries. Furthermore, the foreign policy theory will also play an intervening role to explain the regulation about the dispute settlement efforts of delimitation boundary between the Philippines and Indonesia.

Maritime Border Disputes: between Philippines and Indonesia: The Highlight

Historically, the Philippines and Indonesia have experienced Western colony for centuries. Indonesia experienced the Dutch colony for more than three hundred years, while the Philippines was colonized by the Spanish colony. However, the Philippines gained its independent in the end

¹²⁸ Lowell Bautista, "The Philippines Treaty Limits and Territorial Water Claim In International Law" 5, no. 1/2 (n.d.): 107–27.

¹²⁹ "The Philippines' Relationship With ASEAN - ASEAN Business News," accessed March 12, 2018, <https://www.aseanbriefing.com/news/2017/03/22/philippines-relationship-asean.html>.

the Spanish-American, when Spain surrendered its power over the Philippine archipelago to the United State and left the country with unclear territorial boundary. At that time, Spain was calling all the remaining of its empire to sign the Treaty of Paris, which ceded the archipelago to the U.S and transferred the sovereignty of the Philippines. For this reason, the Philippines claims its current territorial boundaries on the basis of three treaties, which are the Treaty of Paris 1898, the Treaty of Washington 1900, and the Treaty concluded 1930. Nonetheless, these treaty limits are debated in the international law, it keeps running against the principles constituted under the article 56 and 57 of the UNCLOS.¹³⁰ (See the figure I below)

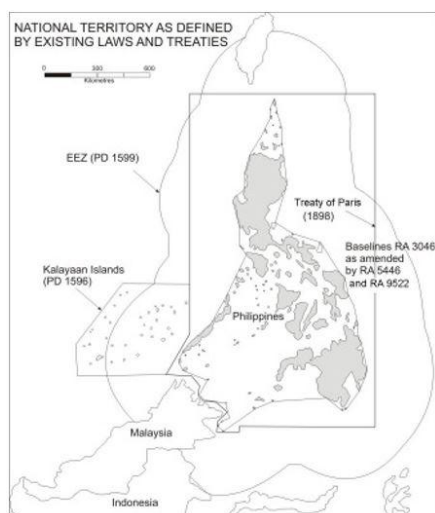


Figure I The Philippines Territory Based on The Philippines Treaty Limits (Source: *The Philippines treaty limits and territorial waters claim in international law*)

The figure I above, shows the territory of the Philippines based on based on the article 3 and of the Treaty of Paris 1898. However, this baseline law did not

obey the provisions constituted in the UNCLOS, consequently, no country recognizes it.¹³¹ As the result, these treaty limits cause an overlapping maritime boundary in the Exclusive Economic Zone (EEZ) from Celebes to Mindanao sea which in some parts belong to Indonesia as well. (See Figure II below)



Figure II The Philippines-Indonesia EEZ Boundary (Source: *Official Website of the DFA of the Philippines*)

The overlapping EEZ area between the Philippines and Indonesia extends from the Celebes sea to Mindanao sea . Beyond just the matter of territorial borders, EEZ also plays a significant role in realizing the eco nomies of both countries as an archipelagic country whose livelihoods depend largely on the sea such as fisheries and natural gas reserves. Moreover, this area as the main route of International Shipping Lanes (ISL) where this area is passed by other countries for goods delivery activities. In scientific goals, EEZ lessons include the implementation of scientific research on a variety of marine creatures, and seabed sampling for oil and gas purposes that can also be carried out therein.¹³²

¹³¹ *ibid*

¹³² "Philippines Coastal and Marine Resources: An Introduction" (The World Bank, n.d.), <http://siteresources.worldbank.org>.

¹³⁰ Bautista, "The Philippines Treaty Limits and Territorial Water Claim In International Law."

Maritime border dispute which claims over sea territory is concerned to control the capacity of a state towards resources management, sovereignty, security and national integrity. These factors could lead to unstable situations that unsettle interstate relations such as it will lead to overlapping and conflicts of sovereignty, for example, insecurity of the necessary rights, conflicting claims, and uncertainties regarding regulatory authority and inequalities in resource management or worst is armed conflict. Maritime border dispute requires legal clarity of territorial border between claimant states in order to achieve clearly defined boundary where a state hold a full authority of the area.

According to the law of the sea convention, every coastal state has “*jurisdiction, rights and duties with regard to the establishment and use of artificial islands, installations and structures, marine scientific research and protection and preservation of the marine environment*”.¹³³ Reflect on the previous statement, maritime border dispute might also contribute a negative effect for economic development, as public entities and private parties are unable to explore the resources of a disputed area because hard to determine what the activities are permitted without a legally defined boundary within the area.

Maritime boundary is beyond just boundary, it is all about demarcating with some degree of precision the area of the waters over which a State exercises effective sovereign control. Such boundary takes on a more crucial and important role in the international order when one considers the fact that it is in effect a boundary between the coastal State and of the interests of the rest of the world. Realizing the maritime

boundaries are essential and necessary parts of the international system, the Philippines and Indonesia managed a number of meetings to reach their final agreement of the delimitation of the EEZ boundary in accordance with the principle of UNCLOS.

As geographically, politically, and legally archipelagic countries, Indonesia and the Philippines have been confronted by several factors to immediately finalize each maritime boundary. The geographic position of both countries marked as maritime areas that often traversed by several kinds of vessels such as military vessels, including submarines and other nuclear powered vessels.¹³⁴ Still, the areas also crossed by international aviation, both commercial and military. Accordingly, both countries realize those strategic geographical positions create significant benefits for their economic, political and security interest, thus, both become sensitive towards their maritime border. Hence, this paper is an exploration of The Implementation of the Philippines Maritime Diplomacy In Resolving the 20 Years of the Maritime Border Dispute on the overlapping EEZ boundary with Indonesia. Specifically, it seeks the answer the question on, how did the Philippines implement its maritime diplomacy to resolve maritime border dispute with Indonesia (1994-2014). The main focus of this paper is to explain the process of negotiation between the Philippines and Indonesia until the two countries finally reached their final agreement in 2014.

The Beginning of the Philippines-Indonesia Negotiation on Maritime Border Dispute (1994-2001)

¹³³ “The United Nations Convention on the Law of the Sea,” n.d

¹³⁴ Harry Purwanto and Dewa Gede Mangku, “Legal Instrument of the Republic of Indonesia on Border Management Using the Perspective of Archipelagic State” 11, no. 4 (n.d.): 56.

The Philippines orientation on foreign policy in the early 1990s was dominated by the contradiction between subjective nationalism and objective dependency, especially due to the previous regime which inherent a volatile economic growth had pushed the Philippines to seek a more balanced foreign policy and retrieve the unstable economic, cultural, military and personal ties that close with the western influence specifically the US.¹³⁵

Since the restoration of democracy, the Philippines under the Ramos administration was busy to breaking out the Philippine's status as "A Sick Man of Asia". During this period, the Philippines faced political difficulties while most of other economies were growing greatly. Its domestic economy has turned down due to huge public debt rooted since Marcos administration, which resulted in government devoting over of its third revenues on servicing interest payment, domestic saving were low, coup attempts, a serious power shortage, and growth remain flat or even negative. The Philippines relied upon foreign capital robustly due to the persistent economic deficit they faced.¹³⁶

Ramos commenced the development of diplomacy as his foreign policy thrust. In formulating foreign policy, Ramos focused on the development of security, defense and socio-political aspect.¹³⁷ During his administration, the global changes gave the Philippines more space to improve the country's development process and its security. In terms of maritime affairs, the

dramatic changes in the international system allow the Philippines to expand its international linkages with the countries around the Asia-Pacific.¹³⁸ For this reason, the Philippines began its negotiation with Indonesia regarding border disputes at the First Senior Official Meeting in 1994. The meeting led by the Department of Foreign Affairs (DFA) of the Philippines also prepared the position of the Philippines within negotiation of the maritime border dispute with Indonesia. The meeting further discussed about the overlapping EEZ boundary from Celebes to Mindanao sea and prepare the guidelines for the delimitation talks.¹³⁹

Other than starting negotiation with Indonesia on maritime border dispute, one of the highlights during Ramos's administration was the Expanding of the Coverage of the Cabinet Committee on the Law of the Sea and renaming it as the Cabinet Committee on Maritime Affairs which launched in 1994. The Committee and its functions include, the formulation of practical and viable policies to address the various concerns on maritime affairs and the implementation of the UNCLOS¹⁴⁰. Furthermore, by taking into account the importance and contribution of the marine sector and the environment of the ocean for the nation and international security, thus in the same year, on 8 November 1994, the Philippines embraced a National Marine Policy (NMP) which focused on the implementation of the UNCLOS and international environmental treaties, specifically in the development and

¹³⁵ Bernardo, Romeo L. (2008). *The Political Economy of Reform during the Ramos Administration (1992–98)*. Retrieved from the Commission on Growth and Development website: <http://siteresources.worldbank.org>

¹³⁶ Ibid page 11

¹³⁷ Office of the President of the Philippines. (1994). *[Executive Order Nos. : 126 – 300]*. Manila : Presidential Management Staff.

