

# The Indonesian Update

Monthly Review on Economic, Legal, Security, Political, and Social Affairs



## Main Report: Examining the Indonesia-Malaysia Conflict

### Politics

- Flows of Funds in The House of Representatives ■
- Measuring the Performance of Parliament ■

### Social Issues

- Worship Tolerance is on Crisis ■
- The Discourse on Relocating the Capital of the Republic of Indonesia ■

# CONTENTS

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FOREWORD .....	1
MAIN REPORT	
Examining the Indonesia-Malaysia Conflict .....	2
POLITICS	
Flows of Funds in The House of Representatives .....	7
Measuring the Performance of Parliament .....	10
SOCIAL ISSUES	
Worship Tolerance is on Crisis .....	13
The Discourse on Relocating the Capital of the Republic of Indonesia .....	16
COMPANY PROFILE .....	19
RESEARCH AND TRAINING PROGRAMS .....	20
ADVERTORIAL INDONESIA 2009 .....	22

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## FOREWORD

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The Indonesia-Malaysia confrontation as happened during the reign of President Sukarno (1963-1966) could transpire again sometime in the future. The confrontation back in the 1960s was triggered by the establishment of a British puppet state in northern Borneo. It was seen as a new form of British imperialism and colonialism, using Malaysia as a disguise. Since then, the Indonesia-Malaysia conflicts have been triggered by a variety of causes, such as breaching the borders between the two countries, the problem of the Indonesian migrant workers (TKI) in Malaysia, and the problem of Indonesian cultures being claimed as theirs by Malaysia.

The cases of violation of territorial boundaries between the two countries have appeared to be a major issue in the conflict between the two countries. The last case that involved the arrest of three employees of the Ministry of Maritime Affairs and Fisheries (NOA) by the Malaysian Police had re-triggered the conflict between the two countries. This has escalated from only involving the government elite to also affecting the people at the community level (state people). This edition of Update Indonesia will highlight a main report on the conflicts between Indonesia and Malaysia.

This edition of the Indonesian Update also raises some important themes from several fields. On politics, it talks about the flows of funds within the DPR and the performance of the parliament. On social affairs, it discusses the freedom of worship and the idea of relocating the capital of the Republic of Indonesia.

The regular publication of the Indonesian Update with its actual themes is expected to help policy makers in the government and the business sector, academicians, and international think tanks get actual information and contextual analyses on economic, political, social, and cultural developments in Indonesia.

***Happy reading!***

## Examining the Indonesia-Malaysia Conflict

*The Indonesia-Malaysia confrontation as happened during the reign of President Sukarno (1963-1966) could transpire again sometime in the future. The confrontation back in the 1960s was triggered by the establishment of a British puppet state in northern Borneo. It was seen as a new form of British imperialism and colonialism, using Malaysia as a disguise. Since then, the Indonesia-Malaysia conflicts have been triggered by a variety of causes, such as breaching the borders between the two countries, the problem of the Indonesian migrant workers (TKI) in Malaysia, and the problem of Indonesian cultures being claimed as theirs by Malaysia.*

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### **Territorial borders**

The Indonesia-Malaysia confrontation was put to an end in the era of President Soeharto through a peace agreement between the two countries signed on August 11, 1966. Since then the Indonesia-Malaysia relations have been relatively normal.

However, the Indonesia-Malaysia relations are often disturbed by the border disputes between the two countries. The problem that got the most attention was the take-over of Sipadan and Ligitan Islands by Malaysia in 2002 through the mechanism of the International Court. The border dispute problems persist with Malaysia's claim to the Ambalat block, starting from 2005.

The cases of violation of territorial boundaries between the two countries have appeared to be a major issue in the conflict between the two countries. The last case that involved the arrest of three employees of the Ministry of Maritime Affairs and Fisheries (NOA) by the Malaysian Police had re-triggered the conflict between the two countries. This has escalated from only involving the government elite to also affecting the people at the community level (state people).

According to the analysis by Jaleswari Pramodawardani (“Bara in the Indonesia-Malaysia Relations”, Metrotv news, September 15, 2010), the cases of violation of boundaries between Indonesia and Malaysia have been caused by the insecurity on the part of the Indonesian government, which also reflects several things. **First**, the lack of understanding and political will on the part of the government and stakeholders about the awareness of space and of the state border line.

**Second**, policies that overlaps and do not consider our waters as a unifying factor of the nation and regions. **Third**, the reality of security threats and violations of the law of the sea still persist and tend to increase both in quality and quantity. Yet, this issue has not been a priority agenda in the implementation of the existing policies. Indonesia has had a Declaration of December 13, 1957 as the start of Indonesia’s struggle to unite the regions and to be internationally recognized by the UN Convention on the Law of the Sea or the United Nations Convention on the Law of the Sea (UNCLOS) 1982, which was ratified in 1985.

