

Advocacy NGOs, Transnationalism and Political Space

An Indonesian Case Study

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This thesis is my own original work. To the best of my knowledge it contains no material previously published or written by another person except where due reference is made in the text.

Signed

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Glossary

| | |
|--------|---|
| CETRO | Centre for Electoral Reform |
| CGI | Consultative Group on Indonesia |
| CSIS | Centre for Strategic and International Studies |
| CSO | Civil Society Organisation |
| DEMOS | <i>Lembaga Kajian Demokrasi dan Hak Asasi</i> ; The Institute for Democracy and Human Rights Studies |
| DPD | <i>Dewan Perwakilan Daerah</i> ; Regional Representative Council |
| DPR | <i>Dewan Perwakilan Rakyat</i> ; the House of Representatives or People's Representative Council |
| FBSI | <i>Federasi Buruh Seluruh Indonesia</i> ; the All Indonesia Labour Federation; the only state-sanctioned union of the New Order (established in 1973) |
| FITRA | <i>Forum Indonesia Untuk Transparasi Anggaran</i> ; Indonesian Forum for Budget Transparency |
| Golkar | <i>Golongan Karya</i> ; functional group(s), the New Order's primary election and patronage mechanism |
| HKTI | <i>Himpunan Kerukunan Tani Indonesia</i> ; The Indonesian Farmers' Union |
| HRWG | Human Rights Working Group |
| ICW | Indonesia Corruption Watch |
| IESF | Institute for Social Service Reform |
| IFI | International Financial Institution |

| | |
|------------------|--|
| IGGI | Inter-Governmental Group of Indonesia; later became CGI |
| ILO | International Labour Organisation |
| IMF | International Monetary Fund |
| INFID | International NGO Forum on Indonesian Development |
| INGI | International NGO Group on Indonesia |
| INGO | International Non-Governmental Organisation |
| <i>kabupaten</i> | regency, the regional administrative level below the provincial level |
| KADIN | <i>Kamar Dagang dan Industri Seluruh Indonesia</i> ; Indonesian Chamber of Commerce and Industry |
| KIPP | <i>Komite Independen Pemantau Pemilu</i> ; The Independent Election Monitoring Committee |
| KNPI | <i>Komite Nasional Pemuda Indonesia</i> ; National Committee of Indonesian Youth |
| KPI | <i>Koalisi Perempuan Indonesia</i> ; The Indonesian Women's Coalition for Justice and Democracy |
| LBH | Lembaga Bantuan Hukum; The Legal Aid Institute |
| LIPI | <i>Lembaga Ilmu Pengetahuan Indonesia</i> ; The Indonesian Institute of Science |
| LSM | <i>Lembaga Swadaya Masyarakat</i> ; community self-help organisation; an Indonesian term for NGO |
| MPR | <i>Majelis Permusyawaratan Rakyat</i> , People's Consultative Assembly |
| MUI | <i>Majelis Ulama Indonesia</i> ; Islamic Religious Leaders Assembly |

| | |
|----------------|---|
| NGO | Non-Governmental Organisation |
| NOVIB | Netherlands Organisation for International Development Cooperation |
| ORNOP | <i>organisasi non-pemerintah</i> ; Non-Governmental Organisation |
| PBHI | <i>Perhimpunan Bantuan Hukum dan Hak Asasi Manusia Indonesia</i> ; Indonesian Legal Aid and Human Rights Association |
| PDI | <i>Partai Demokrasi Indonesia</i> ; The Indonesian Democratic Party; one of the three political parties tolerated under the New Order |
| Polri | <i>Polisi Republik Indonesia</i> ; The Indonesian National Police |
| POS | Political Opportunity Structure |
| PolWatch | Police Watch |
| PPP | <i>Partai Persatuan Pembangunan</i> ; The United Development Party; one of the three political parties tolerated under the New Order |
| PSHK | <i>Pusat Studi Hukum dan Kebijakan Indonesia</i> ; The Centre for Indonesian Law and Policy Studies |
| REMDEC | Resource Management and Development Consultant |
| T.I. Indonesia | Transparency International Indonesia |
| TNI | <i>Tentara Nasional Indonesia</i> ; The Indonesian Armed Forces |
| UNDP | United Nations Development Programme |
| USAID | United States Agency for International Development |

| | |
|---------|--|
| Walhi | <i>Wahana Lingkungan Hidup Indonesia;</i> Friends of the Earth Indonesia |
| YAPPIKA | <i>Aliansi Masyarakat Sipil Untuk</i> <i>Demokrasi; The Civil Society Alliance</i> for Democracy |
| YLBHI | <i>Yayasan Lembaga Bantuan Hukum</i> <i>Indonesia; The Indonesian Legal Aid</i> |

Abstract

This study examines NGO activists' responses to the changing context of political and social activism in post-Suharto Indonesia. In doing so, it explores the ways in which different political settings can impact upon forms of political and social activism. Advocacy NGOs' position within Indonesian civil society and the broader political opposition has changed significantly since the fall of Suharto in 1998. While advocacy NGOs were very prominent in the broader pro-democracy movement during the latter part of Suharto's New Order, they now compete with other domestic and transnational organisations for access to political space.

This thesis argues that in a democracy where the formal channels exist for accessing political power, NGOs become secondary to other forms of political activism. Specifically, it demonstrates that those features that made advocacy NGOs effective forms of political opposition in the New Order, constrain their access to political space in the post-Suharto era. Activists' responses suggest that rather than define NGOs in terms of their relationship with the Indonesian government, as in the civil society framework, it is constructive to re-define the boundaries of political space, to incorporate NGOs' position within the broader political opposition and their transnational links into discussions about their access to political space.

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Introduction

Over the past two and a half decades, non-governmental organisations (NGOs) have been closely associated with civil society and the process of democratisation.¹ NGOs' ability to withstand repressive conditions has been identified as one reason why they have been an effective means of political and social activism under authoritarian regimes (Caraway 2006; Keck and Sikkink 1998). Yet in the post-authoritarian context of post-Suharto Indonesia (1998–), the expansion of opportunities for social and political activism for civil society has challenged NGOs' role as the vehicle for the concerns of the broader opposition movement.²

As one of just a few vehicles for political activism under the New Order regime (1966-98), advocacy NGOs became a significant force in the representation and re-building of Indonesian civil society, and faced little competition for the limited political space then available. However, the expansion of opportunities for social and political activism since the overthrow of Suharto in 1998 has fundamentally transformed NGOs' position. No longer spearheading the efforts of the opposition movement against a common enemy, advocacy NGOs now compete with other domestic and international NGOs, civil society organisations (CSOs) and political parties for political space.

The role of NGOs' transnational funders and allies has also changed significantly in the post-Suharto period.³ Where NGOs' transnational links

¹ There are two terms in Indonesian used to refer to NGOs: LSM (*Lembaga Swadaya Masyarakat* or community self-help organisation) and its more direct translation; ORNOP (*Organisasi Non-Pemerintah* or Non-Governmental Organisation). The English term 'NGO' is also often used.

² Like Rodan (1996: 28), this thesis argues that 'civil society, as a concept, must be preserved for specifying a particular form of political space'. For an analysis of the concept of civil society, see Chapter One.

³ 'Transnational' refers to those forms of activism that involve different levels of cross-border interaction, between two or more countries (Caraway 2006: 278).

were once a means of circumventing the repressive measures of the New Order regime, international organisations now promote values – namely good governance and accountability – that NGOs themselves find difficult to achieve. By engaging in programs that promote these values, advocacy NGOs are also now required to develop alternative policy frameworks rather than simply criticise the government, as they tended to do in the New Order.

This thesis examines the nexus between NGO activism, democratisation and changes in nature of political space from the late New Order (1993-1998) to the post-Suharto period (1998–). It takes Caraway's (2006) argument that different forms of political and social activism are suited to different levels of political openness as its starting point, in recognition of the constraints on NGOs' opportunities to exert power within a specific historical context (Piper and Uhlin 2004b).⁴ The thesis, which focuses on the shift in advocacy NGOs' relationship with the state, local civil society and their transnational partners, concludes that even though political space expanded after the fall of Suharto, the changing role of government and increasing competition from other kinds of opposition organisations has led to a decrease in advocacy NGOs' ability to access it.

The Framework: Political Space

From the early 1990s, increasing attention has been paid to the role of non-state actors as a force for political change in Indonesia (Aspinall 2000; Eldridge 1995; Ford 2003; Hadiz 1997; Nyman 2006; Uhlin 1997). A central concern of a number of these studies is the significant role of NGOs as actors of political and social transformation.⁵ Eldridge (1995)– the first to write a

⁴ As noted by Webster and Engberg-Pedersen (2002b: 11), 'political space is therefore about the outcome of contexts and is rooted in specific political histories. It will vary considerably from arena to arena within a political system and from country to country.'

⁵ No attempt in this thesis is made to reproduce the extensive accounts of the developmentalist role of NGOs by Sinaga (1994) and Riker (1998). Rather the study builds upon these and other accounts to analyse the political role of advocacy NGOs in different contexts.

detailed analysis of NGOs' political role in Indonesia – concluded that NGOs strengthened civil society against (or in relation to) the New Order regime. Following Eldridge, scholars have analysed Indonesian NGOs through the prism of 'civil society' – in terms of NGOs' engagement with the state and their contribution to the broader processes of democracy. In recognition of the importance of NGO-government collaboration in authoritarian contexts, many of these studies developed typologies or taxonomies of the roles undertaken by NGOs (Billah 1997; Billah 2000; Fakhri 1995; Riker 1998; Suharko 2003; 2004; 2005).⁶ Scholars have also used social movements as a way to conceptualise NGO activity within the realm of civil society, attributing social transformation to the work of NGOs (Billah 1997; Billah 2000; Budiman 1998; Fakhri 1995; 1996; Hadiwinata 2003; Hikam 1995; Riker 1998; Suharko 2003; 2004; 2005; Uhlin 1997). Yet while they identify different types of NGO–government engagement, most of these studies present civil society as something universal and monolithic rather than a complex and contested realm (Azra 2003; Budiman 1998; Eldridge 2005; Riker 2002).

Some studies of NGOs in Indonesia emphasise the utility of the concept of political space for analysing the context within which NGOs operate (Riker 1998; Y. Sakai 2002). Riker (1998: 68) defines political space for NGOs as an arena limited to the opposition's 'freedom of action' or the 'arena in

⁶ Eldridge (1989; 1995) classifies NGOs into four groups including 'high level cooperation-grassroots development', 'high-level politics- grassroots mobilisation', 'empowerment from below' and 'radical NGOs'. Fakhri (1995; 1996: 121-136) categorise NGOs into three groups; conformist, reformist and transformative. Billah (1997) distinguishes between liberal, developmentalist and transformative NGOs, while Riker (1998) splits NGOs into four types based on their interaction with political space; 'autonomy-benign neglect', 'facilitation-promotion', 'collaboration-cooperation', 'cooptation-absorption' and 'containment-sabotage-dissolution'. Suharko (2005) reproduces Riker's typology. Hadiwinata (2003) and Aspinall (2005) stress the distinction between developmentalist and movement NGOs, whereas Uhlin (1997) divides NGOs into older generation NGOs and those that are part of the pro-democracy movement comprised of the pro-democratic and human rights NGOs (political NGOs). Sinaga (1994) and Gaffar (1999) adopt Eldridge's earlier typology of NGO engagement, splitting NGOs three approaches: 'high level partnership', 'high level politics and grass roots mobilization' and 'empowerment at the grassroots'.

which non-state actors may undertake initiatives independently of the state'.⁷ Similarly, Yumiko Sakai (2002) argues that opportunities for political activity exist outside the boundaries of the authoritarian state, determined by inconsistent state control.⁸ In this model, political space is largely shaped by the mixture of state tolerance and repression for oppositional activities. However, in limiting their analysis of NGO interaction with political space to NGOs' engagement with the Indonesian state, they have overlooked the role that other actors – in particular, other oppositional organisations and NGOs' international partners – played in shaping the political space available for NGOs.