¹³⁸ Ibid

¹³⁹ Philippines and Indonesia Sign Agreement on EEZ Boundary, 2014. Retrived from www.dfa.gov.ph

¹⁴⁰ Office of the President of the Philippines. (1994). *[Executive Order Nos. : 126 – 300]*. Manila : Presidential Management Staff.

management of marine resources. In the implementation of NMP, it is limited by the legislation of the new Fisheries Code that further reinforces the roles of local government units in coastal resource management. The NMP demonstrated the Philippines as an archipelagic country and prioritized the contribution of marine resources in economic growth. In the implementation, the NMP is flexible depending on the time and dynamic situation of the ocean.

During this period of time, the Philippines keep promoting peaceful coexistence and mutual respect with Indonesia, hence this negotiation demonstrated as the Philippines approach to solve maritime disputes in an amicable way. However, at the implementation level, Ramos administration failed to sustain the realization of these policies. While domestic reforms were underway, the government was busy projecting a good image of the Philippines in the global market. Similar things experienced by Indonesia as well. For the period 1994-1998, Indonesia was led by President Soeharto. During his administration, he was a land-mined oriented. The development of terrestrial areas takes precedence as the concern of Soeharto's policies is agrarian and food issues. This is contrasted with the previous administration under Soekarno's in which initiated the development of maritime forces.¹⁴¹

During the Soeharto's administration, Indonesia's relations with foreign countries viewed as generally moderate, regionally unstable and tend toward the West, particularly in term of official development assistance and private investment. As a

founding member of the Nonaligned Movement in 1961, Indonesia still adopted independent and active foreign policy and kept its neutral position equidistant from the contentious Soviet Union and the US.¹⁴²

Considering the strategic location of Indonesia, with access to the eastern entrance to the Indian Ocean, command of the Malacca and Sunda straits, the country has been well known with its vital role in the Asian security, hence, it demanded the greater roles and responsibilities from the Department of Marine Affairs and Fisheries. The Directorate General of Marine and Fishery Resources Control has improved coordination and cooperation with security forces and law enforcement at sea.¹⁴³ However, the limited facilities and infrastructure and the number of supervisory personnel are still the main obstacle in achieving optimal supervision performance.¹⁴⁴ Thus, the government at this time more concentrated on national development which resulted in the marine sector and international relations lacking sufficient attention by the government. This is one of the problems that decrease the effectiveness of the implementation the Philippines maritime diplomacy and required several years to resolve, because both countries were too busy handling their domestic problems.

The Philippines-Indonesia Cooperation on Maritime Security (2001-2005)

In order to explore the Philippines-Indonesia security cooperation on maritime affairs, the author decided to pick neoliberalism theory as the dominant political ideology of the nineteenth century following the concept of the theory, namely interdependence and common interest to provide the understanding of the relations

¹⁴¹ *Pengantar Soal Perkembangan Politik Luar Negeri Terutama Kerjasama Negara-Negara ASEAN*. (n.d.). Kementerian Kelautan dan Perikanan Republik Indonesia page 9

¹⁴² Ibid

¹⁴³ Ibid

¹⁴⁴ Ibid

between the Philippines and Indonesia, particularly in terms of maritime affairs.¹⁴⁵ According to the neoliberalism perspective, the Philippines and Indonesia have a common interest that allows them to build a cooperation in order to achieve mutual goals. Since the diplomatic ties established in 1949, the Philippines and Indonesia appreciate a solid relation among them. The historical background of both countries has been highlighting the most critical in Southeast Asia. Yet, both countries also founders of ASEAN, the member of non-alignment movement and APEC.¹⁴⁶ Therefore, dependencies have raised among them as they share a common interest that makes them depend to each other in term of economic, political, and security.¹⁴⁷ Thus, both countries realized, their close cooperation, particularly in maritime domain is vital.

Generally, the Philippines has two concerns in maritime security, first is national security, second security issues with regional impact as defined in the NMP 1994, below:

"State in which the country's marine assets, maritime practices, territorial integrity, and coastal peace and order

are protected, conserved, preserved and enhanced".¹⁴⁸

The Celebes Sea, which has been contested by the Philippines and Indonesia, is the only marine area that can be passed by submarines and supertankers, thus this area is crucial for energy commerce and world trade.¹⁴⁹ Unfortunately, due to the absence of legal clarity within this region due to the unclear territorial boundary, ultimately making this area facing many challenges and threats. This area also provides a comfortable place for terrorist organizations, pirates and civilians move easily because there is no strict supervision from the government. Pirates have established forbidden activities long before terrorist organizations operated. Those threats have caused many victims, including international shipping companies, large multinational corporations, even local fishermen who lost their ships.¹⁵⁰ These conditions potentially jeopardize the implementation of maritime security cooperation between the Philippines and Indonesia and affect the livelihoods of local communities. Seeing the dangers affecting this region, unilateral action by one of the countries will not be enough to eradicate all types of crime, therefore, there is a need for a common movement to form effective and synergies bilateral cooperation to maintain and manage the area.¹⁵¹ For this reason, the Philippines-Indonesia security cooperation around the Celebes sea is crucial for their own national security and trade. Furthermore, with the presence of clear jurisdictions in the region will enable

¹⁴⁵ Robert O. Keohanne, Joseph S. Nye. (1989). *Power and Interdependence* (2nd ed.). Harper Collins Publishers.

¹⁴⁶ The Philippines Indonesia to Hold 6th on Joint Commission on Bilateral Relations. (n.d.). Retrieved from <https://dfa.gov.ph/newsroom/dfa-releasesupdate/2175-philippines-indonesia-hold-successful-bilateral-talks>

¹⁴⁷ Nye, J. S. (2011). *The Future of Power*. New York: Public Affairs.

¹⁴⁸ Cabinet Committee on Maritime and Ocean Affairs, "National Marine Policy," (Foreign Service Institute: Manila, Philippines, 1994).

¹⁴⁹ S Febrica, *Maritime Security and Indonesia: Cooperation, Interests and Strategies* (Routledge, n.d.).

¹⁵⁰ Ger Teitler, "Piracy in Southeast Asia," *Mare Center for Maritime Research*, n.d.

¹⁵¹ Ibid

countries around the area to develop and implement regulations in order to prevent crime. Because of this, following the 9/11 tragedy and the Bali bombings on October 12, 2002, the Philippines and Indonesia finally agreed to engage in bilateral cooperation in terms of security to combat threats occurring around the Celebes sea. Within this security cooperation, Arroyo as the Philippines' President with Indonesia's President: Megawati arranged a prominent bilateral security cooperation where they can examine the establish an aggressive combined response to maritime piracy and extend cooperation among the nations' intelligence and security services.

The Philippines-Indonesia security cooperation began in 2005, when both countries approved a four-point agreement contained bilateral security cooperation. On 21 June 2005, both countries declared the joint cooperation and agreed to quell all forms of transnational crime and counter terrorism. Ever since, both countries, governments have taken a more serious cooperation with the signing of the agreement cooperation in the field of security through a Memorandum of Understanding between the police services signed on 18 November 2005.¹⁵²

In the form of cooperation, both countries managed to perform its roles against one another. In addition, in conducting the cooperation, the two countries also conduct police training and develop police capacity of both countries. They also discussed the boundaries of the territorial waters that terrorists serve as the pathway for the entry of terrorists located in Indonesia and the Philippines. In addition to being the entry point of terrorism, the border

of the two countries is also used as a weapon smuggling line and many criminal acts such as illegal fishing.¹⁵³

The Philippines-Indonesia Involved in Multilateral Cooperation to Protect Marine Biodiversity (2006-2007)

The location of the EEZ of the Philippines and Indonesia reaches the Coral Triangle area which is at the crossroads with growing rapid economic growth and international trade. Nonetheless, the seaside and marine assets in the Coral Triangle areas are experiencing significant degradation, and are facing increasing threats due primarily to a rapidly growing population, pollution, unsustainable coastal development, over fishing and sustainable fishing practices and climate changes.

The President of Indonesia, Susilo Bambang Yudhoyono aware that the urgent need to address threats occurring around the Coral Triangle area, hence, he first initiated a partnership and engage the countries around the region include, Indonesia, Malaysia, Papua New Guinea, Philippines, the Solomon Islands and Timor-Leste) during the Convention on Biological Diversity (CBD) in Brazil 2006. The initiation received positive inputs from the six countries. Therefore, in the following year, the six countries agreed to involve in multilateral collaboration called CTI in 2007 to achieve the new trajectory that ensures the conservation and sustainable use in the coral triangle area.¹⁵⁴ CTI basically is regional cooperation to the protect one of

¹⁵² "Indonesia, Philippines Reach Four-Point Agreement." BBC. June 22, 2005.

¹⁵³ Febrica, S. (2017). *Maritime security and Indonesia: Cooperation, interests and strategies*. Routledge. Page 76

¹⁵⁴ Coral Triangle Initiative on Coral Reefs, Fisheries and Food Security, issuing body. (2009). *Regional plan of action: Coral Triangle Initiative on Coral Reefs, Fisheries and Food Security (CTI-CFF)*. Interim Regional CTI Secretariat

the most biologically diverse and ecological the richest regions on earth and to sustain its extraordinary marine and coastal resources from harm such as food security issues, climate change and marine biodiversity.¹⁵⁵ However, significant progress made during the 2nd Senior Officials Meeting 2007, where the 6 countries produced a key decision to adopt Manila draft of Regional CTI-CFF Plan of Action.¹⁵⁶

Within the CTI, the Philippines and Indonesia reinforced their commitments to cooperate on maritime affairs and show a good example how to still cooperate on major initiative regardless maritime border dispute. Additionally, the CTI allowed both countries to share their common interest and achieve mutual goals. By taking into account their people live very much depends on marine sources, the CTI not also as their form of maritime security, but also one of the Philippines maritime diplomacy in ease its unresolved boundaries with Indonesia without the use of force.