The three points above have been recognized as the trigger of the recurrence of problems on the border. Re the arrest of three employees of the CTF recently, Indonesia has already set boundaries based on UNCLOS in the region, so the scene of the arrest of three CTF employees is indeed included into the territory of Indonesia. The problem is that Malaysia has not agreed the territorial sea boundary, as the distance between Indonesia and Malaysia (including Singapore) is close together. So, the limit set by the Indonesian territory is merely a claim of Indonesia and not yet a collective agreement with Malaysia. The absence of agreement on the boundaries is what causes problems to continue to happen.

Therefore, the political will from the Indonesian government to unify perception and to seek an agreement with Malaysia in talks on government to government (G to G) becomes a necessity. Although there is always a possibility of not reaching an agreement, which in other words means to lead to the international court, it must be sought to be resolved at the ASEAN regional level rather than at the International Court of Justice, as in the case of Sipadan and Ligitan.

### The Problem of Cultural Claims

Another problem that has triggered the conflict between Indonesia-Malaysia is the frequency of Indonesian cultures that have been claimed by Malaysia. As countries that are geographically adjacent and that had groups that share the same cultures, we could not ignore the possibility of the occurrence of cultural acculturation between the communities of the two countries. However, the conflict exists not due to the existence of acculturation, but rather to the claim or the acknowledgment or the robbery towards the Indonesian cultures by Malaysia.

No	Names of the cultures	Claimed by
1	Naskah Kuno dari Riau/manuscript from Riau	Government of Malaysia
2	Naskah Kuno dari Sumatera Barat / manuscript from West Sumatera	Government of Malaysia
3	Naskah Kuno dari Sulawesi Selatan / manuscript from South Sulawesi	Government of Malaysia
4	Naskah Kuno dari Sulawesi Tenggara / manuscript from southeast Sulawesi	Government of Malaysia
5	Rendang dari Sumatera Barat / Rendang form West Sumatera	Irresponsible citizens of Malaysia
6	Lagu Rasa Sayang Sayange dari Maluku / Rasa Syaange Song from Moluccas	Government of Malaysia
7	Tari Reog Ponorogo dari Jawa Timur / Reog Ponorogo from east java	Government of Malaysia
8	Lagu Soleram dari Riau / Soleram Song from Riau	Government of Malaysia
9	Lagu Injit-injit Semut dari Jambi Injit-injit semut song from Jambi	Government of Malaysia
10	Alat Musik Gamelan dari Jawa / The Gamelan musical instrument from Java	Government of Malaysia
11	Tari Kuda Lumping dari Jawa Timur / Kuda Lumping Dance form East Java	Government of Malaysia
12	Tari Piring dari Sumatera Barat / Tari Piring form West Sumatera	Government of Malaysia
13	Lagu Kakak Tua dari Maluku / Kakak Tua Song from Mollucas	Government of Malaysia
14	Lagu Anak Kambing Saya dari Nusa Tenggara	Government of Malaysia
15	Motif Batik Parang dari Yogyakarta	Government of Malaysia
16	Badik Tumbuk Lada	Government of Malaysia
17	Musik Indang Sungai Garinggiang dari Sumatera Barat	Government of Malaysia
18	Kain Ulos	Government of Malaysia
19	Alat Musik Angklung	Government of Malaysia
20	Lagu Jali-Jali	Government of Malaysia
21	Tari Pendet dari Bali	Government of Malaysia

Source : <http://budaya-indonesia.org>

The issue of these cultural claims also shows how the Indonesian government has been negligent in securing the cultural richness. Various indigenous Indonesian cultural products are not all included in the list of UNESCO representatives in 2003 according to the UNESCO Convention on Intangible Cultural Heritage, whereas UNESCO convention has been ratified by the Indonesian government through the Government Regulation Number 78/2007. As at January 15, 2008, Indonesia officially became the state party convention.

Indonesia's ignorance in maintaining its cultural heritage has made the conflicts between the two countries are more serious at the level of public (state people). The Indonesian people's anger toward the government and the unscrupulous claims by Malaysia may worsen if the Indonesian government, in this case the Ministry of Culture and Tourism of the Republic of Indonesia, does not take action to save the nation's cultural assets.

### **The Problem of the Indonesian Migrant Workers**

The cases of violence against the Indonesian migrant workers (TKI) working in Malaysia are also a source of conflict between the two countries. Based on the data from the National Agency and the Indonesian Migrant Worker Placement (BNP2TKI), since 2005, the number of cases of violence against migrant workers in Malaysia has reached 173 cases. Kuala Lumpur's *The Star* newspaper reported that in 2005 there were 39 cases of violence against migrant workers, in 2006 the number increased to 45 cases, in 2007 occurred 39 cases, in 2008 rose again to be 42 cases, and in 2009 already happened 9 cases including Kaka, 27, from Kupang, East Nusa Tenggara.

The Indonesian community's resentment soared when the perpetrators of violence do not get punished as they should. Ironically, it is often the victims of violence (TKI), who get punished. The Malaysian government protects its citizens, and there are no firm actions from the Indonesian government to protect workers. Based on data from the Indonesian Ambassador in Malaysia, Da'i Bachtiar, until 2010 there had been 354 workers who were charged.