Accounts of Indonesian NGOs and opposition movements draw on a broader literature about political space. The concept of political space has been used in a number of scholarly disciplines to conceptualise the opportunities for different actors to exert influence on the political system. In the political science literature, the central question is to what extent the state is able to maintain control over political space to its advantage (Camilleri et al. 1998), while studies of political opposition use political space to establish the possibility of agency for marginalised and less powerful groups within society (Aspinall 2005: 1; Nyman 2006: 27; Webster and Pedersen 2002b: 6). In this conception, political space is readily associated with the sociological concept of 'room for manoeuvre' or 'political opportunity structure' (POS), emphasising an arena for collective action, mobilisation, which is often the basis for protest action (McAdam et al. 1996; McAdam et al. 2001; Tarrow 1994; 1998).

Yet although the term political space is mentioned in a number of scholarly disciplines, it remains underdeveloped (Aspinall 2005: 115; Case 2001: 14-15; Hadiz 2004: 623; Nyman 2006: 26; Piper and Uhlin 2004a: 16; Porio

⁷ For a similar definition see Shigetomi (2002: 13). Political space is defined as 'the arena in which NGOs can act without being subjected to...[authoritarian] restraints.'

⁸ While Aspinall does not explicitly use the term 'political space' to define opportunities for engaging in the political system, he emphasises the role of the state's arbitrary repression and toleration in defining opportunities for political activism in the New Order (2005: 2).

2002: 110; Rodan 1997). As Riker (Riker 1998: 68) notes, “‘political space’ has long been part of the political scientists’ lexicon, [but] as a concept it has generally lacked rigour’. The term is most often used to represent an abstract ‘space’ negotiated by non-state actors in their interaction with the state (Webster and Pedersen 2002b: 10). As Chapter One demonstrates, this abstract ‘opening up’ of political space for civil society actors is closely linked to democratisation, in contrast to authoritarian contexts, where it is argued that there are fewer opportunities for engagement with the state, represented by tightly-controlled political space.⁹

The literature on social movements also uses a conception of political space that focuses on non-state actors’ interaction with the state. Scholars argue that ‘when a transition to formal democratic regime has taken place, there is generally more space for civil society activities’ (Piper and Uhlin 2004a: 13). This ‘political opportunity structure’ (POS) is not unlike the concept of political space described above, in that non-state actors may access political space once there is an opportunity or ‘opening’ in the political system created by the government (McAdam et al. 1996).¹⁰ The concept of political opportunity structure is often attributed to bringing about a society-led change from ‘outside’ the state, which in turn creates more political space.

Most scholars, then, analyse political space in unidimensional terms of state-opposition engagement. In this study, the concept of political space is expanded to account for the multitude of actors involved in contests over power.¹¹ In this study, political space refers to the restraints and opportunities for advocacy NGOs to exert power in the political system, placed within a

⁹ Democratisation is more appropriately conceived as ‘a political project of social groups seeking to create forms of participation in order to protect their interests’ (Rodan and Jayasuriya 2006: 2).

¹⁰ McAdam et al. (1996: 27) argue there are four dimensions to a POS; the relative openness of closure of the institutionalised political system; the stability or instability of that broad set of elite alignments; absence or presence of elite allies; and lastly; the state’s capacity for repression.

¹¹ This thesis adopts Rodan and Jayasuriya’s (2006: 2) argument that political space is the battleground in which actors – both state and non-state – compete with each other to further their political interests.

specific historical and geographical context (Webster and Pedersen 2002a: 10). In choosing this definition, I follow Hall (2004: 6), who fuses structure with multiple agencies to define political space as ‘the morphology of political organisation’ because this approach locates NGOs’ social struggles in wider contests over power in order to determine how these forces interact within different political contexts.

Methodology

Field work for this thesis was conducted in Jakarta in January and February of 2007.¹² Jakarta was selected primarily because it acts as a hub of communication and transnational links between national and internationally-based NGOs, acting as a filter for communication, ideas and funding for local NGOs in other parts of Indonesia. The choice of Jakarta as a research destination also reflects the significance of the centralised nature of political space in the New Order. Due to the centralised state structure that existed, advocacy NGOs tended to be located there.

As Courville (2006: 275) has argued, given the great diversity amongst NGOs based on organisational structures, scope, functions and constituencies, ‘it is simply impossible to address concerns about NGOs...without focusing on a specific sub-group of NGOs that share a number of similarities’. This study focuses on different kinds of advocacy NGOs. All of the NGOs included in the study have experience and knowledge of both the New Order and post-New Order contexts.

In-depth interviews, which lasted between one to two hours, were carried out to obtain first-hand knowledge of the ways in which advocacy NGOs have adapted to the changing environment of the post-Suharto period. These semi-structured interviews were conducted in Indonesian, and then transcribed.

¹² This contrasts with many earlier studies of Indonesian NGOs, such as those by Eldridge (1995), Hadiwinata (2003) and Riker (1998), which were conducted in the city of Yogyakarta.

Following Uhlin (1997), direct quotations, rather than paraphrases, have been used where possible in the thesis.¹³ Interview data was supplemented by NGO publications, newspaper articles and pamphlets collected in the field. Although not all of these publications are cited in the thesis, the material was used to cross-check details gathered through the interview process and as supplementary information regarding NGOs' perspectives about civil society and political space.

Thesis Outline

Chapter One provides the theoretical base in which this study's argument is built. It re-examines the relationship between civil society, democratisation and political space for NGO activity. Having reviewed the literature on NGOs and civil society, the chapter then turns to the concept of political space and its utility in reconsidering the traditional boundaries for NGO activity. It suggests that the civil society-based definitions of NGO activity have limited scholars' ability to account for the changed boundaries of political space in democratising contexts. The chapter argues that the lens of political space is a useful tool for understanding the way activists have responded to developments in post-Suharto Indonesia.

Chapter Two documents how NGOs became closely associated with the concept of civil society in Indonesia. The first part of the chapter outlines the boundaries of NGO activity in the late New Order (1985-1998), whereas the second part critically evaluates NGO activists' assessment of the political space available to NGOs in this period. It stresses the importance of acknowledging other opposition elements and the transnational dimensions of political space as key factors in defining (and understanding) NGOs' position within civil society. The chapter argues that advocacy NGO activists tended to define political space in terms of their engagement with the New

¹³ All translations of interview data and Indonesian language primary sources used in this thesis are my own.

Order regime while overlooking their transnational funding and limits on other forms of political opposition.

The final chapter of the thesis questions the assumption that the creation of more political space for civil society and formal political actors necessarily equates with greater access for advocacy NGOs in the post-Suharto era. It does this by examining the way the new democratic terrain shapes the boundaries of political space for advocacy NGOs. It argues that advocacy NGOs' preferential access to political space has contracted in the post-Suharto period because the loose organisational structures and transnational links required to survive harsh repression are no longer needed. The second part of this chapter explores the way in which activists interpret political space in contemporary Indonesia. It suggests that 'New Order thinking' still penetrates much of the debates concerned with NGO activity in the sense that NGOs' access to political space continues to be defined in terms of NGO engagement with the state, thus overlooking the role that other CSOs and the transnational dimension play in determining NGOs' opportunities for accessing political space.

Chapter One

Civil Society, Democratisation, NGOs and Political Space

Within authoritarian contexts such as New Order Indonesia, NGOs have been regarded as the key forces (or actors) within civil society and as ‘openers’ of political space. More recently, the fall of the New Order regime in 1998 and the subsequent process of democratisation has been described as a major turning point because it ‘opened up’ political space for civil society actors (Hikam 1999; Jemadu 2004; Nyman 2006; Suharko 2005). Both these statements reflect the fact that since the late 1980s debates concerning NGO activity have centred on the political role of civil society as a democratic force in opposition to authoritarian regimes (Bratton 1989; Clarke 1998a; Eldridge 1995; Frantz 1987; Korten 1990; Ndegwa 1996).¹⁴ The underlying thesis of many of these studies is that while NGOs are part of civil society, they can strengthen civil society through their activities, which, in turn, promotes democratisation (Mercer 2002).

This chapter re-examines the relationship between democratisation, civil society and political space. It begins by exploring the concept ‘civil society’ and the relationship between civil society and democratisation, before turning to the positioning of NGOs within civil society in developing and authoritarian contexts in Asia. The chapter argues that the concept of political space provides a lens for understanding the relationship between civil society, NGOs and democratisation that is productive in understanding advocacy NGO responses to Indonesia’s transition from authoritarianism to democracy.

¹⁴ It should be noted that some scholars argue that NGOs as anti-democratic forces. See Hedman (2001: 951); Warren (2001: 10-12); Rodan (1996: 4-5) and Hadiz (2003: 594).

Democratisation, Civil Society and NGOs

There is substantial scholarly debate regarding the concept of civil society, a concept to which considerably different meanings have been attributed in a diverse range of contexts.¹⁵ As a result, civil society is best characterised as a mutable concept, ‘open in character... readily modified so as to be applicable to a broad variety of intentions and situations’ (Guan 2004: 2); ‘a popular, normatively charged concept that does not have a single meaning’ (Alagappa 2004a: 26).¹⁶

Yet despite their differences, definitions are almost always underpinned by a shared assumption that civil society ‘embodies an ethical ideal of the social order, one that, if not overcomes, at least harmonizes, the conflicting demands of individual interest and social good’ (Seligman 1992: x). At the core of this understanding is the proposition that civil society is the modern bastion of liberty, democracy, freedom, cooperation, solidarity and social justice because it provides space for social actors to bring about positive social and political change (Cohen and Arato 1992):

Civil society can be found in the economy and the polity; in the area between the family and the state, or the individual and the state; in non-state institutions which organise and educate citizens for political participation; even as an expression of the whole civilizing mission of modern society (Kumar 1993: 383).¹⁷

¹⁵ For a detailed discussion of the different understandings of civil society: Hall and Trentmann (2005); Kaviraj and Khilnani (2001); Cohen and Arato (1992) and Ehrenberg (1999). Many scholars trace the re-emergence of the term ‘civil society’ to the 1980s when it was rediscovered by dissident intellectuals of anti-totalitarian struggles in Communist Eastern Europe (especially Poland). This conception of civil society stressed the self-organisation in civil society and a separation of the state from economic life. See Howell (2001: 15). The removal of the state is often referred to as the ‘society-first’ concept of civil society (Alagappa 2004b).

¹⁶ The tendency to define civil society as an ‘amorphous catch-all’ concept has been the subject of widespread criticism. See for example Alagappa (2004b); Kumar (1993; 1994) and Schak (2003a).

¹⁷ Hudson and Schak (2003a: 2-4) state that civil society can refer to: groups within society, a zone of interaction, the ‘public sphere’, non-state voluntary organisations, self-organisation of citizens in an autonomous sphere from the government or state. Similarly, Alagappa

Civil society is thus understood as a moralising force and a political ideal (Keane 1988b; 1998). Khilnani (2001: 12) notes that '[t]o all those who invoke it, civil society incarnates a desire to recover for society powers – economic, social, expressive – believed to have been illegitimately usurped by states.' As Mercer (2002: 9-10) argues, then, civil society is not conceptualised as a sphere of competing interests, rather it is assumed to be inherently 'good'.