The Philippines-Indonesia Maritime Border Dispute Gains Momentum (2007-2009)

After the 2008 global crisis, the world sees the shifting balance between two major powers, the US and China, thus, the post condition of the global crisis trigger China in shaping its Chinese assertiveness. Nevertheless, China still cannot defeat the power of the US in terms of creating a comprehensive national power and perhaps the US will remain dominant in the future. As the US slowly decline, China utilized these conditions to spread its influence and

prepare itself to be more aggressive, especially when it comes to South China Sea Dispute as China declares that the South China Sea is its primary interest. In its assertive action, China has adopted “a defensive approach” by reinforcing its claims without fundamentally changing its policies, therefore, its rigidity is seen as a threat to other claimant states in the South China Sea dispute.¹⁵⁷ Furthermore, China's aggressiveness is also identified from Chinese attitudes towards its claims such as “changes in the distribution of power, the rise of Chinese nationalism, and the leadership transition politics in which China actively seeks its interests, and acts boldly to achieve its objectives, even if it contradicts with other claimant states”.¹⁵⁸

China has declared its maritime claims against the Philippines with increasing freedom. This kind of assertive Chinese action, however, triggered other claimant states in the South China Sea dispute, particularly the Philippines to create more proactive efforts and actions in line with UNCLOS's presentation of maritime claims in 2009.¹⁵⁹

During the reign of President Arroyo, the Philippines changed its foreign policy strategy in response toward Chinese assertiveness. In 2009, the Philippines finally decided to harmonize its baseline law in accordance with UNCLOS by launching Republic Act No.9522. This new baseline law defines the territorial boundary of the Philippines in which also explicitly included the Kalayaan Islands and Scarborough Shoal, a move that sparked violent protests

¹⁵⁵ CTI-CFF | Coral Triangle Initiative on Coral Reefs Fisheries and Food Security. (n.d.). Retrieved from <http://www.coraltriangleinitiative.org/>

¹⁵⁶ *Coasting of the National Plan of Actions (NPOA) of the Philippines*. (2015). Retrieved from Coastal and Marine Resources Management in the Coral Triangle website:

¹⁵⁷ Turcsányi, R. Q. (2018). The Puzzle of Chinese Assertiveness. In *Chinese assertiveness in the South China Sea: Power sources, domestic politics, and reactive foreign policy*. Prague: Springer. Page 7

¹⁵⁸ Ibid

¹⁵⁹ Ibid page 6

from China and even caused China canceled its official visit to the Philippines. With the alignment of laws on these territorial boundaries, the Philippines has gained recognition from the international community. In fact, one of the objectives of this Philippine step is to balance the strength of China after China's increasing politico-military assertiveness to continue its maritime claims and hesitations to sign a legally binding Code of Conduct (CoC) suggests that the settlement is driven by geopolitical imperatives.¹⁶⁰

RA 9522 legally defines the Philippines territorial borders with the various zones of maritime jurisdiction specified in the UNCLOS. Thus, the Philippines defines its maritime boundary and its Exclusive Economic Zone, also claim some parts of the Spratlys and other rocks and shoals in the South China Sea, in accordance with the archipelagic base set by the UNCLOS. This Philippine law action, then implies that the Philippines provides EEZ claims from the archipelagic baseline on its main island, and extends the continental shelf claim to China's southern seas beyond the limit of its EEZ.¹⁶¹ As for the Philippines, China's recent aggressive behavior made serious pressure. Regardless of China's assertiveness, however, the Philippine strategy to align its maritime law with UNCLOS through RA 9522 affects its longstanding maritime border disputes with Indonesia. As the Philippines aligns UNCLOS, it ultimately facilitates negotiations with Indonesia because of the same laws they use. Finally, after 20 years

of negotiations, the process gained momentum after March 2011.¹⁶²

The Philippines-Indonesia Joint Commission on Bilateral Cooperation (2011-2014)

The Philippines and Indonesia realize their close cooperation in maritime affairs are vital. Although both countries have not yet establish any agreement on their maritime border dispute during this period of time, both countries show their cooperativeness by agreeing to increase coordination on a number of maritime issues include, improving their negotiation on maritime boundary delimitation, bilateral cooperation in a various of filed and security cooperation in combating threats such IUU fishing, piracy and terrorist under the scope of the Philippine-Indonesia Joint Commission for Bilateral Cooperation (JCBC).

In 2011, the Philippines and Indonesia agreed to extend their bilateral cooperation in the field of security, defense and border cooperation, marine and fisheries as well as trade and investment. During the 5th Meeting of the Philippines-Indonesia JCBC in Manila on 13-14 December, both countries committed to continuously synergize and invigorate bilateral relations through a comprehensive review and renewing the previous agreement and the ordered implementation of cooperation in various areas.

"This 5th JCBC Meeting is testament to the strong and abiding friendship between the Philippines and Indonesia. It follows the momentum set by President Benigno S. Aquino III's State Visit to Indonesia at the invitation of President Susilo Bambang Yudhoyono early

¹⁶⁰ Kreuzer, P. (2016). A Comparison of Malaysian and Philippine Responses to China in the South China Sea. *The Chinese Journal of International Politics*, 9(3), 263. Retrieved from <https://doi.org/10.1093/cjip/pow008>

¹⁶¹ Ibid

¹⁶² Ibid

this year. During that visit, he witnessed the signing of four (4) new agreements, all envisioning closer technical and people-to-people ties" statement Albert F. Del Rosario as the Philippine' Secretary of Foreign Affairs¹⁶³.

Following the statement from Rosario, he leads the delegation of the Philippines when both the Philippines and Indonesia hold the 6th meeting of JCBC on February 24, 2014 in Jakarta, Indonesia to further discuss the matters in the areas of defense, security, trade and investment, agriculture, fisheries, education, maritime cooperation, and border cooperation, among others. The meeting also includes the signing of the Philippines-Indonesia Plan of Action for 2014-2016 and the Memorandum of Understanding (MOU) between the Republic of the Philippines and the Republic of Indonesia on Mandatory Consular Notification and Assistance.¹⁶⁴

"Hopefully, the treaty will be signed by both countries' leaders during President Susilo Bambang Yudhoyono's visit to Manila in May", said Marty Natalegawa as the minister of foreign affairs of Indonesia.¹⁶⁵

With more intensive cooperation between the Philippines and Indonesia, the two countries show their good intentions to

¹⁶³ Philippines, Indonesia Hold Successful Bilateral Talks. (n.d.). Retrieved from <https://dfa.gov.ph/newsroom/dfa-releasesupdate/2175-philippines-indonesia-hold-successful-bilateral-talks>

¹⁶⁴ Ibid

¹⁶⁵ The Jakarta Post. (2014, February). RI, Philippines Set to Sign Boundary Treaty. Retrieved from <http://www.thejakartapost.com/news>

maintain harmony in their relationship and commit themselves to resolving all sovereignty conflicts as equally and equitably as possible.¹⁶⁶

1.1.1. The Final Agreement Concerning the Delimitation of the Exclusive Economic Zone (2014)

The Philippines under the administration of President Aquino has demonstrated a Philippine Foreign Policy that is independent, principled, and based on the rule of law. As one of the Philippines top priorities, DFA of the Philippines designed foreign policy strategy which intensifying the Philippines advocacy for the primacy of the rule of law, including the UNCLOS and peaceful settlement of disputes.¹⁶⁷ Regard from that, the Philippines under Aquino's administration took into account its long standing negotiation of the maritime border dispute since 1994 with Indonesia. Fortunately, Indonesia welcomed the Philippines offer to immediately settle their maritime border dispute warmly. During the state visit to Manila for the World Economic Forum on East Asia in 2014, Indonesia's President: SBY expressed his gratitude after signing the agreement with the Philippines.¹⁶⁸

"This indeed is a model, a good example, that any disputes, including maritime

¹⁶⁶ Ellis, J., Moore, J. N., Nordquist, M. H., & University of Virginia. (2012). *Maritime border diplomacy*. Leiden: Martinus Nijhoff Publishers.

¹⁶⁷ A Principled Philippine Foreign Policy Under the Aquino Administration. (n.d.). Retrieved from <https://dfa.gov.ph/index.php/speeches/8517-a-principled-philippine-foreign-policy-under-the-aquino-administration>

¹⁶⁸ Anwar, D. F. (2014, February 4). Indonesia's foreign relations: policy shaped by the ideal of 'dynamic equilibrium'. Retrieved from <http://www.eastasiaforum.org>

border tension can be resolved peacefully - not with the use of military might which may endanger stability and peace in our region," .