The cases of violence experienced by the Indonesian migrant workers in Malaysia have eventually spread a negative sentiment amongst the people of each country, especially Indonesia. Various elements of the society have been thinking of sending workers to Malaysia, as the abuses persist.

## Respectable Diplomacy

Based on the discussion of the three above-mentioned points, which may trigger a conflict between Indonesia and Malaysia, it is clear that the main point is Indonesia is defending its rights above territorial boundaries. The variety of Indonesian cultures is protected by Indonesian nationals in Malaysia.

The Indonesian government ought to have improved diplomatic relations that respect each other. Indonesia ought to have ordered each ambassador, especially the Indonesian Ambassador in Malaysia, to have great confidence in our dignity. Up to now, it was confusing that Indonesian diplomats and even President SBY had been seen soft in facing various cases that involved Indonesia-Malaysia. Moreover, the case of the arrest of three KKP officials by Police Diraja Malaysia, had shown the inferiority complex by the Indonesian government against the Malaysian government. At least it could be seen from the reaction of the Malaysian government, which was firmer and had self-esteem compared to the reaction of the Indonesian government.

Not surprised, the reaction of the Indonesian community was so big and even not a little who wanted a military war with Malaysia. The war is indeed not a normal solution for a conflict at this stage, but a diplomacy route is still the best way out. However, the hard reaction of the Indonesian community shows that the Indonesian community wishes that the government has a firm attitude towards Malaysia and upholds our dignity in the eyes of Malaysia and the world.

*The Indonesia-Malaysia conflict has its root cause in the Indonesian government's indecisiveness in maintaining relations with Malaysia. Indonesia's diplomacy capacity in resolving the problem with Malaysia is still far from hope. As a result, Malaysia's self-confidence in fighting for its national interests is growing significantly. This in turn creates conflicts with Indonesia and its national interests.*

— **Benni Inayatullah** —



## Flows of Funds in The House of Representatives

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The Indonesian House of Representatives (DPR) is a political institution that has the responsibilities to prepare alternative public policies intended to increase the people's social welfare. Considering its strategic position, DPR has been given the opportunities to accommodate various sources, parties, interests, and aspirations to figure out ways to implement political policies that match with the people's conditions and situation.

In addition, DPR has several inherent functions that are regulated by law to represent itself as the people's representation to deliver long term development programs to the people. Accordingly, the people have a high expectation that DPR has proper and adaptive infrastructures so that it can pursuit its goals and represent the people optimally. The infrastructures comprise material and non-material equipment that is directly connected to the political policy mechanism in DPR.

In the process, the fulfillment of infrastructures and representation has faced some disputes mainly related to funds and their uses. These disputes, of course, will affect the quality of DPR work and its image as a political and public institution. At least, there are four cases that show the aforementioned disputes. **First**, DPR's plan to build a new building and its facilities in the amount of Rp 1.8 trillion. The plan was announced on its 65<sup>th</sup> anniversary on Sunday. The construction will begin in October 2010, using the multi-year funds from APBNP 2010 for three years.

The construction design is similar to CONEFO International, equipped with facilities to hold MPR, DPR, and DPD activities in accordance to functions as the people's representation, accomodating many aspirations from the people. The design has been taylored to anticipate their needs for 50 years to the future. At the beginning of 2010, there was an increase in the number of members from 550 to 560. They are assisted by 1,680 experts and assistances, and other employees. If manually counted, the

construction of the DPR building will cost the state Rp 2.8 billion per one DPR member's room. This price is more expensive than any other buildings in Jakarta.

**Second**, the aspiration funds for regions and constituents. According to Law No. 33 on Financial Balance between the Central and Local Governments, there are two special components of cash transfer to regions; namely, the general allocation fund (DAU) and the special allocation fund (DAK). The two is intended to achieve development equality in regions in order to maintain economic growth.

Even this process has been implemented, and the amount of transfer has increased every year, the regions have not immediately stopped demanding for more funds. Various ways have been carried out, one of them is a political gateway. The political gateway is a logical consequence of a political contract of a political party from the campaign period in the previous elections. This is a significant role of DPR; that is, to assume the people's representation in the parliament. So, it is right when Golkar prepared Rp 15 billion of aspiration funds for each region, or Rp 1 billion for each village.

The above proposal is based on Articles 69 and 70 of Law No. 27/2009 on MPR, DPR, DPD, and DPRD, which states that it is the obligation of every member of DPR to try to accommodate the people's aspirations. This proposal was assessed by many as a political way of Golkar to fulfill its political contract and to increase social welfare in regions. The proposal has been stopped. **The third** is the funds accepted by members of DPR in the selection of the senior deputy governor of Bank Indonesia. Some of them had been named suspects by KPK. This bribery case was first revealed by Agus Condro, an ex-member of the PDI-P faction. He confessed to have accepted Rp 500 million in travel cheques after Miranda Gultom had been elected as the Senior Deputy Governor of Bank Indonesia. According to a report by The Reporting and Analyzing of Financial Transaction Center (PPATK), there were 102 people who accepted various travel cheques allegedly related to the election of the senior deputy governor of Bank Indonesia. From the list, 10 DPR members cashed the cheques themselves, and others asked their wives, drivers, or sons to cash them. The cashing processes had been executed in five banks.