In the last two and a half decades, some academics have questioned the usefulness of civil society as an analytical term precisely because of this normativity (see Kumar 1993; Lele and Quadir 2004; Lewis 2002; Sardamov 2005; Seligman 1992; Zaidi 1999).¹⁸ However, in many Asian contexts, discussions of civil society continue to focus on its normative relationship with democracy and/or democratisation (Antlov et al. 2006; Hedman 2001; Mohanty et al. 1998; Rodan 1996; Rodan 1997). Some scholars reject the simple notion that a strong civil society necessarily equates to democracy (Alagappa 2004b; Budiman 1998; Clarke 1998a; Schak and Hudson 2003a), or argue that the success of democratisation is determined by both the state and civil society (Aspinall 2004; Kumar 1993; Zaidi 1999). However, as a whole, they focus on the contribution of civil society to the development of democratic ideals (see for example Alagappa 2004c; Clarke 1998a; 1998b; Guan 2004; Lele and Quadir 2004; Schak and Hudson 2003b).

There are the two approaches commonly used to study the relationship between civil society and democracy. In the first, which can be described as the 'outcomes approach', civil society is presented as playing a pivotal role in the promotion of wider social and political processes, thus contributing to

(2004a: 33-36) refers to three conceptions of civil society: a distinct space (sphere) of governance; a site for strategic action and; agency which applies to organisations within the realm not civil society as a single entity. For Hall (1995: 2), 'civil society is complicated, most notably in being at one and the same time a social value and a set of social institutions.'

¹⁸ There are some scholars who argue there is little analytical value in the concept of civil society, instead adopting alternative devices to explain the diverse intentions of non-state actors (Callahan 1998; Chan 1997; Ding 1994; Gu Xin 1998; Huang 1993; Lele and Quadir 2004; Webster and Pedersen 2002a).

‘change in the direction of open, participatory, and accountable politics’ (Alagappa 2004b: 10). While scholars favouring this approach highlight the different roles that civil society plays in influencing these outcomes, civil society (as a monolithic actor) is said to have a direct role in the process of democratisation (Baker 2002; Bernhard 1993).¹⁹ For example, the democratic transitions literature assigns civil society a crucial instrumental role within the state-society framework (see Cohen and Arato 1992). In this literature, scholars distinguish between the role that civil society plays in three different stages of democratic development and consolidation (Alagappa 2004b; Cohen and Arato 1992; Linz and Stepan 1997; Schmitter 1992). In the *liberalisation* phase, civil society is assumed to push for greater autonomy from state controls and the establishment of citizens’ rights (Alagappa 2004a: 45; Donnell and Schmitter 1986: 48). The *transition* phase involves mobilisation of civil society organisations to balance the power of the state (Diamond 1994: 5). Meanwhile, in the *consolidation* phase, civil society is thought to further deepen democratic development by encouraging greater citizen participation and increased checks on state power (Arato 2000; Linz and Stepan 1996). In short, it is argued that civil society contributes to outcomes that foster democratisation.

In the democratisation literature, civil society tends to be understood as a realm of organised social life that is largely voluntary, self-generating, self supporting, autonomous from the state and bound by a legal order or set of shared rules of its citizens (Diamond 1994: 5; Hikam 1995: 28).²⁰ Civil society is, then:

An aggregate of institutions whose members are engaged primarily in a complex of non-state activities – economic and cultural production,

¹⁹ The outcomes approach generally reproduces the liberal democratic view as if it democracy is the ‘end of history’ and there are ‘no other games in town’, largely ignoring the different national contexts in which civil society exists (Baker 1997). This approach is the framework most commonly used in the NGO literature.

²⁰ The roots of this position lie in the work of Alexis de Tocqueville. He stressed voluntarism, community action and independent associational life as a barrier to state domination and for keeping the state accountable and effective (Hudson 2003: 10).

household life and voluntary association – and who in this way preserve and transform their identity by exercising all sorts of pressure or controls upon state institutions. (Keane 1988a: 14)

This model assumes that a capitalist society requires a strong and autonomous civil society, together with a strong state (Cohen and Arato 1992; Diamond 1994; Gellner 1994; Salamon and Anheier 1996), where civil society acts as a uniting force for the disparate groups to ensure an accountable, transparent and legitimate government is in power (Mercer 2002: 7). Once again, this ‘check and balance’ framework tends to conceptualise the state and civil society as monolithic entities, resting on the premise that without checks and balances, the state, as unitary actor, promotes its interests, which are then enforced through the monopolisation of the means of coercion.

Scholars who adopt the outcomes approach tend to see NGOs as ‘alternatives’ that emerge as a result of the failure of both the state and the market (Sinaga 1994: 25). The state fails because it is said to be dominated by a few strategic groups, whereas the market organisations and institutions fail to redistribute assets or resources ‘equally’ within society. In contrast, ‘NGOs are connected with society through solidarity, rooted in voluntary action’ (Glasgow 1988: 37). NGOs are thus seen to be distinct from the state and market as their organisational interests are assumed to be based on ‘a particular ideology of egalitarianism, social justice [and] democratisation’ (Sinaga 1994: 26). Based on these assumptions, outcomes-oriented scholars tend to focus on how NGOs can strengthen civil society and bring about substantial democratic change.²¹

²¹ This idea is reproduced in a large number of works, for example, Baker (1997); Bratton (1994); Bunnell (1996); Clarke (1998b); Diamond (1994); Fisher (1998); Frantz (1987); Garrison (2000); Hadenius (1996); Harper (1996); Hojman (1993); Korten (1990); Ottaway (2000). For examples of this argument in the Indonesian context, see Billah (1997); Eldridge (1995; 2005); Hadiwinata (2003); Hikam (1995; 1999); Nordholt (2002); Riker (1998; 2002); Seda (2004) and Wolters (2002).

Outcomes-oriented scholars argue that NGOs strengthen civil society in a number of ways (Mercer 2002: 8-10). The first and most common argument is that NGOs – as autonomous actors – can strengthen civil society and aid democratisation because they pluralise the institutional arena (see for example Riker 1998). As a result, civil society ‘appears as a synonym for “society”, pictured as an undifferentiated force engaged in a heroic, zero-sum conflict against the state’ (Aspinall 2000: 11). In some cases, scholars who use this argument posit a direct correlation between the number of NGOs and the number of interest groups that can express their opinions in civil society (see for example Clarke 1998b: 26; Fukuyama 2001: 11). In this view, a greater number of NGOs is taken to mean that more interest groups have a voice (see Antlov et al. 2006; Silliman and Noble 1998). In other cases, scholars emphasise NGOs’ ability to work with grassroots organisations to broaden citizens’ participation in the public sphere, mobilise disempowered social groups and, in doing so, strengthen civil society against the state (Clark 1991; Farrington and Bebbington 1993; Fisher 1998; Fowler 1993; Ndegwa 1996; Triwibowo 2006). In this view, NGOs are seen as alternatives to the media, mass organisations and political parties that have been coopted by the state. Finally, other outcomes-oriented scholars argue that NGOs can check state power and act as a bulwark against state despotism because they provide a forum for the development of new and alternative ideas (Cohen and Arato 1992; DEMOS 2005; Hikam 1995).

A second group of scholars adopt what can be described as ‘action-oriented approach’ to civil society. Drawing on the work of Gramsci, this second approach looks within civil society to emphasise the importance of action groups and social movements as ‘democratic assertions of people’s rights’ (Mohanty et al. 1998). Its emergence has been tied to a growing uncertainty about the democratic trajectories in post-colonial and developing country contexts, which recognises the inequality and deep social rifts that exist

within civil society, seen to be symptoms of the failings of capitalism and democracy (Kumar 1993).²²

In stepping away from the emphasis on the existence of a strong civil society as a precondition for democratisation, authors adopting the action-oriented approach emphasise the tendency for societal groups to act according to their own interests (Lele and Quadir 2004: 11). However, these social, economic, political and cultural cleavages are generally considered to be ‘blockages’ to greater economic and democratic development and as symptoms of a ‘weak’ civil society that must be ‘strengthened’ (Mercer 2002: 11).²³ In short, while recognising the inequality and diversity within civil society, scholars adopting an action-oriented approach share a normative understanding of civil society in which civil society is viewed as a positive force for political change, and where democracy opens up greater access to political space for civil society.²⁴

Within the action-oriented approach, some scholars conceptualise NGOs as ‘action groups’ that emerge as a result of contradictions within the realm of civil society. Haynes (1997: 5) defines action groups as ‘non-institutionalised socioeconomic and political bodies that attempt to achieve their goals through the actions of their constituents, [where] members perceive their actions as part of a unified group’. Making a clear distinction between action groups and social movements, Haynes (1997: 14) asserts that action groups can work at the grassroots level and may even be loosely organised, in contrast to social movements, which he describes as highly organised groups interested in changing the status quo. Haynes argues that the ability of action

²² Several recent studies explore this idea, including Antlov (2006); Budiman (1998); Cohen (1992); DEMOS (2005); Fasih (1995); Hadiwinata (2003); Haynes (1997); Hedman (2001); Hikam (1995); Lele (2004); Lindberg (1997); Mohanty (1998); Nyman (2006); Triwibowo (2006); Uhlin (1997); Weller (2005).

²³ These ‘blockages’ include ethnic and religious cleavages, different social and economic structures, class formation, late industrialization that are found in developing contexts.

²⁴ This argument also frequently appears in the NGO literature. Even those observers that highlight the inequality within civil society, there are some that maintain given the right conditions, NGOs might eventually fulfil their democratic role. See Dicklitch (1998); Farrington (1993); Hadenius (1996); Ndegwa (1996).

groups to pressure the state from below in a non-institutionalised manner is seen as a key indicator of a strong civil society. Action groups are considered vital for democratic transition following long periods of repression under authoritarian rule as they strengthen civil society where institutionalised elements remain weak. In a number of works dealing with Indonesia, NGOs are identified as part of social movements that serve as catalysts for successful democratic transition (Hadiwinata 2003: 36; Nyman 2006: 3).²⁵ This argument is premised on the idea that NGOs strengthen grassroots organisations by forging horizontal and vertical links with mass movements to counterbalance the state (Fisher 1997: 441; Fowler 1993: 334).

In recent years, however, there have been calls for greater contextualisation when discussing NGO activity (Clarke 1998b; Hadiwinata 2003; Mercer 2002). For example, according to Mercer (2002: 10), the reason why NGOs became closely related to civil society ‘has much to do with the dovetailing of the timing of their growth with changing development discourses as with any inherently democratizing characteristic of NGOs’. These claims are underpinned by a growing concern for the contradictions that arise within the realm of civil society; the different roles of civil society in various domestic contexts and the accountability and legitimacy dilemmas created by horizontal funding relations. The normative attachments associated with NGOs through the paradigm of civil society overlook these features, which define NGOs’ access to political space in authoritarian and democratic contexts.

NGOs and Political Space

The concept of political space is analytically useful because it focuses attention on major structural transformations taking place from within and

²⁵ Social movements can be broadly defined as recurrent patterns of collective activities which are partially institutionalised, value-oriented and anti-systemic in their form and symbolism (Pakulski 1991: xi- xxi).

outside the political system in the transition from authoritarianism to democracy, which have been largely neglected in research on NGOs and civil society. Specifically, it is useful in the Indonesian case because it provides room to explore the actual constraints that limit NGO activity in the post-Suharto period – something that is left unaccounted for in the NGO literature.