Neither with the government of President Susilo Bambang Yudhoyono in Indonesia. Given the principle of "A million friends, zero enemy" for its foreign policy, means that Indonesia's foreign policy is more into soft diplomacy and changed the way of view to countries in Southeast Asia constructively where opponents become friends, and friends become strategic partners of Indonesia. Indonesia feels neither hostile to any country, nor hostile to any country so that Indonesia can do all foreign policy.¹⁶⁹

In February 2014, the Philippines and Indonesia through each representative reviewing the overall bilateral relations between both countries by conducting the 6th Meeting of the Philippines-Indonesia Joint Commission on Bilateral Cooperation (JCBC) to discuss about bilateral cooperation of both countries in terms of political, defense, security, trade, investment and socio-cultural relations such as culture, labor, sports and youth. As the result, both countries established the Philippine-Indonesia Plan of Action for 2014-2016 to arrange a roadmap, programs and timeline for cooperative initiatives.¹⁷⁰ This agenda ever since, accelerate the both countries 20 years of negotiation on maritime border dispute. Both countries finally reached their agreement on the basis of international laws on maritime boundary delimitation. It was

¹⁶⁹ Ziyad Falahi, "Memikirkan Kembali Arti Miliion Friends Zero Enemy Dalam Era Paradox of Plenty" 7 (n.d.).

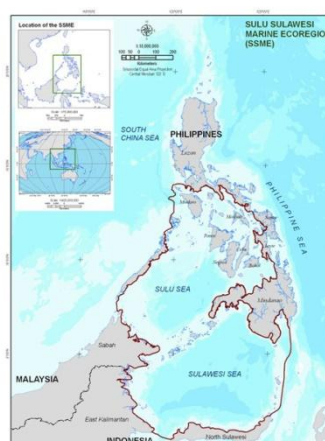
¹⁷⁰ Philippines, Indonesia Hold Successful Bilateral Talks. (n.d.). Retrieved from <https://dfa.gov.ph/newsroom/dfa-releasesupdate/2175-philippines-indonesia-hold-successful-bilateral-talks>

the result of a rule-based negotiation to peacefully resolve maritime dispute between both countries.

The Philippines and Indonesia after all, have managed several meetings to reach an agreement on the maritime border dispute. On May 18 2014, both countries held the 8th Meeting of the JPWG-MOC in Jakarta. As the result, Foreign Secretary, Del Rosario and Foreign Minister Natalegawa signed the final agreement of delimitation of the EEZ boundary on May 23, 2014, in Malacañan Palace and mark as the end of the Philippines-Indonesia negotiations on maritime border dispute.¹⁷¹

The agreement, known as the Philippines' first maritime boundary treaty. Besides, for Indonesia, with its non block position in the international system, amicably and peaceful manner through negotiation, diplomacy and consistent with International law always help Indonesia to resolve its border dispute with its ten neighboring countries include the Philippines. Additionally, border diplomacy considered as top priorities in Indonesia's foreign policy.

The Philippines-Indonesia agreement on maritime border disputes thus provides clarity to both countries in order to carry out various activities in accordance with the sovereign rights they hold in the territory as contained in UNCLOS.¹⁷² A clearly defined EEZ boundary also provided 627nm in length and composed of geodesic lines connecting eight points, as depicted in the figure below:



to Finalize negotiations - sed March 9, s/2016/07/02 verlapping- al.

Figure II *The Philippines Territorial Boundaries After Agreement 2014 (Source: ASEAN Briefing)*

During the negotiation process, the Philippines and Indonesia have succeeded in implementing their maritime diplomacy. It proves that maritime diplomacy in the form of bilateral agreement through cooperation and coordination is necessary to maintain peace, stability, economic and social development in the bordering areas, either on land, maritime and airspace for which Indonesia is also committed regardless border dispute. It took almost two decades for both countries finally reach the final agreement of clearly defined territorial boundary.

The Implementation of the Philippines Co-operative Maritime Diplomacy

In the case of the Philippines-Indonesia maritime border dispute, the author adopts the theory of maritime diplomacy to explain the implementation of the Philippines foreign policy strategy in managing its relations with other countries at the international level through the maritime domain.

In this regard, the Philippines signifies a co-operative maritime diplomacy, which well described as "soft power maritime diplomacy". In contrast with "hard power, maritime diplomacy" which use hard

power asset, such as a gunboat, soft power diplomacy more into diplomatic mission.¹⁷³

For instance, the Philippines as a claimant state in the South China Sea dispute, trying to build diplomatic influence and strengthen alliances against China especially with ASEAN countries through diplomatic mission.

During the 46th ASEAN Ministerial Meeting on June 30, 2013, Philippine Foreign Secretary Albert F. Del Rosario expressed his view of the increasing militarization of the South China Sea, to him, this poses a threat to regional stability. Therefore, in an effort to maintain peace and maritime stability, he tries to encourage all ASEAN member states to create a safe, stable and prosperous environment, such as the content of the following points of speech:

"If we are to live up to our vision of a politically cohesive, economically integrated and people oriented ASEAN Community, then now, more than ever, is the time to reaffirm our own remarkable brand of unity amidst diversity," speech from the Philippines Foreign Affairs Secretary Albert F. Del Rosario.¹⁷⁴

Since 2005, the Philippines has involved on bilateral security cooperation with Indonesia and Malaysia in the aftermath

¹⁷³ Miere, Christian Le. *Maritime Diplomacy in the 21st Century (Drivers and Challenge)*. Routledge : 2014. Page 8

¹⁷⁴ "Joint Communiqué 46th ASEAN Foreign Ministers' Meeting, Bandar Seri Begawan, Brunei Darussalam, 29-30 June 2013," <http://www.asean.org/news>

¹⁷⁴ "Joint Communiqué 46th ASEAN Foreign Ministers' Meeting, Bandar Seri Begawan, Brunei Darussalam, 29-30 June 2013," <http://www.asean.org/news>

9/11 tragedy to combat terrorist attack in the Celebes.¹⁷⁵ Moreover, the Philippines also join CTI as regional cooperation on maritime security around the Coral Triangle to protect the marine environment and resources since 2007. Besides, both countries agreed to keep energize and support bilateral relations, by reviewing, updating and implementing agreement on trade, investment, shipping, and border trade agreement through the establishment of the Joint Commission on Bilateral Cooperation (JCBC) in 2011.¹⁷⁶ Moreover, the Philippines marine agencies willing to facilitate the process of analyzing potential areas for cooperation on fisheries and marine cooperation.

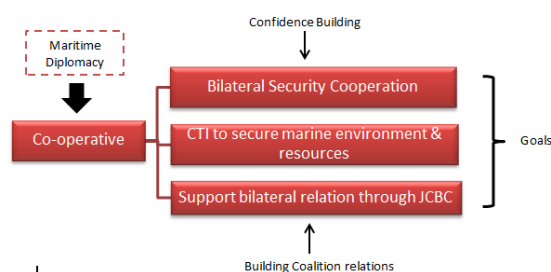


Figure IV Form of Co-operative Maritime Diplomacy and Its Goals

Year by year, the Philippines and Indonesia keep showing their interest to immediately resolve their maritime border dispute since 1994, although progress remains slow, as aforementioned, both countries consistently involve in many

cooperation in maritime areas in accordance with the prevailing international law.

Co-operative maritime diplomacy can also be created to establish coalitions, support allies such as capacity building, training and harmonization of technique and confidence building among nations wary of one's naval power.¹⁷⁷ Additionally, co-operative diplomacy in the form of joint maritime operations exercise not only to build capacity within less capable or knowledgeable navies, but also beneficial to reinforce a friendship and making the naval forces more compatible and strengthen bonds between allies or reassure potential rivals as to the non-threatening nature of one's navy.

In the concept of co-operative maritime diplomacy, all activities were designed not to deter or forcefully persuade others, but rather, in the implementation, co-operative maritime diplomacy engages the countries involved to share a common interest towards which they aim. In this regard, the Philippines seeks to make influences, coalition or alliances and confidence.¹⁷⁸

CTI is one of the implementation of the Philippine maritime diplomacy in the form of maritime security, by join CTI, the Philippines able to control and maintain its maritime area which bordered by others four countries include Indonesia. Within the CTI, both countries are able to strengthen their commitment to cooperate on maritime affairs and show a good example how to still cooperate on major initiative regardless maritime border dispute. Additionally, the CTI allowed both countries to share their common interest and achieve mutual goals. Both countries are very aware their people

¹⁷⁵ Robert Go, "Arroyo, Megawati Sign Deals and Discuss Security." *The Straits Times*. November 13, 2001.

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<http://www.officialgazette.gov.ph/2011/12/14/statement-of-the-secretary-of-foreign-affairs-during-the-philippines-indonesia-jcbc-meeting-december-14-2011/>. (n.d.). Retrieved from <http://www.officialgazette.gov.ph/2011>

¹⁷⁷ Miere, Christian Le. *Maritime Diplomacy in the 21st Century (Drivers and Challenge)*. Routledge : 2014. Page 11

¹⁷⁸ Ibid

live very much depends on maritime, and contributed to their economic growth. The CTI beyond just cooperation in maritime security, it is one of the Philippines approaches in solving its maritime border dispute with Indonesia., it is proven that after CTI both countries agreed to accelerate their negotiation on a maritime boundary without the use of force. Moreover, the Philippines and Indonesia JCBC served as the platform for both countries to show their commitment to bolster bilateral cooperation in various areas.

Conclusion

The implementation of the Philippines maritime diplomacy, specifically co-operative maritime diplomacy through several aspects include, the establishment of cooperation on behalf of common interest in economics, politics and security with the elaboration from the orientation and strategy of both countries' foreign policy toward maritime border dispute since 1994 when the UNCLOS came to power. In accordance to the UNCLOS, the Philippines and Indonesia realized, when it comes to the sovereignty issues such as a claim over land territory thus, a unilateral proclamation of maps will eventually be aligned with prevailing international law. The Philippines-Indonesia maritime border dispute is a sovereignty issue of land territory, hence, as both countries have ratified the UNCLOS, they pleased for a series of negotiation began in 1994.