To start the case, the KPK has named 26 politicians, including an ex-minister, as suspects in the bribery case of election of the senior deputy governor of Bank Indonesia, Miranda Gultom, in 2004. They are charged with Article 5 Verse 2 and Article 5 Verse 1 Points a and

b or Article 11 of Law No 19/1999, as well as Law No. 20/2001 on Corruption Eradication.

**The fourth** is the official funding of DPR members to deliberate laws. The costs of these deliberations in the DPR have been assessed too high and expensive. The expenses of overseas study tours by the DPR working committees, before the deliberations of laws, amounted to Rp 1.7 billion. They were as follows:

1. Overseas visits by DPR to decide laws, which cost Rp 17.8 billion.
2. Overseas visits by the legislative board of DPR, which cost Rp 2 billion
3. Overseas visits by DPR to discuss bills submitted by DPR, which cost Rp 26.7 billion
4. Overseas visits of BAKN, which amounted to Rp 940 million
5. Overseas working visits of 11 DPR Commissions, which cost Rp 14.9 billion
6. Overseas visits of Special Cases Commission, which cost about Rp 2.2 billion
7. Overseas working visits of the Budget Committee, which cost Rp 2 billion
8. Funding of delegation on international parliamentary program, which cost about Rp 8.1 billion
9. Funding of delegation on regional parliamentary program, which cost about Rp 4 billion
10. Overseas technical visits by BKSAP to Australia, Qatar, Suriah, China, North Korea, Mexico, and South Africa, which cost about Rp 6.8 billion
11. Overseas working visits by BK, which cost about Rp 1.6 billion
12. Comparative study on parliamentary financial estimation program of BURT, which cost about Rp 3 billion
13. Overseas working visits by DPR leaders, about Rp 15.5 billion.

The expenditure schemes for overseas visits, which wasted so much money, must be reviewed as it cost a lot of money, about Rp 170 billion. Even some protests come from some members of DPR who viewed that the fund should be spent in accordance with DPR programmes and objectives.

— **Aly Yusuf** —

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## Measuring the Performance of Parliament

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The members of the House of Representatives (DPR) 2009-2014, whom were inaugurated on October 1, 2009, now have worked one year to struggle for the aspirations of the people in Senayan. Although DPR is now filled with 70 percent of new comers, they have not managed to improve the image and the bleak face of the DPR. Instead of improving the image of parliament, the DPR, which is controlled by the majority of newcomers, has further exacerbated the image of DPR with a variety of controversial issues lately. Starting from the policies of the facilities that had drawn public criticism, the proposed aspiration funding of every member of DPR, the proposed village fund, aspiration houses, low attendance rate, and the latest controversy over the new building plan that would be equipped by the facility recreation room, swimming pool, fitness center, and spa space that will drain the state budget by Rp 1.6 trillion.

The development plan of the new building had incited a controversy in the community. After that, the DPR has been under the spotlight, as some members of the Commission X conducted working visits or study visits to three countries to discuss the bill of Boy Scouts. Some of DPR's controversial policies clearly have injured the sense of justice and further lowered the image and the level of public confidence in the DPR. Furthermore, the bleak portrait of the previous DPR - corruption, sex scandals, and the low level of attendance - is still tarnished the face of the current DPR.

### **Low performance**

Measured by perception and the level of public trust, the image of DPR is still very low. The performance of DPR 2009-2014 in carrying out the functions of parliament has been given red marks. There are at least three indicators of poor performance of DPR if measured from the main functions of the DPR (legislation, budgeting, and supervision).

**First**, the productivity of DPR in carrying out its legislative function is relatively low. During this year, DPR has completed the discussions of only seven bills. Only one bill -- the bill on the Revision of Law No. 22 2002 on Clemency in the National Legislation Program -- that has been completed. This means that only 10 percent of targeted 70 bills in the National Legislation Program that must be resolved.

**Secondly**, in carrying out the functions of budgeting, DPR is less aspirational. The DPR has only promoted self-interests and does not have the empathy to the people who are experiencing economic pressures. The indications can be seen from the strong disapproval of the public on the planned new building of DPR, which will cost Rp 1.6 trillion, the aspiration fund of Rp 15 billion per each member (Rp 8.4 trillion), and the cost of aspiration home of Rp 200 million for every member of DPR (112 billion and 3.3 trillion for infrastructure). Ironically, all the budgets would be borne by the people through the state budget.

**Third**, the supervision function is also less than optimal, and has only been used as a tool for parties in DPR to negotiate with the government. The incomplete Century case has become a clearest example. Even though the noisy scandal has drained energy and disrupt the running of the government, this political commotion ended without clarity.