Some scholars, such as Rodan, have drawn explicit links between the concepts of political space and civil society. As Rodan argues:

Civil society is the form of political space that affords the most substantive opposition capacity and potential capacity and potential, within which social forces can be both resist and co-operate with the state in their own interests. (1996: 20; 1997: 158)

But rather than pose the question ‘Does democracy equate to more opportunities for civil society?’, as it has been posed in the literature on NGOs and civil society, it is more appropriate that we ask: ‘Political space for whom?’. If NGOs are viewed through the conceptual prism of civil society, political space becomes a one-dimensional structure defined by NGO engagement with the state. This has important implications for the way political space is conceived.

In the literature on NGOs, authoritarian contexts are thought to provide fewer opportunities for NGOs, whereas, democracy – the opening up of political space – is associated with greater opportunities for civil society and in turn, NGOs, to engage with the newly democratic government.²⁶ For example, Piper and Uhlin (2004a: 13) note, ‘when a transition to formal democratic

²⁶ Recent studies of NGOs in Indonesia repeat these same concerns, arguing that political space has increased for NGOs in the post-Suharto period (Ganie-Rochman 2002; Hadiwinata 2003; Hikam 1995; Nyman 2006; Suharko 2003; 2005). These analyses situate debates around the role of NGOs on the idea that there is increased access to political space for civil society in the post-Suharto era. For example, Hadiwinata (2003: 117) asks the question, ‘how should [NGOs] respond to the greater political space they have enjoyed after the fall of Suharto?’

regime has taken place, there is generally more space for civil society activities'.²⁷ However, assertions like this assume that the creation of more avenues for accessing political power will automatically lead to an expansion of political space for NGOs. As the chapters that follow demonstrate, the Indonesian experience suggests that this is not necessarily the case, because, as Aspinall points out:

Institutions of civil society may be important for long term delegitimation of authoritarian rule, but as political space opens up they may be superseded by bodies which seek more explicitly a mass base, or which are located in political society. (2000: 155)

In short, while the removal of the military from political and social life provides more opportunities for societal expression and organising in post-authoritarian contexts, these opportunities do not necessarily equate to greater political space for NGOs. This expansion of opportunities for social and political activism in post-authoritarian contexts, then, *redefines* the boundaries of political space for NGOs rather than necessarily expanding them,²⁸ because in democratic contexts, NGOs are just one of many forms of political opposition.

What is underemphasised in the work of Aspinall (2000) and others is the transnational dimensions of the competition for political space.²⁹ The interpretation of political space – ‘across borders’ – opens new possibilities for defining the political space available to NGOs outside of the civil society framework, in both democratic and authoritarian contexts. Recent discussions about transnational social activism examine the level of political openness as a crucial factor that influences positive and negative outcomes

²⁷ Also see O'Donnell and Schmitter (1986).

²⁸ As demonstrated in the Introduction, the usefulness of the concept lies in its ability to reconsider the boundaries that have traditionally confined NGO activity; and to loosen the ideological aspirations of civil society that are often attached to politically-oriented NGOs.

²⁹ The few studies that examine the transnational dimensions of social activism in Indonesia have focused on how transnational networks and international development agencies have strengthened civil society against the New Order regime, see Riker (2002); Uhlin (1993; 1997); Jemadu (2004).

for different types of activism (Caraway 2006). In response to closed, authoritarian contexts, transnational forms of social activism are said to present a useful means of conducting advocacy (Keck and Sikkink 1998; Khagram et al. 2002; Risse-Kappen 1995; Risse et al. 1999; Tarrow 2005). As demonstrated in Keck and Sikkink's 'boomerang model', NGOs operating at the domestic level who are unable to achieve their goals domestically link up with activists across borders to influence politics in their home country (1998). However, in more open and democratic political contexts, the transnational element for social activism is no longer a necessary and an effective means at overcoming repressive controls in the home country (Caraway 2006).

While the transnational social activism literature examines the impact of different levels of political openness on forms of social activism, it downplays the role of funding and the accountability structures for transnational forms of social activism, an issue discussed widely in the NGO literature.³⁰ In particular, NGOs' reliance on overseas support has prompted criticism that NGOs are not accountable and transparent to the grassroots communities they claim to represent (Dowdle 2006; Jordan and Tuijl 2000).

However, NGOs' transnational modes of accountability need to be contextualised within the different situations in which they operate. As demonstrated in Chapter Two, NGOs can survive harsh periods of repression, as their transnational links provide them with the funding and protection.³¹ It was these features that distinguished Indonesian NGOs from other forms of political opposition under authoritarian rule. However, it was not only local activists that saw NGOs as a viable form of opposition. Donors made funding readily available to NGOs from the mid-1980s for the global

³⁰ Observers of NGOs argue that NGOs' upward accountability challenges their role as strengtheners of civil society, thus creating civil society's that are 'weak' (Mercer 2002: 14). See also Bebbington (1997); Edwards (1996); Farrington (1993); Hulme (1997); Marcussen (1996); Mercer (2002); van Tuijl (2006); and Zaidi (1999).

³¹ Since the mid 1980s, economic recession in south-east Asia forced states to reduce their intervention in the economy and to open up room for a range of non-government organisations and businesses (Clarke 1998b: 25).

spread of democracy (Carothers 1999; Ottaway and Carothers 2000; Van Rooy 1998).³² This new financial backing underpinned NGOs' growth throughout the developing world in the 1980s and 1990s.

In more recent years, however, as more countries have undergone democratic transitions, funding activities have begun to shift to issues of good governance, including a focus on corruption (Edwards and Hulme 1996). In addition, instead of funding NGOs to bring about change against authoritarian regimes, donors and other financial institutions began to direct their funding to other institutions, including the state. Furthermore, rather than engaging indirectly through local NGOs, as was appropriate in authoritarian contexts, donors see the most efficient method of achieving economic gains through their own direct involvement in domestic political and economic affairs, signifying a massive scale-shift in the nature of their activities (see Davies 2001; Fowler 2000; Kelly 2004).³³

Consequently, while NGOs may have been the primary vehicle in which donors achieved their aims in authoritarian regimes like the New Order, increased competition within the NGO sector has meant donors may be increasingly selective in *who* they fund. In addition, and of perhaps greater importance when considering the political space available for NGOs in the post-Suharto period, is the emergence of political parties as the primary vehicles for contesting power at the local, regional and national level (Mercer 2002: 17). These political parties are able to appropriate the legitimacy NGOs once possessed at the local level since decentralisation (Garrison 2000).

These developments fundamentally redefine the boundaries of political space available to NGOs. They suggest that rather than defining NGO activity

³² According to Clarke (1998b: 5), 'coinciding the [economic] recession, development assistance flows in the developing world began to expand exponentially in the mid-1980s.'

³³ According to Kelly (2004) international non-governmental organisations (INGOs) have increasingly become more directly engaged in advocating for changes in local, national and international systems.

against the Indonesian government, as in the civil society framework, it is more appropriate to study NGO politics in terms of their competition with civil society organisations both directly – through funding and program focus – by their donors, and indirectly, through the effect that increased transnational pressure has on the internal power relations within the post-Suharto era. In using the concept of political space, this thesis demonstrates how political parties and mass-based organisations share a common attribute that distinguishes them from NGOs, namely more local support and less reliance on transnational counterparts. It argues that politically-oriented NGOs had privileged access to political space in the New Order context because of their transnational support networks and that this access declined during the democratic transition because of competition from local and transnational actors and the subsequent reshaping of political space.

Conclusion

This chapter has interrogated the practicality of the civil society framework for analysing NGO activity, suggesting that greater emphasis on competitions over political space offers a more useful way to examine the role of NGOs in democratising contexts. Although scholars have argued that NGOs play varying roles in different contexts, their arguments tend to be framed around NGOs' position within civil society. While analytically useful in authoritarian contexts, where NGOs were important in the reinvention of different forms of political and social opposition, this framework is problematic when considering the way political space is constituted in democratic transitions, as opportunities for other forms of activism emerge that challenge NGOs' privileged access to political space. Rather than frame NGO activity exclusively in terms of their engagement with the state, then, it has been suggested here that NGOs should be studied in terms of their engagement with other local and transnational 'civil society actors' in contests over political space. In Chapters Two and Three, this framework is

applied in the Indonesian context in order to analyse advocacy NGOs' access to political space in the late New Order period and after the fall of Suharto.

Chapter Two

Advocacy NGOs in the New Order

Advocacy NGOs were one of the primary oppositional vehicles under the New Order regime (1966-1998). While the state exercised arbitrary repression and toleration towards opposition (Aspinall 2000; Uhlin 1997), the survival of a critical and heterogeneous NGO sector demonstrates the utility for civil society of NGO activism under periods of authoritarian rule (Bratton 1994; Riker 1998). Although the broader opposition movement was highly differentiated, NGOs' engagement with other opposition forces in the New Order period can be characterised by commonality and cooperation rather than conflict, and by their shared history of decades of authoritarian rule. However, as explained in this chapter, NGOs also stood apart from their counterparts through the concrete support and protection offered to them by their transnational networks.

This chapter analyses NGOs' access to, and role in creating, political space in the post-oil boom period in Indonesia in order to gain an understanding of NGOs' engagement not only against an authoritarian state, but also with other opposition elements. In doing so, it also explores the transnational dimension as an external arena for 'borrowing democracy' (INFID 2005). The first part of the chapter outlines the boundaries of NGO activity in the New Order, while the second part critically evaluates NGO activists' assessment of the political space available to NGOs in this period. The chapter argues that while most activists argue that advocacy NGOs had little access to political space under the New Order, in fact advocacy NGOs had preferential access to the limited channels for political activism in that period.

The NGO Boom

The expansion in the scope and intensity of NGO activity in Indonesia is generally traced to the mid-1980s (Eldridge 1995; Riker 1998; Sinaga 1994), a time when NGO activity expanded worldwide (Clarke 1998b). According to Sinaga (1994: 61-62) the number of officially registered NGOs in Indonesia grew from 1,810 in 1985 to 3,251 in 1989. The expansion of the NGO sector in Indonesia in this period was also prompted by changes in the New Order's economic policy and international economic conditions. When the government realised that it could not bear the costs of development in the face of the global economic recession of the 1980s (Robison and Hadiz 2004), it began to move away from a state-dominated model of development to include NGOs and other local institutions in the development process (Hellinger 1987: 135; Riker 1998: 142).³⁴ NGOs' low-cost structures made them an attractive alternative to traditional state-funded development programs (Eldridge 1995: 30; Hadiwinata 2003: 42-43). At the same time, international donor agencies began to invest directly in NGO activity rather than through government (see Antlov et al. 2006).

As Ford (2003: 10) notes, 'at first...NGOs couched their aims and activities in the language of development.' However, as was the case globally, a large number of politically-oriented NGOs emerged in this period (Clarke 1998b; Mercer 2002). These advocacy NGOs used discourses of democracy, the environment and human rights, but their activities were often focused on more specific and particularistic aims associated with other issues such as labour, women, indigenous communities and poverty reduction (Aspinall 2000). These politically-oriented NGOs were an important vehicle of opposition concerns in the late New Order period (1989-1998).