Knowing the political and security concepts of the country, the Philippines has a similar orientation to its foreign policy since the Marcos administration, however, the Philippines' strategy and responses to maritime border disputes with Indonesia depend on the respective ruling presidents since 1994 when the Philippines lived under the leadership of Ramos until 1998, continuing through Estrada until 2001, then

resumed by Arroyo for almost ten years before Aquino finally took his place. It should be underlined that every government has a degree of variability and interests that affect the Philippine foreign policy.

The implementation of the Philippine foreign policy strategy in the form of cooperative maritime diplomacy to resolve maritime border disputes with Indonesia shows how both countries are highly exposed to the longstanding value of friendship and show goodwill in settling maritime disputes peacefully. This is a significant contribution and a lesson for other countries still involved in the territorial dispute of reasonable efforts to achieve a stable and peaceful regional society, taking into account the interests of the countries concerned and in compliance with prevailing international law.

The Philippines and Indonesia negotiation of the maritime border dispute to delimit their EEZs has embodied the results in an agreement. The negotiation took 20 years to finally achieve clearly defined territory from the Celebes to Mindanao sea, however, during the long standing negotiation, both countries have shown each capability and wisdom to achieve peace and stability in the region through enhanced cooperation. In spite of the fact that they have not yet established any agreement of maritime boundaries before 2014, both countries were able to keep their healthy relations and cooperate in a major initiative on maritime issues such as bilateral security cooperation in the Celebes sea and CTI, hence, it showed that this maritime border dispute between the Philippines-Indonesia is the good example of how to resolve sovereignty issues without the use of force.

The Philippines-Indonesia maritime border dispute eventually gains momentum when the Philippines was led by President Arroyo since 2001. During her administration, Arroyo projected many

agendas that fortunately ease its negotiation on maritime border dispute with Indonesia, for instance, in 2005 as a response towards security threats such as terrorist and piracy, Arroyo initiated bilateral security cooperation in the Celebes sea which some of the parts also claimed by Indonesia, and in 2007 to join CTI-CFF. Within these cooperations, the two countries were able to maintain their relations regardless boundary issues. Additionally, when the Philippines faced the difficulty of Chinese assertiveness in the South China Sea dispute, Arroyo formulated foreign policy strategy to align the Philippines maritime law in accordance to the UNCLOS, ever since the Philippines' territorial boundary finally recognized in the International system as it used the same prevailing international with other state parties in the UNCLOS, particularly Indonesia.

These important events were produced during the Arroyo's administration. Fortunately, it was sustained well by Aquino's administration. Aquino considered the relation with Indonesia is essential not only in the field of security, but also fisheries, tourism, trade, investment and etc. Thus, Aquino directed the foreign policy to settle a peaceful resolution of the maritime border dispute with Indonesia. Since he led the Philippines in 2010, a number of major initiatives and cooperation were made, specifically who contributed a lot towards the resolution of the maritime border dispute which is JCBC in 2011 and 2014. Ever since, Aquino and his counterpart: Indonesia's President SBY committed to show their greater attention to extend and strengthen cooperation in so many fields, both agree by finishing their long standing negotiation on boundary will be marked as their first and important step to further cooperate in major areas.

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Article

Indonesia's Public Diplomacy towards Malaysia

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ABSTRACT

Indonesian public diplomacy has been understood as an effort to attach a certain image like a moderate, democratic and progressive image. Nevertheless, the image is not always present in bridging Malaysian bilateral relations. In Malaysia Malaysia's bilateral relations practice, public diplomacy reveals itself in a different face. This article places public diplomacy not only as an effort to maintain the image in rationalists view, but public diplomacy as an effort to maintain relationships through shared identity. Through Indonesian diplomatic studies on Malaysia's three main issues over the past 15 years, it was found that public diplomacy was present as an effort to maintain relations through the shared identity as the Bangsa Serumpun (One Kin) or known as Kinship. Although Malaysia social economic context has changed, Indonesia still believes that the obligation to place the stability of relationships is a priority. Self-refrain and encouraging public dissemination become the practices of Indonesian public diplomacy towards Malaysia. Through qualitative methods, Indonesian policy documentation studies of three major bilateral issues found that Kinship is still the main reference for Indonesia in maintaining bilateral relations although it's practiced differently.

ABSTRAK

Diplomasi publik Indonesia telah dipahami sebagai upaya untuk melekatkan citra tertentu seperti citra yang moderat, demokratis dan progresif. Namun demikian, citra tersebut tidak selalu hadir dalam menjembatani hubungan bilateral Malaysia. Di Malaysia, praktik hubungan bilateral Malaysia, diplomasi publik mengungkapkan dirinya dalam wajah yang berbeda. Artikel ini menempatkan diplomasi publik tidak hanya sebagai upaya mempertahankan citra dalam pandangan rasionalis, tetapi diplomasi publik sebagai upaya mempertahankan hubungan melalui identitas bersama. Melalui studi diplomatik Indonesia mengenai tiga masalah utama Malaysia selama 15 tahun terakhir, ditemukan bahwa diplomasi publik hadir sebagai upaya untuk mempertahankan hubungan melalui identitas bersama sebagai Bangsa Serumpun atau dikenal sebagai Keserumpunan. Meskipun konteks sosial ekonomi Malaysia telah berubah, Indonesia masih percaya bahwa kewajiban untuk menempatkan stabilitas hubungan adalah prioritas. Menahan diri dan mendorong diseminasi publik menjadi praktik diplomasi publik Indonesia terhadap Malaysia. Melalui metode kualitatif, studi dokumentasi kebijakan Indonesia dari tiga masalah bilateral utama menemukan bahwa Kekerabatan masih merupakan referensi utama bagi Indonesia dalam mempertahankan hubungan bilateral meskipun dipraktikkan secara berbeda..

Introduction

Indonesia-Malaysia's relationship has always been dynamic from the beginning. After confronted in the Sukarno era, they were trying to establish a harmonious relationship by prioritizing ties through Kinship. Unfortunately, Malaysia's socio-economic changes are likely to encourage the state to start changing its perspective on itself.

The good relationship during Suharto's era get worse in line with the changes of Malaysia's social economy context due to the New Economic Policy. Through a number of policies, Malaysia slowly changed its identity through the ideas of "Look East", "Malaysia Boleh", "New Asia" and "Smart Partnership".

The change of identity then influenced the policy chosen by Malaysia, including the policy toward Indonesia. Indonesia's migrant workers became the issue that soon affected the bilateral relationship. Instead of causing social problems, Indonesia migrant worker issue was also influence Malaysia domestic politics. The situation of social and politics in Malaysia finally pushed the government to place the illegal migrant workers as the threat for the state's safety . As a result, the policy of securitization of migrant workers was released. The change of identity also influenced the policy of Malaysia's tourism that seems to be very aggressive for Indonesia. Too bad, the slogan of Malaysia's tourism 'Malaysia Truly Asia' launched by the government of Malaysia in 1999 brought the Malaysia's tourism project became too fervent. Being too enthusiastic, a number of Indonesia's cultures were involved in some parts of Malaysia's tourism advertisement. Malaysia's aggression on the issue of border also seemed to increase after the ICJ's policy on 2002 over Sipadan and Ligitan. The impact of the issue of the change in border mapping due to the ownership of Sipadan and Ligitan is the issue of Ambalat's Claim.

The change of Malaysia's social economic context has given the influence to the policy towards Indonesia. Malaysia does not hold a self-induced sub-ordination anymore, an asymmetric bilateral relationship but contributes to the nourishment of the close relationship between the two countries .Those three issues triggered the tension between the two countries and resulted in a number of negative reactions on the citizens of both countries. The negative reactions were not only demonstrations with flag burning but also threats to do some sweepings and send troops to the conflict area and net war.

This article looks at how Indonesian public diplomacy is practiced towards Malaysia and what underlies the choice of this form of public diplomacy. It also shows that public diplomacy is not merely an attempt to embed image but to maintain relationships by sharing cultural identities.

Research Method

The qualitative research method used in this paper is intended to examine the Indonesian public diplomacy towards Malaysia. This article is discussed about the Indonesian public diplomacy towards Malaysia in the changing bilateral relations between Indonesia and Malaysia in three main bilateral issues, border issues, cultural claim issues and migrant worker issues . From these three bilateral issues, then can be seen how public diplomacy towards Malaysia is practiced by Indonesia. Public diplomacy is built in the frame of Kinship with both monologue, dialogue and public dissemination of diplomatic options despite having to deal with public skepticism.

Literature Review

Recently public diplomacy refers to the state's and non-state's efforts in constructing positive public opinion outside the state in order to help the state on reaching its national interest. Positive image or identity is then believed to be able to form the public opinion in public diplomacy . The rationalists view that is

utilized in interpreting public diplomacy limit the identity role itself in framing the public diplomacy activities. Meanwhile, identity has a significant role in influencing how a system could communicate itself. Identity could also influence how actors perceive themselves and other actors and form their actions towards the others.