### **Responsibility of the parties**

The condition of the DPR nowadays, of course has revealed further questions: who is ultimately responsible for the low performance and bleak faces of the DPR lately? The low quality of performance of members DPR has clearly indicated that something is wrong with the system of recruitment of legislative candidates (candidates). The low quality and productivity of DPR are actually the responsibility of the party, because all members of DPR are selected through party mechanisms. Therefore, there is one word that may be brought to answer that question: the parties.

There are four internal party problems that have caused the low integrity and quality of the performance of DPR. **First**, the fragile system of recruitment of legislative candidates and the unclear sources of the party financial income. The netting of legislative candidates in several parties has been caught up in the practices of money politics due to the financial needs of the parties. Whereas the competence, track record, and integrity would be the last considerations in the criteria. Moreover, once elected, members of

DPR are also required to give financial contributions to the parties.

**Secondly**, the implications from the breakdown of the functions of political education. Rather than giving political education, the party elite would transmit to voters with political pragmatism to build relationships that are transactional in nature, so that the relationships between the representatives-constituents would be based on money. **Third**, the effect from the dysfunction in aspirations and the articulation of the parties. The dysfunction of articulation and aggregation of interests is encouraged by party irregularities in DPR. The function of aspiration is the duty of DPR, but it is not appropriate if the sources of their funds come from the state budget.

**Fourth**, the impact of the error of political communication system, especially the method of promises in the campaign, causing a congenital problem for members of DPR. As a result, parties and legislative candidates themselves are trapped in campaign promises. Whereas, the function of DPR is not the executor of policy. the constituents' demand of campaign promises would encourage the deviant behaviour of members of DPR.

*The low quality and productivity of DPR are actually the responsibility of the parties, as all members of DPR are selected through party mechanisms.*

### **Recommendation: reforming the DPR**

The worsening quality of DPR is a wake-up call for us, especially the members of DPR, to conduct a total reform. One of ways is through rearranging the Law on the Governing of Institutional Houses - the MPR, DPR, DPD, DPRD (MD3) - rather than rearranging the new DPR building. DPR needs internal reform through the internal rules and legislations. In addition, the political parties as the main institutions that select and control the quality of the performance of DPR also need to reform themselves. The tidying up in DPR has to be started with the reform in the institutional system and party behavior. It also can be done through amending the Law on Political Party and the Election Law. In addition to the revision of the laws, it is more important that the party elite and members of DPR have the awareness to reform themselves immediately.

— **Hanta Yuda AR** —

## Worship Tolerance is on Crisis

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The number of cases of intolerance in worshipping has been increasing. Now, the incidents have been more brutal, as the victims have been persecuted. On Sunday morning, September 12, 2010, the incidents of stabbing and beating of two leaders of the Church of the HKBP Pondok Timur Indah, took place in Ciketing, Bekasi, West Java. Two of the HKBP Pondok Indah leaders, Asia Lumban Toruan Sihombing and Reverend Lumban Toruan Sihombing Luspida Simanjuntak had become victims of assaults when walking towards their place of worship. Asia Sihombing was stabbed in the upper right abdomen, while Reverend Luspida was beaten up with a blunt object, causing him to suffer injuries in the forehead and waist. The perpetrators were a group of bikers. The police then detained ten suspects, aged between 17-25 years old, one of which served as a local chief of the Islamic Defenders Front (FPI) Bekasi, which is known to the public as one of the extreme organizations in society.

### **Tolerance in worshipping is undermined**

Immediately, this incident attracted much attention from the public. Public officials including government officials, chief security officer in Bekasi, and also the President had been demanded to give comments and express their policies in dealing with this problem. President Susilo Bambang Yudhoyono, whom had recently been criticized by the people about his ability to be assertive in leading the nation, has become the target criticism, as he is the one responsible in the government in terms of tolerance of religion and worship.

The Chief of Jakarta Police on September 12, 2010 said that this case was a pure criminal act. But, it is hard to conclusively say that this incident had nothing to do with the previous events of banning and sealing of houses of worship of the church HKBP in Ciketing. Meanwhile the legal practitioners, including Todung Mulya Lubis, have argued that this incident is not an ordinary crime but a terror to the right of worship. This incident was violence against the

tolerance of worship. The truth of the case and the whole problem needs to be clear too so it can be answered why the public had become unrest, which culminated in the incidents of persecution.

### **The root cause of the problem**

From the information collected, the incident of HKBP Ciketing could not be separated from the early history of this church in that location since the 1990s. President Yudhoyono as quoted by *Kompas.com* delivered a statement to journalists based on info from the Coordinating Minister for Political, Legal and Human Rights and the National Police Chief that summarized the root cause of the problem. The root cause of the problem was the idea to build a house used as a house of worship by the congregation. Then, local residents expressed some objections but still gave tolerance for 19 years. After the number of congregation followers had become larger and the activities of worship had become more intense, the residents demand that the church look for another place to worship. But a solution was not obtained, resulting in tensions that culminated in the stabbing incident on Sunday, September 12, 2010.