The New Order's success in limiting the channels through which political parties, trade unions and mass organisations could access political space was

³⁴ For example, in 1982, the government issued an Environmental Law (No. 2- 1982) explicitly recognising the contribution of NGOs to environmental policy (Riker 1998: 107).

an important factor in the rise of the politically-oriented NGO (Y. Sakai 2002; Sinaga 1994).³⁵ In the early 1970s, the government implemented the *wadah tunggal* (single vehicle) policy, which involved the co-optation of associations and social organisations into a ‘hierarchical’ system of state organised corporatist bodies, with state-defined agendas (Robison and Hadiz 2004: 48-49).³⁶ Under this system, political participation was limited to three political parties – the United Development Party (PPP), the Indonesian Democratic Party (PDI) and the state’s primary election and patronage mechanism, Golkar – and to state-sponsored organisations such as FBSI (Federation of All Indonesia Workers Unions), HKTI (Indonesian peasants Union), KNPI (National Committee of Indonesian Youth), MUI (Islamic Religious Leaders Assembly) and KADIN (Indonesian Chamber of Commerce), all of which were subject to significant monitoring and control, including the selection of leaders in designing their strategies (King 1982: 112). These regulatory structures hampered social movements and limited the space available for the independent organisation of civil society.

The New Order’s authoritarian corporatist model was expanded in 1985, when legislation was passed mandating that the five guiding principles of *Pancasila* form the ‘sole philosophical basis’ (*‘asas tunggal’*) for every social and political organisation (see Bouchier and Hadiz 2003). The controversial Law No. 8/1985 stated that umbrella organisations were to be set up in order to coordinate activities in different social sectors and that the government could suspend or dissolve social organisations. NGOs avoided strict controls placed on member-based organisations like trade unions and mass religious organisations under the law by adopting the non-membership institutional structure of a *yayasan*, or foundation.³⁷ As a result, although

³⁵ Clarke (1998b) makes a similar observation about the emergence of politically-oriented NGOs in the Philippines.

³⁶ The single-vehicle policy complemented the floating mass doctrine of 1971, under which the government argued that the population should be ‘a floating mass’ that has an active role in economic development and no role in politics (Moertopo 1974). Laws introduced in 1975 banned political activities below the *kabupaten/kota* (regency/city) level.

³⁷ The *yayasan* structure meant advocacy NGOs had a limited circle of decision makers (or founders). This differentiated them from mass organisations, acting as safeguard against government intervention (Ganie-Rochman 2002: 104).

Law No.8/1985 was not revoked until after the fall of Suharto, it did not impinge significantly on advocacy NGOs' strategies and functions and NGOs remained an important vehicle for opposition to the regime (Eldridge 1995: 48).

Opportunities for broader social mobilisation increased in 1988 when the New Order's exclusionary corporatist architecture began to break down as a result of conflicts between elite factions, particularly the schism that developed between Suharto and the military (Bourchier and Hadiz 2003; Budiman 1990; Lane 1991). In the democratisation literature, the period of *keterbukaan* or 'political openness' that followed (1989-1994) is described as being characterised by the resurgence of the pro-democracy movement and the resurrection of civil society (Aspinall 2000; 2005; DEMOS 2005; Uhlin 1997). Yet while many scholars characterise *keterbukaan* as a period in which an opening was presented to 'society' as a whole (see for example Bourchier and Hadiz 2003; Nyman 2006), it is better described as a period of limited political openness, characterised by arbitrary toleration and repression (Aspinall 2000).³⁸ The limited nature of political openness in this period meant that NGOs continued to be able to operate more effectively than mass organisations, as demonstrated by the fact that during *keterbukaan* politically-oriented NGOs began to publicly debate issues such as human rights and democratisation.

Keterbukaan ended with the banning of three news magazines; *Detik*, *Editor* and *Tempo*, on 21 June 1994. This heralded a return to more repressive measures by the government and to less confrontational strategies from the broader opposition movement. Yet the experience of limited access to political space in *keterbukaan* meant the government's attempts to crush societal mobilisation were met with an increasingly vigorous opposition (Aspinall 2000). At this stage, many advocacy NGOs joined in the fight to support PDI leaders and student groups in organising the mass protests of

³⁸ Similarly, Uhlin (1997: 157-159) argues that Indonesia was in a 'pre-transition phase.'

1996. Although NGOs involved in the events of 1996 came under intense pressure from the government and the military, all but the most outspoken advocacy NGOs survived the return to more repressive policies, protected by pressure on the Indonesian government from overseas governments, donors and international NGOs.

Following a brief period of mass protest and rioting in 1996, the military quickly reasserted its control over the broader opposition movement (Aspinall 2000). However, the Asian monetary crisis of 1997, or *Krismon*, destroyed the New Order's legitimacy, leading to unprecedented levels of criticism towards Suharto and other government officials from the whole spectrum of the opposition movement (Nyman 2006: 39).³⁹ The political crisis that followed culminated in Suharto's resignation in May 1998. The dramatic change in the political climate marked not only the end of the New Order, but also a fundamental change in the way opposition groups could access political space.

Transnationalism and Political Space in New Order Indonesia

Under the New Order, advocacy NGOs were able to avoid confrontation since they 'did not claim to organise a struggle for political power, nor to mobilise a mass base' (Aspinall 2000: 128). They were run by directors, were loosely-structured, middle class and issue-and task-oriented, and were largely seen to be 'apolitical' (or at least less dangerous than other kinds of politically-oriented organisations) and driven by overseas financial support.⁴⁰

³⁹ For example, a group of 45 activists from NGOs such as INFID, YLBHI, YLKI, PBHI and KIPP, requested the MPR hold a special session to hold Suharto responsible for the economic crisis and as a result must be replaced with new leadership that can be trusted (Aspinall 2000: 275). Similarly, nineteen researchers from the government sponsored research NGO, LIPI (the Indonesian Institute of Science), even voiced their criticism towards Suharto. They argued Suharto should not be re-elected as the President of Indonesia (Tempo Interaktif, 24 January 1998 'Rakyat Indonesia Mulai Secara Terbuka Menolak Kepemimpinan Suharto').

⁴⁰ It should be noted that it is problematic to generalise, since NGOs play a wide range of roles and participate in a wide range of activities (Edwards and Hulme 1992; Eldridge 1995;

International support enabled NGOs to access political space outside the boundaries of the New Order's corporatist system whilst situating themselves inside the state developmentalist apparatus – a situation that presented a challenge to the New Order's otherwise very successful attempts to disorganise civil society.⁴¹

NGOs' transnational links allowed them to at least partially circumvent the repressive practices of the New Order regime (Ford 2003: 12). Most of these NGOs received direct financial assistance from INGOs and government aid organisations (Interview with Danang Widoyoko; Interview with Ridaya La Ode Ngkowe, 17 January 2007).⁴² In doing so, they were able to expand the political space available to Indonesian civil society more generally by attacking the legitimacy of the New Order government with ideas about democracy and alternatives to authoritarian rule learnt from their overseas counterparts (Uhlin 1997).

The transnational dimensions of NGO activism are recognised in scholarship on the final decade of the Suharto period (see Aspinall 2000; Bourchier and Hadiz 2003; Hadiwinata 2003). Indeed, Uhlin (1997: 159) argues that this period of limited liberalisation is 'the phase in which foreign influences are most important'. However, while Uhlin emphasises the transnational influences on Indonesian civil society, his analysis reflects the general consensus that transnational networks were of secondary importance in the 1990s:

Korten 1990). As pointed out by Courville (2006: 271), NGOs are often lumped under the same 'umbrella' with little regard for the incredible diversity that exists between them.

⁴¹ For an evaluation of the New Order's de-politicisation policies in the 1980s and 1990s see Hadiwinata (2003: 93-96) or Sinaga (1994: 211-216).

⁴² The significance of these transnational funding relationships was demonstrated by moves of the Indonesian government to ban all official Dutch funding in 1992 (INFID 2005: 21). As a result, many NGOs suffered funding problems (*Tempo*, 18 April 1992 'Nasib Penerima Gulden'). The importance of the funding relationships between indigenous NGOs and Northern funding agencies is widely discussed in the NGO literature; see Fowler (1992) and Edwards and Hulme (1996).

External influences should be seen as an important inspiration and catalyst for...increasing demands for democracy in Indonesia. However, domestic factors – such as the emergence of a stronger working and middle classes, the conflicts within the ruling elite, and not least the efforts to oppose authoritarianism that have been made by numerous activists and intellectuals long before the fall of the Berlin Wall and the advent of ‘People Power’ in the Philippines – are probably more important issues behind the relatively intense struggle for democracy in contemporary Indonesia.⁴³ (1997: 239)

This analysis frames local NGOs’ transnational links as part of an agent-less ‘international context’ for domestic developments, and suggests that the Indonesian state structure was relatively impervious to demands from outside.⁴⁴ Consequently it leaves the concrete funding relationship that existed between NGOs and funding agencies largely unexamined. As pointed out by Binny Buchori from INFID, ‘the transnational realm cannot be conceived as just a realm of contending ideas, it also involves a realm of competing economic forces that gave birth to, and shaped the form and growth of the local NGO movement in the New Order’ (Interview, 25 January 2007). These foreign players were able to provide access to political space for local NGOs through their vested interests in Indonesia.

It was these concrete transnational links that helped initiate, and then supported the agendas of democratisation adopted by local advocacy NGOs. The direct financial support they received from overseas donors shaped their assessments of not only their position within civil society, but also the nature of their campaigns and their tactics for expanding political space.

⁴³ See also Hadiz (1997: Chapter 6).

⁴⁴ As stated by Caraway (2006: 279), ‘in most theoretical constructs, transnational activism affects domestic politics by adding another level – the international level – to the political game, allowing weak actors to overcome unfavourable domestic opportunity structures’.

Activists' Perceptions of their Position in the Opposition Movement

Many NGO activists interviewed for this study believed that advocacy NGOs were the only consistent and critical form of opposition in the New Order. According to Teten Masduki, for example, 'before the fall of Suharto, NGOs were very important because [they] were the only form of opposition to the government' (Interview, 23 January 2007). Limited channels for bringing about social and political change and a reliance on the idea of political space characterised by the relationship between opposition and the government meant that activists viewed NGOs as a means for actively promoting social change 'outside' the system (Interview with Teten Masduki, 23 January 2007; Interview with Rafendi Djamin, 29 January 2007; Interview with Fabby Tumiwa, 5 February 2007; Interview with Masruchah, 3 February 2007). NGO activists viewed their organisations as an important vehicle for presenting alternative ideas to the authoritarian regime (Interview with Lili Hasanuddin, 30 January 2007; Interview with Rizal Malik, 31 January 2007).⁴⁵ Although they were largely from the middle class, activists saw their advocacy work as a reflection of discontent for the broader pro-democracy movement and more widely the disorganised and ideologically depoliticised Indonesian public.

When asked why activists originally joined the NGO sector, respondents argued that in order to achieve their aims they needed to position themselves within organisations that operate 'outside' of the government, and that 'NGOs were a space to express society's needs in the context of highly controlled discourse by the regime' (Interview with Lili Hasanuddin, 30 January 2007).⁴⁶ Many disgruntled student activists, trade unionists and those

⁴⁵ Others argued that NGOs' contribution to the opposition movement was their creation of new knowledge (Interview with Asmara Nababan, 26 January 2007; Interview with Bivitri Susanti, 30 January 2007). This position is reflected in studies of the NGOs' contribution to the labour movement and the pro-democracy movement in the New Order (Ford 2003; Uhlin 1997).