The identity that sticks on a certain group is consciously constructed as analog with the role or the combination of self image with the image of other people. Identity is an important thing in how an actor construct his/her perception on other actors. Nau's relative identity states that relative identity inform the actors about their position from other actors in the frame of mutual respect. It is the identity, the thing that lead him/her to determine the attitude toward other actors. Identity that is formed in the relationship between countries become the context of a number of interests, perceptions, and actions. Identity also leads how a state/system does not only communicate but also constructs mutual understanding and maintains its existence in its surroundings.

Luhmann places identity as part of social communication that enables an agent to deal with meaning and reality of materials. Therefore, communicative action is not only an action to deliver or exchange messages but it is also an effort to influence the relations in the frame of maintaining one's existence. This matter becomes the note of public diplomacy that is now interpreted as an effort to build the image of a nation. Public diplomacy could not be placed in a very narrow understanding because public diplomacy bears a bigger role, that is, as an effort to maintain the existence of a system through its own identity and the identity emerges from the relationship that happens between states.

The identity or role that is owned by a state serves as guidance for the state to do certain actions. A state does not take an action based on a consideration of what action is the most efficient to itself but on an idea of what is appropriate to do which

is in line with the role or identity it has to the particular situation. The decision to do an action in the relationship between the countries is pushed by that is called 'logic of appropriateness'. Within the tradition of a logic of appropriateness, actions are seen as rule-based. Human actors are imagined to follow rules that associate particular identities to particular situations, approaching individual opportunities for action by assessing similarities between current identities and choice dilemmas and more general concepts of self and situations. Action involves evoking an identity or role and matching the obligations of that identity or role to a specific situation. The pursuit of purpose is associated with identities more than with interests, and with the selection of rules more than with individual rational expectations.

The identity of being a one kin had been built by Indonesia and Malaysia as an effort to normalize the relationship of the two after the confrontation phase. Being one kin refers to the idea of shared identity based on the race similarity. The idea of kinship proximity built up from the long history of the two nations, trade, political power and the spread of culture became part of the efforts of both nations in ending colonialism. Liow points out that this idea of kinship closeness makes the relationship both incomprehensible. On the one hand, the idea of Malay kin similarity is able to foster social, economic and political closeness. But, on the other hand, it actually foster prejudices that affect the relations between the two nations both on the state and public level as well.

Being one kin also means a 'special relationship' between Indonesia and Malaysia. This idea was the construction from the political figures of both Indonesia and Malaysia through the process of cultural politicization. Culture does not have its own meaning because it has transformed into a process of effort of constructing meaning by those who have economic and institutional authority. The politicization was firstly done in the

context of anti colonialism attempt that was done by the nationalists both in Malaysia and Indonesia. At that time, Malaysia did not refuse the unification of identity through Indonesia Raya or Melayu Raya. The figures such as Muhammad Yamin, Ibrahim Yaacob, Burhanuddin Al-Helmy, Ahmad Bustamam, Ishak Mohamad, Mokhtaruddin Lasso and Sukarno attempted to conceptualize Malay tribe as an independent tribe that had been there far before the colonialism era. Based on the population spread, the similarities in culture and language and the interactions that happened since hundreds of years, the identity as a nation with the same culture would not be too difficult to be attributed. Besides the identity as being one kin, the role as an elder brother also became the identity that guides how Indonesia responded to Malaysia's policy. In 1970-1980, the role as an elder brother was shown by the attitude of 'keeping' Malaysia's foreign affair through consultative behavior. The use of Malay language is a kind of blessing for Indonesia to influence the social and cultural side of Malaysia through language. A number of teachers and lecturers were sent to Malaysia in 1970s. Meanwhile in political side, Indonesia 'keep' Malaysia's position as a 'younger brother' through the consultative relationship in relation to regional area stability. Even Tun Abdul Razak introduced the concept of Rukun Negara on August 31st 1970 which is similar to Pancasila. Rukun Negara is a blueprint for national solidarity and a reshaping of a national identity consisting of five principles. Malaysia also provided rice assistance in the 70s, so Soeharto called it as a proper thing for a younger brother to do towards his brother. The ZOPFAN and TAC agreements, similar to views on the East Timor issue, the decolonization of Brunei, the normalization of relations with China and also the policy on Vietnam through Kuantan Principle were another form of this consultative relationship.

Discussion

Kinship must confront the political economy shifting due to the NEP policy. And unfortunately, Liow's note about the complexity of Indonesian-Malaysian bilateral relations because of race and culture has not adopted this change. The success of NEP gradually encouraged Malaysia to no longer practice the self-induced subordination and began to re-interpret the bilateral relation. NEP have had an impact on Malaysia's changing view of herself. This change of identity then influences policies towards Indonesia. Smart Partnership is one of the Malaysia's policy to reject self-induced subordination. The change in Malaysia's social economic context that was shown by NEP's success influenced how Indonesia present the Kinship. As an elder brother, Indonesia showed a number of policies that tend to have a self-refrain on Malaysia's aggressive attitudes. Through the three bilateral issues, it's shown that Indonesia has attempts to maintain the bilateral relationship in the frame of Kinship. Indonesia's seen trying to withdraw from the confrontational situation through a number of diplomatic settlement offers. The Indonesian government was also more pressing on the domestic public to better understand the tension as a misunderstanding and limited knowledge of the issues that occur. The dominating attitude as an elder brother has been replaced by a more appropriate attitude to keep the regional situation stable.

Public diplomacy efforts in response to the changing behavior of Malaysia can be seen in the following three issues.

Border Claim Issue

In the issue of border area, Malaysia's aggressive behavior had been shown when Malaysia issued a map of Sipadan and Ligitan in their own side and the construction of electrical installation in the end of 1970's. Malaysia's aggressions were even more vivid when the efforts of solving the problems through bilateral agreement. The two countries agreement to keep the status quo of Sipadan and Ligitan islands

and preferred not to do anything was neglected by Malaysia by military force in 1982. Indonesia's objection on the matter did not stop Malaysia and repeat the military force in 1991. The military force in 1991 made Indonesia reacted by accusing that Malaysia did not obey the agreement to maintain the status quo.

On Indonesia's persuasion, the two countries conducted 4 meetings started from June 1995. At the last meeting on June 21st, 1996, both signed a report that was given to each government. The report contains the recommendation to propose the dispute of Sipadan and Ligitan to ICJ. This is in fact different from Indonesia's expectation to wrap up the dispute in ASEAN level. The decision is then made into the agreement of "Final and Binding." On May 31st 1997 through Special Agreement for the submission to the International Court of Justice the dispute between Indonesia and Malaysia concerning the sovereignty over Pulau Sipadan and Pulau Ligitan. Indonesian Government then ratified the manuscript on December 29, 1997 through President's Decision Number 49 year of 1997 and by Malaysian's government on November 19th 1997. This Special Agreement is a procedural requirement that enable ICJ to have a jurisdiction on the matter. The Special Agreement was then delivered to International Law Court on November 2nd 1998 through a Joint Letter. In the decision of International Court on December 17th 2002, Indonesia was declared defeated. The 'effective occupation' used by ICJ showed that Malaysia had more right on Sipadan and Ligitan.

Regretfully this decision is then became the basis for Malaysia's next step to bring the border area of Indonesia-Malaysia into problem again, precisely Ambalat sea in 2005. In 2005 Malaysia gave concession on Block BD-6 and D-7 (in Ambalat sea) to Petronas Carigali that has a cooperation with Royal Dutch/Shell Group. These blocks are overlapped with the blocks that had been conceded by Indonesia to Shell, ENI and Unocal. The problem of one-sided

claim was then followed by the capture of 17 Indonesian workers who worked to build a lighthouse in Karang Unarang. Those workers were captured by Malaysia's war ship, KD Sri Malaka on Februari 21st 2005. Indonesia's war ships, KRI Rencong and KRI Tongkol were soon ordered to head to Karang Unarang and followed by 5 other ships, namely, KRI K.S. Tubun, KRI Nuku, KRI Singa, KRI Tedong Naga, and KRI Wiratno. However, the presence of the ships was replied by the sending of spy crafts by Malaysia the next day by passing Indonesian air territory .

The same incidents happened several times in the next years. On February 24th 2007, the war ship KD Budiman of Malaysia penetrated Indonesia's water territory up to 1 mile around 10:00 WITA. At the afternoon, another Malaysia's war ship, KD Sri Perlis, even penetrated to Indonesian water territory up to 2 miles. Both war ships were then driven back by Indonesia's war ship KRI Welang. The next day, KD Sri Perlis returned back to Indonesian's territory around 3000 yards at 09:00 WITA. The ship was soon warded off by KRI Untung Surapati. Two hours later, around 11:00 WITA, Malaysia's patrol craft passed Indonesian's territory as far as 3000 yards. Indonesia then prepared 4 war ships at once, namely, KRI Untung Suropati, KRI Ki Hadjar Dewantara, KRI Welang, and KRI Keris. In 2009, since January until June, Malaysia's war ship and patrol aircrafts had entered Ambalat territory 13 times .