The case of HKBP Ciketing worsened during December 2009-January 2010 as cumulative public unrest was marked by the actions of local people to prohibit the worship of the congregation. The reasons for objection from the residents were environmental disturbances caused by the congregation, such as loud noises, traffic and parking problems that blocked the residence roads, and the intolerable uses of houses for church services. HKBP Ciketing then negotiated with the local governments to look for an appropriate place of worship, but the demands from the protesters had become unbearable, so the house used for worship was sealed by the Bekasi City government in January 2010. After that, the church conducted worship from one house another. Then July 11, 2010 the congregation bought a land in Ciketing and began worshipping in that vacant piece of land. Nevertheless, the resistance from residents was getting stronger and got worse with the support of some extremist organizations. As an action to demand concerns and protection from the state about the right to worship, the HKBP congregation conducted worship on Sunday, August 15, 2010 in front of Merdeka Palace in Jakarta. But, the action did not get any significant response from the government. Meanwhile, the congregation continued to worship in their empty lot in Ciketing, until then stabbing and beating incident transpired on 12 September.



### **The causes of intolerance**

HKBP Ciketing case might be one of the intolerance cases that are sticking out due to the intensity of any open conflicts resulting from the rejection to places of worship towards of religious minorities in the middle of the majority of residents of other faiths. Setara Institute noted that in seven months, from January to July 2010, there had been approximately 30 cases of violence against Christian places of worship in Indonesia, due to rejections from local residents who are predominantly Muslim. These cases include the sealings and the rejections of the church establishment, the threats and the closures of the church, as well as forced termination of worship. The number of cases in 2010 increased from 20 cases during 2008-2009. The actors of prohibitions acts are the local government by delivering sealing warrants. The other actors are mass groups, residents and Islamic organizations such as the Islamic Defenders Front (FPI).

The reasons of any prohibition acts in general are the local residents' complaints against the churches that are conducting worship in places that are not considered as appropriate and legal places of worship. The complaints are also caused by the intensity of environmental disturbances caused by so many congregation followers, who were not local residents, which worshipped in that place. Setara Institute highlighted the symptoms of omission by the central government and local governments in the cases of intolerance and constraints against the freedom of worship often experienced by congregations of religious minorities. Setara Institute noted three main reasons of the omission of intolerance, (1) political interests of the City/Region consider community-based organizations (CBOs) as important assets for political support; (2) economic interests, frequently there were extortion attempts behind the termination of worship places or worship sealing and removal; (3) The interests of ideology, there are intolerant groups that do not want to see different faith groups to live and worship in the area. According to Setara Institute's report, intolerance is not only experienced by Christians. Some disturbances toward mosque buildings have been reported in Bali, the Buddhist temples in Riau, and the renovations of Hindu temples in NTB. So, if the root problems and policy strategies are not followed properly, then the intolerance could happen widely in Indonesia.

*There are, at least, political, economic, and ideological interests behind the cases of intolerance. A revision of the regulation about places of worship and religious activities should be completely based on the problem analysis. The omission of intolerance cases that have violated the criminal law would trigger dictatorial practices of the majority and extremist groups against the religious residents in society.*

— **Antonius Wiwan Koban** —

## The Discourse on Relocating the Capital of the Republic of Indonesia

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This month, the discourse on the relocation of the capital of the Republic of Indonesia (RI) to another area outside Jakarta has been lively discussed by the public. The President has also spoken about this idea. In a fast-breaking dinner with the administrators and members of the Indonesian Chamber of Commerce and Industry (Kadin) on Friday, September 3, 2010, President Susilo Bambang Yudhoyono (SBY) introduced three options that needed to be studied further in relation to this discourse.

The first option is to relocate the capital (capital center) and the government offices (government center) from Jakarta to an entirely new area. In this case, SBY pointed out that the practice had also been done by Turkey, Australia, and some other countries. Of course, the goal is to remove all the existing problems and to build from scratch the economic, social, and political geographical strategies of the government in this country.

The second option is to maintain Jakarta as the capital, but relocating the government offices to a new area. SBY mentioned the Malaysian experience in this regard; that is, making Kuala Lumpur as the capital, and Putrajaya as the government centre. For the third option, SBY offered not to move the capital and administrative center from Jakarta. Instead, he offered the improvement of the infrastructure conditions to overcome traffic congestions in Jakarta.

The discourse of relocating the capital has emerged to the public from time to time starting from the era of the Old Order and the New Order to the current era. When inaugurating the construction of Palangka Raya in 1957, President Soekarno revealed the plans of moving the Indonesian Capital to the city. Palangka Raya was a new city built through the opening of a new area on the riverbank Kahayan, Central Kalimantan.