⁴⁶ This idea was reiterated by nearly all respondents (Interview with Lili Hasanuddin, 30 January 2007; Interview with Ridaya La Ode Ngkowe, 17 January 2007; Interview with Teten Masduki, 23 January 2007; Interview with Rafendi Djamin, 29 January 2007; Interview with Danang Widoyoko, 20 January 2007; Interview with Masruchah, 3 February

from NGOs established in the mid-1980s saw NGOs as a way in which to escape the regime's 'watch-full eye', as advocacy NGOs did not appear to directly challenge the regime and were able to sustain repressive periods (Interview with Teten Masduki, 23 January 2007). By joining an NGO, these activists generally felt they were actively contributing to social change through their role as *tukang kritik* (critical observers or commentators) (Interview with Ridaya La Ode Ngkowe, 17 January 2007).⁴⁷

Although the broader opposition movement was ideologically diverse (Uhlen 1997), the common frustration with limited channels for accessing political power meant it could unite on one issue, namely the promotion of democracy and the overthrow of Suharto. According to Danang Widoyoko:

The Islamic groups, the pro-democracy groups and even the nationals were able to unite against Suharto. Suharto actually created this united opposition through his exclusionary corporatist structure that acted as a uniting force against him. This actually tightened the opposition movement and the one group against him. (Interview, 20 January 2007)

Although NGOs spoke about the difficulty of working under a repressive authoritarian government, they argued that the overwhelming presence of the state provided the opposition movement with a monolithic and powerful 'enemy' (*musuh*):

The main thing was that we were anti-Suharto, there were those that were exclusive, those that operated in the open and those that hid behind closed doors. But the leverage to join forces against one enemy was very

2007; Interview with Bivitri Susanti, 30 January 2007; Interview with Sugeng Bahigijo, 25 January 2007; Interview with Binny Buchori, 25 January 2007; Interview with M. Ridha Saleh, 3 February 2007; Interview with Asmara Nababan, 26 January 2007; Interview with Tommy Legowo, 24 January 2007; A. Patra M. Zen, Interview 26 January 2007; Interview with Wilarso Budiharga, 26 January 2007).

⁴⁷ Others prefer the term 'watchdog organisations' when referring to advocacy NGOs, such as Antlov et al. (2006).

easy. I mean it was really simple for us to unite. (Interview with Wilarso Budiharga, 26 January 2007)

This suggests that while conflict existed between NGOs and between NGOs and other opposition movement organisations, these issues were of secondary importance to the broader bonds of a shared experience of repression and exclusion from political life.

This is reflected in the fact that activists interviewed for this study did not mention any form of institutional rivalry between NGOs, to which earlier academic work has repeatedly referred.⁴⁸ Overall, there was a tendency for activists to look back at the Suharto period fondly and to gloss over the conflicts that existed between them during that period. Informants were generally quick to highlight that NGOs were very willing to work together in the New Order. According to Fabby Tumiwa, ‘our vision was simple, our vision was about changing the regime in any way possible, harmless or aggressive, in any way, shape or form’ (Interview, 5 February 2007). Similarly, Binny Buchori stressed that ‘the coalition went from the right to the left, everybody worked together’ (Interview, 25 January 2007). This meant that NGOs were able to embrace an array of diverse societal aspirations that were seen as legitimate to the disorganised Indonesian society they sought to represent (Ford 2003).

Activists’ emphasis on the ‘inherent’ bond said to exist between the NGO sector, mass organisations, trade unions, student movements and even political parties in the New Order period underplayed the practical constraints experienced by other forms of opposition described earlier in this chapter. These constraints limited political space for other forms of opposition in the New Order period and expanded advocacy NGOs’

⁴⁸ Earlier studies highlight institutional rivalry between the NGO movement based on ideological lines (Billah 2000; Eldridge 1995; Riker 1998; Uhlin 1997), personal conflicts among NGO leaders (Ford 2003: Chapter 7; Hadiwinata 2003; Sinaga 1994), and different strategies undertaken by NGOs (Ford 2003; Ganie-Rochman 2002; Setiawan 2000).

opportunities for accessing political space. This meant that NGOs had little competition when dealing with, or protesting against, the state.

Activists' Perceptions of Political Space and Collaboration with Government

Activists' emphasis on the clearly demarcated boundary between the state and the actors that formed the oppositional civil society (or pro-democracy) movement and identification of the state as a common advocacy target around which the broader opposition movement was created, shaped their perceptions of political space and the form of the opposition movement itself.⁴⁹ In the late New Order, activists generally considered NGOs' opportunities for accessing political space to be extremely limited.⁵⁰ As far as activists were concerned, the boundaries of political space were defined and constrained to a narrow realm defined by the opposition's engagement with the state. For example, Rafendi Djamin noted that:

Before '98 we were the enemy of the state, in general we opposed the regime, so we did not have any positive dialogue with the government. The presence of a repressive government meant we didn't really have much access to political space. (Interview, 29 January 2007)

Other activists echoed these sentiments, describing the regime as 'repressive' (*represif*) and 'dominant' (*dominan*), under which access to political space was 'limited' (*terbatas*) or 'tight' (*sempit*).⁵¹ When asked to expand, activists cited limits on the freedom to organise and restraints on expression of

⁴⁹ The oppositional framework is identified in the literature on NGOs in the late New Order period, such as Aspinall (2000; 2005); Eldridge (1989; 1995); Riker (1998); Uhlin (1997).

⁵⁰ Interview with Binny Buchori, 25 January 2007; Interview with Rafendi Djamin, 29 January 2007; Interview with Wilarso Budiharga, 26 January 2007; Interview with Bivitri Susanti, 30 January 2007.

⁵¹ Interview with Ridaya La Ode Ngkowe, 17 January 2007. Also Interview with Binny Buchori, 25 January 2007.

opinion as key factors in limiting their access to political space.⁵² For instance, Teten Masduki pointed out that ‘before the fall of Suharto everything was difficult...if you wanted to hold a seminar, even that was forbidden’ (Interview, 23 January 2007), while Wilarso Budiharga noted that ‘if you wanted to speak out or help other NGOs you would think twice before doing anything’ (Interview, 26 January 2007).

As another activist, A. Patra M. Zen, said, ‘NGOs had no opportunity to engage in open dialogue with the government because one, the law at that time, and two, the policy of the repressive government’ (Interview, 26 January 2007). Some activists strongly criticised the more developmentalist NGOs that were seen to be an extended arm of the government (Eldridge 1995: 39-40). According to informants, these kinds of NGOs ‘had to open themselves up to intervention from the government’ (Interview with Asmara Nababan, 26 January 2007).⁵³ As a result, if the government was to ‘cooperate’ (*kerja sama*), or to become directly involved in NGO activities, NGOs would not be able to deliver sharp criticism towards them.⁵⁴ Activists claimed that by closely aligning themselves with the government, these NGOs risked their autonomy, loosened their connections to grassroots communities and opened themselves to interference from the government intelligence agents (*intel*) (Interview with Tommy Legowo, 24 January 2007), which was detrimental to the close bond between NGOs and the Indonesian society.⁵⁵

⁵² Interview with Lili Hasanuddin, 30 January 2007; Interview with Rizal Malik, 31 January 2007; Interview with A. Patra M. Zen, 26 January 2007; Interview with Tommy Legowo, 24 January 2007; Interview with Binny Buchori, 25 January 2007; Interview with Teten Masduki, 23 January 2007.

⁵³ This argument was summed-up neatly by A. Patra M. Zen ‘we chose this strategy so that we weren’t consumed by, I mean, subordinated to the government’ (Interview, 26 January 2007).

⁵⁴ These concerns were present at an NGO meeting on the 19 December 1990 in Baturaden, Central Java. NGO activists criticised the conservative approach undertaken by some of their NGO partners. They argued that these NGOs had become the extended arm of the government (Hadiwinata 2003: 42).

⁵⁵ Interview with Wilarso Budiharga, 26 January 2007. Also A. Patra M. Zen, Interview 26 January 2007.

Consequently, under the New Order, advocacy NGOs chose to have little or no form of direct involvement with the government.⁵⁶ They instead talked about their attempts to maintain their autonomy from the government. They would ‘strike’ (*memukul*) the government through criticism or pressure tactics and then shy away and seek shelter for fear of reprisal or repression (Ridaya La Ode Ngkowe, 17 January 2007). One activist described this as a game of hide-and-seek (*ngumpet-ngumpet*) between NGOs, New Order intelligence and the military (Interview with Lili Hasanuddin, 30 January 2007). Another activist described NGO activity as ‘sneaky’ (*ngendap-ngendap*),⁵⁷ where:

NGOs in the New Order usually would hit-and-run. Hit, then run and hide, then after a while they would return to criticise the government again, which then might even require they hide overseas.⁵⁸ (Interview with Ridaya La Ode Ngkowe, 17 January 2007)

Tactics for Expanding Political Space

In the restrictive context of the New Order, the problem, then, was how to circumvent, or even alter, the structures that defined the political space available to NGOs themselves and to other oppositional groups. According to Aspinall (2000: 12):

[C]ivil society organisations endeavour (albeit often unsuccessfully) to remain independent of the corporatist or other official structures for organising group interests; they strive to achieve a zone of autonomy from state intervention.

In this regard, advocacy NGOs benefited both from their domestic and transnational networks. Their connections to elite circles, media and

⁵⁶ This was not the case for all NGOs. According to Tommy Legowo, in the New Order ‘NGOs either gave constructive criticism behind closed doors, like CSIS, or they did so from outside the regime with the fear of repression’ (Interview, 24 January 2007).

⁵⁷ ‘*Ngendap-ngendap*’ can also mean to move stealthily or in a concealed manner.

⁵⁸ Also Interview with Fabby Tumiwa, 5 February 2007.

international organisations provided protection against repression.⁵⁹ Activists used these connections as a buffer from the regime, which ensured their survival. The political space available to NGOs was defined in the shadow of the regime, but it was NGOs' ability to actively seek-out transnational support and protection that made them successful in the New Order. In fact, these techniques distinguished advocacy NGOs from the broader opposition movement.

In their efforts to expand political space, advocacy NGOs used a number of techniques to overcome the disorganisation and depoliticisation measures of the regime.⁶⁰ According to Teten Masduki, 'we did not always follow all of the government's rules, we used the mass media, we used advocacy from outside and we used international forums to put pressure on the government' (Interview, 23 January 2007).⁶¹ As Lili Hasanuddin noted, the media was a willing partner for NGOs: 'if we look at the New Order, the mass media was always willing to accept the voice [*suara*] of advocacy NGOs, which formed an alternative discourse to the government's dominant ideology because NGOs were both critical and analytical' (Interview, 30 January 2007).

Throughout the course of interviews conducted for this study, activists demonstrated that they took for granted the pivotal role of NGOs' engagement with the transnational dimension, especially their relationship with donors and other funding agencies. They were quick to recognise the transnational dimension as a distinct sphere of political space and as 'a tool for exerting influence on, and pushing our demands for reform from the [Indonesian] government' (Interview with Teten Masduki, 23 January 2007).

⁵⁹ For an analysis of the role of the media for advocacy NGOs; see Ganie-Rochman (2002: 121-123).

⁶⁰ Ganie-Rochman (2002: 284) argues that there were three main strategies used by advocacy NGOs in the New Order; (1) choosing the courts as a political arena; (2) targeting changes in the law; and (3) cultivating international advocacy.

⁶¹ For Sugeng Bahigijo, 'NGOs that were "rights-oriented" used different types of media and various forums to pressure the government. So apart from documenting cases, educating (sic) the people about debt and other problems' (Interview 25, January 2007).