Although the abuse on Indonesian's authority was continuously done and domestic pressures arised everywhere, but the state persisted to do the efforts of solving the problem through diplomacy. On the incident in 2009, Soesilo Bambang Yudoyono (SBY) called Najib Razak by phone to make sure that both countries had to handle the problem through an agreement . Indonesia had met Malaysia 28 times along 2005-2015 to discuss about the maritime border areas of the two countries in all segments, namely Malaka strait, Singapore strait, South Tiongkok Sea, and

Sulawesi sea. However, for 10 years of negotiations, there were still some substantial differences of the methods and law principles of drawing the maritime borderlines. In order to accelerate the completion of marine border with Malaysia, SBY assigned a special messenger to the Enforcement of Marine Border Line between RI-Malaysia, with the main duty of finding the creative solution of marine borderline of the two countries by considering other factors completing the technical and legal aspects. Coercive ways were clearly left although it was easy for SBY to gain military support.

Besides negotiation, Indonesian government also had sent 35 objection notes since the first incident until 2009. Whereas in 2005 the ministry of foreign affairs had sent 7 notes of objection. On 22nd-23rd of March 2016 Indonesian's and Malaysian's foreign affair minister had talked about Ambalat in Bali. In the meeting the two countries focused the activities on the borderline in Sulawesi sea and share the view about each base position in accordance with the basic principles of United Nation of Convention of the Law of Sea (UNCLOS). Both also had an agreement of technical work planning and meetings in every two months and concluded that the completion of Ambalat would still need more time and more other series of meetings.

Cultural Claims Issues

Malaysia's aggressive behaviors were also seen in the field of social and culture. The tourism policy of Malaysia "Malaysia Truly Asia" in 1999, did grow not only new national identity for Malaysia through national branding that reflects 3 biggest races in Asia, but also made it actively identified and recorded (doing claim) the cultures that are developed in Malaysia. As a result, a number of Indonesia's culture that live in Malaysia – because of migration – became parts of the project of cultural record of Malaysia. This policy is a part of economic policy by Malaysia in order to increase Malaysia's tourism where

every culture group register itself in the Act of National Heritage. Culture is not only viewed as the identity of a group of people anymore but it is only an object that has commercial nature. The too exaggerated policy seemed to make Malaysia less careful in showing a number of Indonesian's cultures that were loaded in Malaysia's tourism campaign.

The issue of cultural claims are for example happened to the dance of Reog Ponorogo in 2007 when the dance became part of Visit Malaysia 2007 tourism campaign "Malaysia Truly Asia" in the web site of the Ministry of Culture Art and Heritage of Malaysia. The dance, which was called Barongan Dance in the tourism campaign, had an identical feature with Reog Ponorogo Dance, for example, in the use of Dadak Merak mask, that is a mask of a tiger's head and there are Peacock leathers on it. Only, on the part that usually written 'Reog Ponorogo' is not longer found, instead, it was written 'Malaysia'. It also happened in Pendet Dance which was seen in a documentary movie on the program of Asia Pacific Discovery Network entitled 'Enigmatic Malaysia' produced by KRU Studios in 2009. Besides Pendet dance and Reog, Malaysia also stated that Gordang Sambilan was belongs to Mandailing Community that was registered as one of the National Heritage branch through the Certificate of National Heritage that was cited by Bernama News Office on the launching of Perhimpunan Anak-Anak Mandailing in Malaysia in Dewan Seri Siantan, Batu Caves, Selangor. The Indonesian Ministry of Domestic Affair mentioned that there are 21 Indonesia's cultures that Malaysia had ever claimed. The cultures were in the form of dances, music instruments, and cultural artifacts.

The controversy of cultural claims brought in anarchistic demonstration and other negative attitudes. However, it seemed that the state was not provoked to choose harsh attitude towards Malaysia such as stopping the diplomatic relationship or boycotting Malaysia. The attitude shown by Soesilo

Bambang Yudoyono was quite soft yet assertive to ask Malaysia to be more sensitive to the problem of Culture that had happened several times. The president also had called the Foreign Affair minister and Minister of Culture of Indonesian Republic to discuss about the problem of cultural claims that had happened many times. Note of Objection was sent to ask for Malaysian's government about the issue.

In 2012, the deputy of the minister of Education and Culture, Wiendu Nuryanti, delivered the strategy that the state will use in solving the problem of the claim. On the cultural claim, the state had prepared some strategies, which is, short-term strategy, mid-term strategy, and long term strategy in order that the claims of Indonesian cultures by Malaysia would not happen anymore. The short-term strategy is sending the note of objection toward Malaysia's claim to Indonesian culture. The middle term strategy is through bilateral conciliation to discuss about the cultural occupancy. In the long-term strategy, Indonesia could bring the cultural claims issue to the international court.

Meanwhile, in responding to the negative attitudes of public domestic inside the state, the Ministry of Foreign Affair released a statement through the spokespersons, Teuku Faizasyah, he said that the Ministry of Foreign Affair regretted the anarchistic actions because they disturbed the public orderliness and harmed the image of Indonesia overseas. The President also had stated similar statement on the issue. After giving press statements about the cultural claim issue stating that the state had sent the note of objection and at the same time asked the public community not to behave in anarchistic ways. Something more important is keeping the good relationship for the sake of the common interest and remembering the cooperation in labor workers that had been constructed with Malaysia.

On the demand of the government of Republic of Indonesia, Malaysia gave a cooperative response. They gave an explanation that what they did does not

mean to take Indonesian culture. On some cultures that they 'claimed' in the Certificate of Cultural Heritage are the cultures that are exist in Malaysia and were brought by Indonesian people who migrated to Malaysia for working or trading many years ago. Dato' Anifah Aman, Malaysia's Foreign Minister admitted that many of Malaysian community are Indonesian citizens. They are still keeping what their ancestors inherited and they practiced them in the new place, Malaysia. From Kedah to Johor there are Indonesian off springs or Indonesian citizens who work in Malaysia (Dato Anifah Aman, 2009).

Some meetings between political elites gave a clearer situation that happened in Malaysia. The meetings between Ponorogo regent with the Malaysian Ambassador, Dato' Zainal Abidin Zain, ended the dispute about Reog Ponorogo, the meeting between the Foreign Affair Minister Hassan Wirajuda and Malaysia's Foreign Minister Dato' Anifah Aman ended the dispute about Pendet and the meeting between the deputy of Malaysia's Prime Minister Tan Sri Dato' Muhyiddin Haji Mohd Yassin and the Vice President of Indonesia, Boediono, ended the dispute between Indonesia and Malaysia Gordang Sambilan and Tor-Tor.

An expert group was formed by Indonesia and Malaysia to analyze the problems. Together with the Prime Minister of Malaysia Dato' Seri Abdullah Haji Ahmad Badawi, on the 5th meeting of Indonesia-Malaysia Annual Consultation in Putrajaya on January 11th 2008, SBY agreed to explore a new approach in the relationship between the two countries and built a strategic collaboration for their common interests. EPG (Eminent Person Group) was formed on July 7th 2008 in Kuala Lumpur and was aimed as an informal advisor institution that consists of 7 members who were chosen from each state. From the meeting, EPG had stated some experts' views from both countries through book entitled 'Resurrecting Historical Collective Memory of Indonesia-Malaysia'

or *Membangkitkan Memori Kolektif Kesenjangan Indonesia-Malaysia*" in 2011. The book contains various articles from 23 authors from Indonesia and Malaysia that discusses 3 matters, that is, The Historical dimension of Indonesia – Malaysia, Art, language and culture, and Social Politic and economy.

The Migrant Labor Issue

The attitude of self-restrain was also noticeable in the issue of migrant workers that resulted in many negative impacts to the Indonesian migrant workers in Malaysia. The securitization of Indonesian migrant workers applied by Malaysia through military operations namely Nyah I Operation (1991), Nyah II Operation (1992), Pintu Operation (1997) and Immigration Act (2002), implicated in the deportation of Indonesian Labors. It was also followed by the death of 70 Indonesian workers and the captivation of 700 workers and 23 workers who were whipped .

The concentration of Indonesian workers who work without skill or with a limited skill or the job kinds known as "3D Jobs" (dangerous, dirty and/or demeaning) such as working in plantation, domestic workers, and construction workers (IOM, 2010) make them less respected in Malaysia. The bad images often stick on Indonesian migrant workers, for example in the statements of 'Peningkatan Jenayah' (the increase in crime) by the Malaysia's officials and policemen is very easily related to the word 'Indon' as the doers by Malaysia's mass media. The term 'Indon' itself, although it is a common word used in Malaysia, it invites the feeling of inferiority of Indonesian people and it triggers offenses. Indon is also badly described by the diction of 'diburu' (hunted) by Rela . Indonesian workers are also constructed as a group of PATI, *Pekerja Tanpa Ijin* (Unlicensed Workers), that often embellished news about Indonesian workers. This term is even often replaced by 'pendatang haram' (illicit comers). In terms of rubrics, PATI is often

posted in the domestic pages. It gives an image that PATI is a problem that often disturbs Malaysia's domestic social and cultural life . From Zakiah's research, Malaysia's public opinions were mostly formed by the role of mass media that often load crime news . Some printed media that has big influence in Malaysia such as *Harian Metro*, *Utusan Malaysia*, *Berita Harian* and *New Straits Times* and *The Star* almost every day post news about Indonesian migrant workers in Malaysia that encounter problems. Negative descriptions about Indonesian workers are found for example in a headline "25.000 Pekerja Indonesia Bawa Penyakit Setiap tahun" (25.000 Indonesian workers Bring Ailment Every Year), "Pekerja Asing Biadab" (Uncivilized Foreign Workers), "Orang Indon Mengganas" (Indons Get Nasty). The effects of the news are the creation of negative opinions among Malaysia's people towards Indonesian citizen .