Bung Karno's reason to move the capital of Indonesia to Palangka Raya was simple, as the city was in the central of Indonesia. Palangkaraya is not far from all of the islands included in the territory of Indonesia. As an alternative candidate for the capital of Indonesia,

Palangka Raya is geologically safe. There is a minimal threat of earthquakes. Unlike Jakarta, the city was not an earthquake-prone area. Palangka Raya is also the largest city in Indonesia, with a total area of 2,678 square kilometers, compared to the Jakarta provincial land area, which is only 661.52 square kilometers, or a quarter of Palangka Raya. The discourse on the relocation of the capital in the era of Soeharto's resurfaced as the government was thinking of making Jonggol (one of the sub-districts in the Bogor district) as a candidate for the state capital. In the era of Habibie, there was a discourse to move the state capital to Sidrap, South Sulawesi, on the grounds that city is the central point of Indonesia.

Rationality must realize that the relocation of the capital from one city to another is common and has been done. The United States once moved the capital from New York to Washington DC, Japan from Kyoto to Tokyo, Australia from Sydney to Canberra, Germany from Bonn to Berlin, Brazil from Rio de Janeiro to Brasilia. Indonesia itself moved his capital from Jakarta to Yogyakarta.

Over population (total population exceeds the carrying capacity) was usually the main cause why many countries had moved his capital. For example, currently Japan and South Korea are planning to transfer the capitals of their countries. Japan wants to move its capital because the megapolitan Tokyo region already has a too large population of 33 million inhabitants. South Korea is facing the same problem, as the area of Seoul has a population of 22 million. Former U.S. capital, New York and its vicinity has a population of 22 million people.

Recent data show that the population of Jakarta has reached 9.5 million inhabitants. Ideally, with the current capacity and limitations, Jakarta can only be occupied by a maximum of 4.5 million inhabitants. Meanwhile, the population of the Jakarta Metropolitan area covering Jakarta, Bogor, Depok, Tangerang and Bekasi (Greater Jakarta) has reached 23 million inhabitants. This is equivalent to the total population of Australia or Malaysia. Jakarta's capacity also has to endure heavy urbanization. The phenomenon of urbanization has been highly influenced by the imbalance of development among regions and by the structural conditions of poverty, which has forced the rural poor to migrate to urban areas, particularly Jakarta.

Based on the resultsof the study conducted by the Assessment Center for Planning and Regional Development (P4W) of the Bogor Agricultural Institute (2007) on the Economy of the Sectors

and Spatial Linkages between Jakarta and the surrounding areas, economic growth in Jakarta did not have a significant impact on the growth in the surrounding areas (including Indonesia in total). The uneven economic growth has indirectly encouraged the people to migrate to Jakarta. Examining the area of Jakarta, which is only 0.03 percent of the total area of Indonesia, and the population of about 4.14 percent of the total Indonesian population, the city has become a center of financial activities (banking and other financial institutions), which amounted to 75.09 percent of the national financial activities. So, it is fair enough for many Indonesians to want to come to Jakarta to find a better future.

### **Systematic planning**

Taking into consideration the condition of Jakarta, the discourse on relocating the capital of the Republic of Indonesia makes sense to be realized. What is needed is the optimal preparation and systematic planning to make it happen. The crucial points should be an agreement between the government and parliament through the law. There should be an academic study that produces a comprehensive academic paper on the matter. After that, the new bill (Bill) on the Relocation of the capital should be discussed. The Bill should also mention about the time frame and about the phases in which the budget problem can be overcome.

No matter how heavy the pressure is faced by Jakarta now, the nation must remain systematic and correct in determining policies. The government should distance themselves from the emotional decision making and from the “cheap” political transactions to move the capital of Indonesia. It is also understood that the relocation of the capital would be a huge civilization of humanity. This would bring changes not only to status, but to all the multidimensional aspects related to the state structure, personnel, infrastructure, superstructure, information systems and technology, and others. The most crucial aspect is the need for a very large budget allocation that will suck the state budget a few years.

— **Endang Srihadi** —

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# THE NDONESIAN INSTITUTE

CENTER FOR PUBLIC POLICY RESEARCH

**The Indonesian Institute (TII) is a** Center for Public Policy Research that was established on 21 October 2004 by a group of young, dynamic activists and intellectuals through the initiative of Jeffrie Geovanie. Its current Executive and Research Director is Anies Baswedan, and the Program Director is Adinda Tenriangke Muchtar.

**TII** is an independent, non-partisan, non-profit institution, whose main funding stems from grants and contributions from foundations, companies, and individuals.

**TII** has the aim of becoming a main research centre in Indonesia for public policy matters and has committed to giving contribution to the debates over public policies and to improving the quality of the planning and results of public policy in the new era of democracy in Indonesia.

**TII's** missions are to conduct reliable research that is independent and non-partisan and to channel the research to the policy-makers, the private sector, and academia in order to improve the quality of Indonesian policy-makers.

**TII** also assumes the role to disseminate ideas to the society so that they are well informed about the policies that will have a good impact on the people's lives. In other words, TII has a position to support the democratization process and the public policy reform, as it will be involved in the process.

The scope of the research and review on public policies undertaken by TII includes economic, social, and political factors. The main activities have been conducted in order to achieve vision and mission based on research, surveys, training, public discussions, policy brief, and weekly analysis.