The transnational dimension also represented a positive support network or forum, in which NGOs could discuss and obtain ideas about democracy and various strategies to oppose the New Order government.⁶² Advocacy NGOs believed that they could borrow the hand of the ‘west’ in order to push for democratic reforms in the new post-Cold War political climate.⁶³ For example, INFID used the phrase ‘*meminjam demokrasi*’ (‘to borrow democracy’) when discussing their engagement with their transnational networks in the New Order. Similarly, Binny Buchori noted that the transnational platform for NGOs’ advocacy work in the New Order was ‘the international solidarity for Indonesia to de-legitimise the authoritarian regime’ (Interview, 25 January 2007), a previous statement of purpose for INFID.

Another activist, Danang Widoyoko, identified the utility in the transnational dimension in terms of physical security, stating that ‘before the fall of Suharto you would be kidnapped if you weren’t careful, so it was more effective to do advocacy work overseas. The police would come so we generally did our campaigns at an international level’ (Interview, 20 January 2007). NGOs knew that the support they received from their foreign counterparts could serve as a barrier to more extreme tactics from the military. Binny Buchori and Sugeng Bahigijo spoke about the ability of INFID to engage at a high level internationally in support of their domestic campaigns. In fact, by operating in two offices, one in Jakarta and another in The Hague, INFID was able to survive harsh periods of repression like that following the period of *keterbukaan* (INFID 2005: 21).

Funding was repeatedly mentioned as a form of transnational support. The majority of activists acknowledged that under the New Order much of

⁶² Interview with Danang Widoyoko, 20 January 2007; Interview with Binny Buchori, 25 January 2007; Interview with Sugeng Bahigijo, 25 January 2007.

⁶³ Interview with Binny Buchori, 25 January 2007; Interview with Tommy Legowo, 24 January 2007; Interview with Ridaya La Ode Ngkowe, 17 January 2007; Interview with Dian Kartika Sari, 5 February 2007; Interview with Bivitri Susanti, 30 January 2007.

advocacy NGOs' financial support came from overseas aid.⁶⁴ According to Teten Masduki:

There is no doubt that to be an advocacy NGO in the New Order would require financial support from overseas. Whether it was human rights, environmental or labour NGOs, it would definitely all come from overseas sources. (Interview, 23 January 2007)

Wilarso Budiharga also pointed out the dependence on foreign funding, giving the example of the Brussels incident in 1993, when the Indonesian government ceased all funding from the Dutch government, which had negative implications for a number of major advocacy NGOs, including INFID and LBH (Interview, 26 January 2007). Similarly, Danang Widoyoko and several others stressed the role of international advocacy work in the Kedung Ombo case for advocacy NGOs.⁶⁵ Fabby Tumiwa stated that 'NGOs couldn't have survived without this critical support, especially as donors couldn't enter Indonesia' (Interview, 5 February 2007).

However, external support for advocacy NGOs was commonly considered to be secondary to events and campaigns that occurred inside the country (Interview with Danang Widoyoko, 20 January 2007; Interview with A. Patra M. Zen, 26 January 2007). For example, although INFID recognised the utility of transnational engagement, by using the international forums and negotiations with donors at CGI (previously IGGI) and other meetings, they still focused on exerting pressure on the Indonesian government for change in domestic affairs (Interview with Dian Kartika Sari, 5 February 2007).⁶⁶

⁶⁴ Also *Kompas*, 13 January 2003 'Tidak Baik, Ketergantungan LSM pada Pihak Asing'; Ford (2003 Chapter 7).

⁶⁵ Interview with Danang Widoyoko, 20 January 2007; Interview with Ridaya La Ode Ngkowe, 17 January 2007; Interview with Fabby Tumiwa, 5 February 2007; Interview with Dian Kartika Sari, 5 February 2007; Interview with Tommy Legowo, 24 January 2007; Interview with Lili Hasanuddin, 30 January 2007.

⁶⁶ See also INFID (2005).

Activists based their arguments on the premise that the New Order government was highly impervious to direct foreign influence (Interview with Teten Masduki, 23 January 2007). However, this common view is only one side of the transnational dimension. On the other side, donors and funding agencies actively sought to access domestic political space through local advocacy NGOs.⁶⁷ The fact donors could not access domestic political space directly (through the formal channels) meant international NGOs entered Indonesia indirectly through local NGOs (informal channels). This strategy of overcoming the ‘blockage’ presented to foreign governments, international donors and funding agencies by the New Order in turn created a major source of political space for local advocacy NGOs. In short, while the transnational realm was considered important for NGO activities, its impact upon the survival of NGOs in the domestic political space was downplayed and viewed simply as a realm in which NGOs could gain funding in support of their pressure campaigns against their enemy; the government (Interview with Rizal Malik, 31 January 2007; Interview with Teten Masduki, 23 January 2007).

Conclusion

Throughout the New Order, advocacy NGOs were one of the most visible and organised elements of a depoliticised and disorganised civil society. Their capacity to overcome harsh periods of repression is a testament to NGOs’ role as critical observers (*tukang kritik*) in authoritarian contexts, where the channels for accessing political power are limited. As demonstrated in the first section of this chapter, NGOs could deliver sharp criticisms on specific issues and forceful campaigns against the regime through their highly informal and unregulated organisational structures. This unique position held by advocacy NGOs in the New Order had a significant impact on the way activists and observers perceived political space, as

⁶⁷ In support of this argument, activists pointed out the difficulty for donors and international NGOs to directly enter into domestic political space (Interview with Binny Buchori, 25 January 2007; Interview with Fabby Tumiwa, 5 February 2007).

discussed in the later sections of the chapter. The interview data in the final section showed that NGOs' access to political space was understood as part of an oppositional and voluntarist civil society set in the backdrop of a powerful New Order regime. This oppositional framework meant activists lost sight of the backbone of much of their growth – their transnational support networks and funding relationships – and the lack of access to political space for other actors in civil society. As Chapter Three demonstrates, this oppositional framework had a great impact on the way activists' perceived political space even after the fall of Suharto.

Chapter Three

The New Boundaries of Political Space

After the fall of Suharto in 1998, changes to the dimensions of political space had a substantial impact on the civil society (or pro-democracy) movement and the position of NGOs within that movement. The loosening of political restraints on other forms of opposition meant that advocacy NGOs were no longer such a dominant mode of civil society activism. At the same time, the promotion of good governance by international financial institutions (IFIs) and other international non-governmental organisations (INGOs) has provided both opportunities and challenges for advocacy NGOs. As a result, following an initial period of far-reaching and rapid reforms in *Reformasi*, advocacy NGOs have struggled to redefine their role within this new democratic terrain.

This chapter is concerned with politically-oriented NGOs' efforts to reposition themselves in the new environment of the democratic post-Suharto era. It examines activists' assessments of political space, demonstrating how their responses have been shaped by the discourses of 'good governance' and 'civil society'. The chapter begins with an outline of the changes to the regulation of civil society organisations in the post-Suharto era, demonstrating that room for social and political activism was expanded in the *Era Reformasi* (Reformation Era). The latter section examines challenges to advocacy NGOs brought about by a highly competitive civil society, increased opportunities for political activism and changing modes of accountability for advocacy NGOs. The chapter argues that, as activists' responses during fieldwork demonstrate, it is problematic to assume that democratisation equates to a uniform opening of political space, easily accessible to NGOs. In other words, while opportunities for civil society may have expanded, NGOs' access to political space has in fact contracted relative to that of other civil society organisations in the post-Suharto era.

***Reformasi* and the New Democratic Terrain**

Suharto's departure and the dismantling of his authoritarian regime in 1998 heralded the arrival of a 'new' political system characterised by free elections, free media, active political parties and parliaments, and the proliferation of new social organisations (see Antlov et al. 2006; Nyman 2006). These developments signalled a break with the past and the dawning of a new era of unprecedented freedom of expression and organisation (Setiawan 2000; Suharko 2005; van Klinken 1999; Young 1999). A wide range of social and politically-affiliated organisations previously constrained by the corporatist exclusionary model began to play a greater role.⁶⁸ In short, changes to the nature of the political system meant an expansion of opportunities for political activism in the *Reformasi* era.

The growth of civil society was facilitated through a number of significant changes to the regulation of social organisation in the early years of *Reformasi*. With the removal of the president's emergency powers and the military's *dwifungsi* (dual-function) doctrine, civil society began to play a much more active role in political and social life than they had in the New Order.⁶⁹ The appointment of military personnel in regional public sector positions ceased and was replaced with elections at both the local and national levels (Hadiwinata 2003: 52).

After Law No.8/1985 on social organisations was revoked under the Habibie government, social organisations were no longer required to adopt the *Pancasila* as their sole foundation (Robison and Hadiz 2004: 175).⁷⁰ International development agencies also played a pivotal role in setting the political agenda for advocacy NGOs in the post-Suharto era. International

⁶⁸ Figures obtained from the Department of Internal affairs stated that in 2002 there were 13,500 NGOs in Indonesia (*Kompas*, 13 January 2003 'Tidak Baik, Ketergantungan LSM pada Pihak Asing').

⁶⁹ President Habibie announced a new doctrine which involved the separation of the National Police (Polri) from the Armed Forces (TNI – Tentara Nasional Indonesia) (Nyman 2006: 37).

⁷⁰ In 1999, Habibie also abolished the 'floating mass' doctrine (Antlov 2003).

development agencies, including the World Bank and the IMF, used the rhetoric of civil society, good governance and social capital to promote local institution building – language that attracted NGOs and infiltrated NGO discourse (Hadiz 2004: 621).

One of the most fundamental transformations to take place after *Reformasi* was decentralisation (*autonomi daerah*).⁷¹ The majority of NGOs supported calls for decentralisation, which the NGO community hoped would address the concerns of marginalised groups of society by allowing them to hold local governments accountable to local needs (Antlov 2003: 77).⁷² Decentralisation, which was supported by the World Bank and the IMF (Hadiz 2004: 621), was intended to curb the powers of the centralised bureaucracy, which had dominated the New Order for over three decades, by devolving significant administrative powers from the central government to the sub-provincial level of government (*kabupaten* or regencies) (Aspinall and Fealy 2003a: 3). In addition, a new financial arrangement was designed to redistribute revenue between the regions and Jakarta (M. Sakai 2002: 173).

In addition, activists recognised that decentralisation had dismantled the narrow, Jakarta-based arena of political space available to them under the New Order.⁷³ Tommy Legowo commented that for advocacy NGOs in the post-Suharto period ‘there are more decision makers to choose from or to deal with [and] different channels to go through’ (Interview, 24 January 2007).⁷⁴ Rizal Malik added that:

⁷¹ There are a number of useful works that deal with the theme of the decentralisation process in Indonesia. See for example Aspinall and Fealy (2003b), Bell (2001), Sakai (2002), Kingsbury and Aveling (2003), Hadiz (2004), Jacobsen (2003), Erb et al. (2004) and Erawan (2007).

⁷² After Suharto stepped down in 1998, *monoloyalitas* (mono-loyalty), the policy the New Order used to ensure the mono-loyalty to Golkar, was also removed. Civil servants were forced to abide by the principle of mono-loyalty to the state party.

⁷³ Interview with Danang Widoyoko, 20 January 2007. Also Interview with Rizal Malik, 31 January 2007; Interview with Lili Hasanuddin, 30 January 2007; Interview with Masruchah, 3 February 2007.

⁷⁴ Tommy Legowo (Interview, 24 January 2007) and Lili Hasanuddin (Interview, 30 January 2007) stated that some NGOs were now closely aligning themselves with specific political parties in the post-Suharto era. Ford and Tjandra (2007) have documented similar processes in their study of labour NGOs and unions in Surabaya and Batam.