The negative views on Indonesian migrant workers and a number of violent cases to Indonesian domestic workers, such as Nirmala Bonat, Ceriyati, Aida Nurul, Siti Hajar, Modesta Ranga Eka and also Winfaidah make the sentiment of Indonesia was very easily triggered. Besides negative sentiments in the form of anarchistic demonstration, there is also the idea to do sweeping to Malaysian citizen. The sweeping to Malaysian citizen that was moved by Bendera NGO is aimed not to Malaysian citizen but to Malaysian government who had released a policy which is considered as unfair for the migrant workers. An interview with Napitupulu , a coordinator of Bendera, stated that through media, it is expected that the message that they put in the action of sweeping would be caught by Malaysia's government, that is, it is not comfortable to be treated like not human, chased, hurt, and so forth.

Compared to the other two issues, Indonesian's reaction in the issue of migrant workers seemed to be more straightforward. On the contention of

Migrant Care, the state took a policy to do moratorium of migrant workers in 2009. The discontinuation of Indonesian migrant workers is a form of a hard reprimand to Malaysia in order that they are willing to restore the control and warranty of the rights of Indonesian migrant workers in Malaysia. The moratorium was revoked in 2011, when the two countries signed MoU that contains the migrant workers' rights in terms of holiday, the minimum wage and the procedure of giving, passport, the rate of placement cutback of migrant workers, and the mechanism of the joint management.

Inside the state, the force toward the government was quite large. A number of bureaucrats, politicians, and domestic public also considered that the government was very weak toward Malaysia that had been so tyrant to Indonesia. The president and the cabinet are deemed as not to have gut in facing the harassment done by Malaysia in many chances. The invitation to leave the soft diplomacy had been stated by the Chairman of the Committee of Defense of the People Representative Board (DPR), Mahfudz Siddiq. The government was viewed as too slow in taking the reaction and makes the decision in the invasion of the area of Tanjung Datu and Camar Bulan in Kalimantan. For them, the response through military action and discontinuing the diplomatic relation with Malaysia became a rational issue for the state. In the internet world, the war even had happened between Indonesian netizens versus Malaysian netizens which was represented by e-Ganyang and e-Godam.

However, many times Susilo Bambang Yudhoyono (SBY), the President of Republic Indonesia stated that the problems caused by Malaysia were not appropriate to be responded harshly. The state chose to finish it by sending diplomatic notes and offer to have a dialog in order to finish the existing problems. Even, an academic group (Eminent Person Group/EPG) was formed by SBY to make an investigation the root of the bilateral problems.

The identity of one kin that have a moral obligation to keep the harmonious relation led SBY to the cooperative attitudes and tendency to refrain from Malaysia's aggressions and the domestic forces. For SBY it was more important to keep good relation that had been constructed. The attitude of refraining self is shown by SBY by always reminding that Indonesia and Malaysia still have kinship relations besides the very close historical and cultural relation. Stated that the government seriously wanted to repost the problems by sitting together, talking specifically about the matters that are related to the difference in views.

The effort to prefer negotiation to military force was also based on Susilo Bambang Yudoyono's view on the power of soft power. His view was delivered in a number of international meetings for example in public lecturer in Havard University in 2009, the opening of 13th General Assembly of The Veterans Confederations of ASEAN Countries, on July 27th, 2010 and in the 4th Plenary court of Asian Parliamentary Assembly (APA). When speaking in Harvard University in 2009, SBY stated that if the 20th century is the century of hard power, then the 21st century is the century of soft power. This statement was delivered in a speech entitled Menuju Harmoni dalam Peradaban (Toward Harmony in Civilization), in John F. Kennedy School of Government, Harvard University, Boston.

SBY repeated this view in the opening of 13th General Assembly of The Veterans Confederations of ASEAN Countries in the same year. He stated that the 21st century is different from the 20th century because 21st century is the century of soft power, "The 21st century will be known as the Century of Soft Power. Those who succeed will not be those with the largest gun. It will be those with the capability to adapt in the globalization; those inundated with soft skills; those that can compete and constantly reinvent itself". Soft power is considered as more effective than hard power.

SBY's attitude was propelled by his belief on the power of soft power in maintaining the relation between countries, especially in Asian region. In his speech when opening the plenary court of the 4th of Asian Parliamentary Assembly (APA), he stated rigorously that Asia is an area that is full of harmony and wealthy and the harmonious and wealthy area could only be gained by constructing the soft power.

"I do believe that the key of the peaceful and wealthy Asia's future lies on our capacity to build and spread soft power. If we could make the 21st century a century of soft power, we would accomplish a different Asia, that is Asia that is full of partnership and toleration network, the peaceful and wealthy Asia, Asia that becomes the ace of the world's growth, and all in all, the parliament's role would be important and strategic".

Some issues that occurred such as border area, migrant workers, and cultural claim tend to be dominated by the state through negotiation. Soesilo Bambang Yudhoyono argued that it was done because of three reasons, which is, the historical relationship between the two countries, Indonesia and Malaysia, is an important pillar of ASEAN and the high value of the economic cooperation that had been constructed by the two countries. The following is the citation of SBY's speech in TNI headquarters in Cilangkap on September 1st 2010:

"....First, Indonesia and Malaysia have very close historical, culture, and kinship relations – and it might be the closest among other countries, and it had been constructed for hundreds of years. We have historical responsibility to maintain and continue this brotherhood bond. Third, there are around two millions of our brothers who work in Malaysia – in companies, farming, and in various field of works. This is the largest number of migrant workers who work abroad. Of course the existence of Indonesian migrant workers bring mutual advantages, both for Indonesia and Malaysia."

Meanwhile on the plenary court of the 4th Asian Parliamentary Assembly (APA), SBY assertively stated that Asia is an area that is full of harmony and wealth, "... I do believe that the key of Asia's peaceful and wealthy future is located on our capacity to develop and spread soft power. If we make the 21st century the century of soft power, we would accomplish a different Asia. SBY's soft diplomacy rooted from the view that the solution to deal with the problems of relationship between countries would not be successful if harsh ways or forces are utilized. On the speeches, SBY emphasized that soft power is often very or the most effective compared to hard power. The best of ways to solve problems is by upholding soft power.

Conclusion

The identity of being an elder brother in kinship led Indonesia to choose softer attitudes and self-restraining on Malaysia's aggressiveness. Public diplomacy did not only an effort to maintain the state's images but also the state's effort to maintain the relationship through shared identity. The state do these efforts by choosing the policies that are more cooperative by holding up dialogs and negotiations. The assertiveness that was shown by the migrant workers' moratorium in 2009, became one form of the assertiveness as an elder brother who expected that Malaysia would make a betterment on the regulations, control, and quarantine of migrant workers especially the domestic workers.

The Diplomatic notes and offers to do the renegotiation of Indonesia and Malaysia's border area in Ambalat, talking about the culture of the archipelago, and the renegotiations of the regulation and control of Indonesian migrant workers became Indonesia's alternatives for the sake of keeping its relation with Malaysia and at the same time its existence as an elder brother. Meanwhile the domestic forces tend to be neglected although the state had

not been quite optimums in involving the public in the effort of maintaining the bilateral relationship. What had been done through the ministry of foreign affairs was still very limited. In the issue of borderline, for example, the ministry of foreign affairs gave support in resolving the problem through diplomacy by building up a better perception on the issue. The step had been started by the ministry of foreign affairs by holding a public lectures on the issue of the border-line between Indonesia and Malaysia. Hassan Wirajuda's explanation about the ownership of Sipadan and Ligitan was delivered in a public lecture that entitled "The Negotiations of Maritime Border Area with The Neighboring State" held by the Faculty of Law of Universitas Airlangga. On the era of Hassan Wirajuda, public lecture became one of the regular programs of the Directorate General of Diplomacy and Public Information of Foreign Ministry. The public information related to issues also published through scientific journal publications by the ministry of Foreign Affairs, especially through *Opinio Juris*, and a number of Diplomatic Tabloids. However, the scientific publication owned by the Ministry of Foreign Affairs had not been elected as the reference for mass media in discussing the bilateral issues between Indonesia and Malaysia. The media itself is an information device that has bias in delivering information or news. Even worst, mass media became a main public references in accessing information about the dispute of area border between Indonesia and Malaysia.

The minimum role of the state in giving the public information related to the bilateral issues and at the same time the involvement of the public in the effort of maintaining the bilateral relation did not only happen in the issue of border area. In the other two issues, the presence of the state was still very low. This could be a special note for Indonesia's ministry of foreign affairs in order to be able to take hold of mass media in handling the bilateral issue to be more constructive for the two countries' relation. Not only the media, a number of non-state actors who had done some efforts to keep the relation through the identity of being one kin should also become the main think tank of the state. The non-state actors are Balai Melayu, Malindo Nusantara, Malindo Research Centre, Permai and also a group of Dayak customs groups such as Dewan Adat Dayak and Serawak Dayak National Union.

Therefore, Public Diplomacy was not only the effort to influence the public opinion, but it is also an effort to influence the relation between countries as well as its existence through the shared identity. In terms of the bilateral relationship between Indonesia and Malaysia, the cultural identity of being one kin became the framework for Indonesia's public diplomacy to influence its relation with Malaysia and at the same time maintaining its existence, both its geographical and cultural existence.

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