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## Research on the Business and Economy

### Business Analysis

The business sector needs a comprehensive analysis in order to minimize the potential risks, while at the same time increasing the value of its business. Business analysis is a solution in corporate strategic planning to make reliable decisions. The TII Business Policy Research Division is present to provide company leaders with practical recommendations on the decision-making process.

Research that TII offers are: **(1) Company Financial Analysis**, which encompasses financial analysis and financial risk analysis. **(2) Corporate Planning Consultancy**, which includes economic and industrial research, business valuation, and brand valuation. **(3) Strategic Marketing Analysis**, which encompasses strategic marketing and *Corporate Social Responsibility* (CSR) program design.

### Research on the Economy

The economy tends to be used as an indicator of the success of the government as a policy-maker. Limited resources have often caused the government to face obstacles in implementing economic policies that will optimally benefit the people. The increase in the quality of the people's critical thinking has forced the government to conduct comprehensive studies in every decision-making process. In fact, the studies will not be stopped when the policy is already in place. Studies will be continued until the policy evaluation process.

The TII Economic Research Division is present for those who are interested in the conditions of the economy. The results of the research are intended to assist policy-makers, regulators, and donor agencies in making decisions. The research that TII offers: **(1) Economic Policy Analysis; (2) Regional and Sectoral Prospects; and (3) Program Evaluation.**

## Research on the Social Affairs

### Social Research

Social development needs policy foundations that come from independent and accurate research. Social analysis is a need for the government, the businesspeople, academia, professionals, NGOs, and civil society to improve social development. The Social Research Division is present to offer recommendations to produce efficient and effective policies, steps, and programs on education, health, population, environment, women and children.

Social research that TII offers: **(1) Social Policy Analysis; (2) Explorative Research; (3) Mapping & Positioning Research; (4) Need Assessment Research; (5) Program Evaluation Research; and (5) Indicator Survey.**

## Political Survey and Training

### Direct General Election Survey

One of the activities that TII offers is the pre-direct election surveys. There are sundry reasons why these surveys are important (1) Regional direct elections are democratic processes that can be measured, calculated, and predicted. (2) Surveys are used to measure, calculate, and predict the processes and results of elections and the chances of candidates. (3) It is time to win the elections using strategies based on empirical data.

As one of the important aspects in the strategies to win the elections, surveys can be used to prepare political mapping. Therefore, campaign teams need to conduct surveys: (1) to map the popularity of candidates in the society (2) to map the voters' demands (3) to determine the most effective political machinery that will act as a vote getter; and (4) to find out about the most effective media to do the campaign.

### Local Council Training

The roles and functions of local councils in monitoring local governments are very important. They need to make sure that participative and democratic policies will be espoused. Members of provincial and regent local councils are required to have strong capacity to understand democratization matters, regional autonomy, legislative techniques, budgeting, local Politics, and political marketing. Thus, it is important to empower members of local councils.

In order for local councils to be able to response every problem that will come out as a result of any policy implemented by the central government or local governments, the Indonesian Institute invites the leaderships and members of local councils to undergo training to improve their capacity.

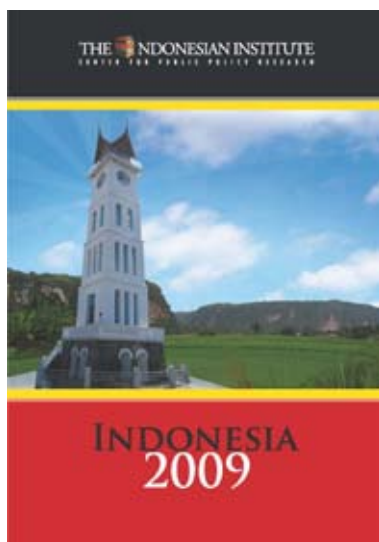
## Available now!

### The 2009 INDONESIA REPORT

**The Indonesian Institute, Center for Public Policy Research (TII)** has again published its annual publication, **Indonesia 2009**, after previously producing the report in the years 2005, 2006, 2007, and 2008.

The publication is aimed at presenting clear pictures of economic, legal, social, and political developments and of policies espoused by the Indonesian government. The 2009 Indonesia is published so as to give complete data on Indonesia in 2009. This annual publication is expected to become a basis for predicting Indonesia's short-term and long-term trends.

The publication of a report on Indonesia is also expected to assist policy-makers in the government, the private sector, academia, national and international think tanks in getting actual information and contextual analyses on economic, political, security, and social developments in Indonesia.



#### Topics that are raised in the 2009 Indonesia:

1. The Year of Economic Recovery
2. Progress of Infrastructure Development
3. Disputes of Three Law Enforcement Institutions
4. The Recycle of Regional Autonomy
5. Indonesian Politics 2009: Political Parties, Elections, Government Coalition and the Prospect of Democracy
6. Portrait and Representation Performance of the New Parliament (2009-2014)
7. Protection of Indonesian Migrant Workers Abroad
8. Gloomy Portrait of Child Protection

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