There have actually been significant changes. There are more avenues for exercising political ideas, so the state is now plural; it is no longer singular anymore. It is not simply a narrow space that leads to Jakarta. It's a different ball game now. (Interview, 31 January 2007)

As a result, NGO advocacy targets have also multiplied: 'there are different dynamics between the local areas and Jakarta; there are more actors' (Interview with Rizal Malik, 31 January 2007). Advocacy NGOs now have to deal with a wide array of new issues at both the local and national level, making it even harder to conduct focused campaigns as they did in the New Order.

NGO Responses in the Local Arena

NGO activists responded positively to the developments of the early post-Suharto period. 'At first we were overjoyed, I mean, we were very happy that we [NGOs] had this very open political space' (Interview with Bivitri Susanti, 30 January 2007). There was a general consensus among activists that, in contrast to the New Order period, the post-Suharto context provided more opportunities for advocacy NGOs' activities, whether through lobbying, advocacy or mobilisation.⁷⁵ In short, activists perceived political space as being more open (*terbuka*) in the post-Suharto period (Interview with M. Ridha Saleh, 3 February 2007). Activists felt they now had 'freedom of expression; the right to express your opinion or to demonstrate without being repressed' (Interview with Lili Hasanuddin, 30 January 2007).⁷⁶ In this climate of increased freedom of expression and opportunities to organise,

⁷⁵ As noted in Chapter Two, NGO activists saw the New Order as a period in which advocacy NGOs had little access to political space.

⁷⁶ Nearly all activists mentioned these factors when asked about political space: Interview with Fabby Tumiwa, 5 February 2007. Also Interview with Asmara Nababan, 26 January 2007; Interview with Dian Kartika Sari, 5 February 2007; Interview with Danang Widoyoko, 20 January 2007; Interview with Binny Buchori, 25 January 2007; Interview with Ridaya La Ode Ngkowe, 17 January 2007; Interview with Sugeng Bahigijo, 25 January 2007; Interview with M. Ridha Saleh, 3 February 2007.

‘NGOs can operate more freely from authoritarian control and they can now strive for their own goals through more creative activities...in a more transparent and open manner’ (Interview with Tommy Legowo, 24 January 2007).⁷⁷

However, after an initial period of euphoria, advocacy NGOs experienced an atmosphere of confusion and doubt surrounding their role.⁷⁸ *Reformasi* created a new strategic environment for advocacy NGOs – one that is significantly more complex than that of the New Order. While civil society as a whole have experienced increased access to political space, this did not necessarily mean there is now increased political space for NGOs.⁷⁹ As Danang Widoyoko argued, ‘political space is now open but we can’t access it’ (Interview, 20 January 2007).

Scholars have identified a series of shortcomings in NGOs’ responses to the challenges of the post-Suharto period. Hadiwinata (2003: 43) argued that NGOs’ failure to increase their engagement in the political system is a result of internal factors including poor internal communication and factional rivalries; poor structures of accountability; limited understanding and confidence among staff members and NGOs’ hierarchical relationships with target groups.⁸⁰ According to Antlov et al. (2006), NGOs are centralistic and urban; elitist and middle-class; ‘free floating’; sectoral and fragmented; lacking focus and ideology; and unaccountable.⁸¹ Advocacy NGOs’

⁷⁷ For observers, this was often the obvious change. For example, Hadiwinata (2003: 115) states ‘the impact of these developments is obvious. If during the New Order government NGOs had to compromise their radical ideologies to avoid a ban or dissolution, in the post-Suharto period they can openly disclose their radical identity without the risk of being repressed.’

⁷⁸ See for example *Kompas*, 24 June 2000 ‘Ornop Berada dalam Kegamangan’; *Kompas*, 22 January 2003 ‘Organisasi Nonpemerintah di Tengah Gugatan dan Hujatan’.

⁷⁹ Although many scholars have argued that ‘room’ for civil society has no doubt increased in this new environment (see Antlov et al. 2006; Hadiwinata 2003; Hikam 1999; Nyman 2006; Suharko 2003), others are less optimistic, citing the lasting role of the New Order’s depoliticisation campaigns and its legacies for civil society (see Heryanto 2004; Heryanto and Hadiz 2005; Robison and Hadiz 2004).

⁸⁰ Also see *Jakarta Post*, 23 October 2006 ‘Indonesian democracy on the decline’; *Kompas*, 17 April 2004 ‘LSM sebagai Kekuatan Sosial Baru’.

⁸¹ Much of the literature on Indonesian NGOs repeats these concerns see (DEMOS 2005; Ganie-Rochman 2002; Prasetyo et al. 2003; Suharko 2005).

informality and loose organisational structures – characteristics used by advocacy NGOs in the New Order to circumvent authoritarian structures – have proven to be less effective in the post-Suharto period. In contrast, activists framed their shortcomings in terms of greater competition among NGOs and other civil society organisations; the expansion of opportunities for political activism; the lack of a unifying common enemy; their inability to take advantage of new opportunities to engage with government and their inability to offer alternative and strong policies;⁸² and their reliance on donors funding (Interview with Binny Buchori, 25 January 2007; Interview with Lili Hasanuddin, 30 January 2007).⁸³

Competition

Some activists linked these changes to the expansion of other kinds of activism, where ‘NGOs actually are competing with old and new actors with their own hidden agendas’ (Interview with Bivitri Susanti, 30 January 2007). In other words, in contrast to the New Order period, when advocacy NGOs faced little competition for the limited political space that was available, they are now just one of many possible vehicles for political and social activism. At the national level and local level, political parties were now the primary actors involved in contests over political space (Hadiz 2004).⁸⁴ While the opportunities exist to invite politicians to NGO forums and for activists to attend government sessions, there is a common perception that political parties are ‘more advanced’ (*lebih maju*) than NGOs because of their

⁸² This was also the common perception in the media (*Republika*, June 5 2004 ‘Mengakhiri Konflik LSM dan Pemerintah’; *Kompas*, 22 January 2003 ‘Regruping dan Membangun Jaringan LSM, Mungkinkah?’; *Kompas*, 22 January 2003 ‘Ornop, Sebuah Citra Ketergantungan’). Other research findings suggest this was a key concern of activists (Nyman 2006; Smith 2004; Suharko 2003).

⁸³ Activists’ interpretations of their role were mostly informed by their experiences in the New Order. Indeed it was the experience of working under a repressive New Order government for such a long period of time that had a lasting affect on the way they defined their identity and political space.

⁸⁴ In 2002, the MPR (People’s Assembly) decided to end the military’s presence in Parliament and to introduce direct Presidential elections by 2004 (Nyman 2006: 2).

different regimes of their public modes of accountability and transparency.⁸⁵ Similarly, mass organisations and trade unions increased opportunities to mobilise and build mass-support in the post-Suharto period (Ford 2003).⁸⁶

A more open society also meant other kinds of organisations no longer needed to work as closely with advocacy NGOs as they had in the New Order.⁸⁷ In the words of Sugeng Bahigijo:

So previously the broader public was neglected, even the political parties, the parliament were all neglected. Now it is different, now the competition is much fiercer. You have the World Bank entering the political space, the IMF entering the political space. But the citizens can also enter this political space now, so there is more competition. If we talk about civil society, we are talking about the mass media, universities, grassroots organisations, civil society actors and mass organisations. NGOs are only one of these actors. (Interview, 25 January 2007)

As evident in this statement, competition for political space is not limited to the realm of Indonesian civil society, but also involves INGOs and donors, now able to engage directly into Indonesia's domestic political space.⁸⁸ As pointed out by Rafendi Djamin, 'NGOs are more competitive now; competition is not only a problem between Indonesian NGOs, but also between the donors and local NGOs, these international NGOs compete with

⁸⁵ See *Kompas*, 18 April 2007 'Parpol Lebih Maju Dibanding LSM'. A few members from the NGO community, including Teten Masduki, responded to this criticism, arguing that NGOs accountability structures are different to political parties because they rely on donors funding, but not inferior; 'because we get funding from our donors we are only required to report to them...donors will then report how we use the money to society' (*Kompas*, 19 April 2007 'Bentuk Akuntabilitas LSM Berbeda dengan Parpol'). Another article argued that NGOs could not keep-up (*LSM justru ketinggalan*) with the government and the political parties (*Kompas*, 18 April 2007 'Ide Regulasi LSM Dicurigai').

⁸⁶ In May 1998, when the Habibie government ratified the ILO Convention No. 87 on Freedom of Association, hundreds of new unions had formed in Indonesia.

⁸⁷ Some newspaper articles argued that NGOs had lost their political spirit (*kehilangan isu politik*) and their critical blood (*kehilangan dara kritisnya*) (*Kompas*, 4 May 2007 'LSM sebagai Sebuah Industri'; *Kompas*, 22 January 2003 'Ornop, Sebuah Citra Ketergantungan').

⁸⁸ This was demonstrated in the mass foreign support shown for the 1999 elections. Donors and INGOs provided a large amount of funding for voter education programs and election monitoring (Jemadu 2004; Lounela 2002; Blackwell 2004).

NGOs for political space' (Interview, 29 January 2007). The expansion of opportunities for other kinds of social and political activism has redefined the way NGOs deal with each other, the government and international bodies. As Bivitri Susanti commented:

For me it is rather interesting, if not annoying, that now we have such an open space. We initially really thought, hey, this is our new playing field where we can influence policy makers. But it turned out that this was not the case, because yes, there is this open space but now there are other factors that limit NGOs' ability to use it.⁸⁹ (Interview, 30 January 2007)

Changing Relations with Government

NGOs' changing position within the broader civil society movement has had a significant impact on their ability to effectively engage with the government. For example, Danang Widoyoko noted that 'we are no longer a major pressure group, we are just specific, issue-oriented organisations' (Interview, 20 January 2007).⁹⁰ Similarly, Teten Masduki noted:

Now I think maybe NGOs no longer possess a specific role like they used to because now it is easy for anyone to express their opinion...in the past it was only the advocacy NGOs that were willing to be critical or to oppose the government.⁹¹ (Interview, 23 January 2007)

During the New Order, the regime's status as a distinct and clear campaign target was a crucial factor in defining the role of advocacy NGOs. In contrast, a decade later, there is a perception among activists that there 'is no

⁸⁹ Susanti even used the word 'deceived' (*'tertipu'*) to describe activists' feelings towards the rapid changes associated with democratic reform and their limited access to political space.

⁹⁰ Bivitri Susanti even called it a situation of 'survival of the fittest' between different NGOs [English in the original].

⁹¹ Likewise, Fabby Tumiwa said that 'I think anyone can be critical now, and everyone has access to information now' (Interview, 5 February 2007) and Lili Hasanuddin stated 'everyone has the right to expression and to organise and access to the media' (Interview, 30 January 2007).

common enemy anymore’ (Interview with Teten Masduki, 23 January 2007).⁹² Danang Widoyoko described the resulting insecurity among NGOs as follows:

There was so much disorientation after the fall of Suharto, because there is no single enemy anymore, there is no single enemy like in the past...after the fall of Suharto there is fragmentation of the New Order opposition. Islamic groups run by themselves, nationalist political parties go their own way, there is no longer a single enemy. The opposition is disoriented because of a lack of a single enemy. (Interview, 20 January 2007)

As Binny Buchori argued, ‘the role of the government has undergone a significant change. We now have the instruments of democracy and the government plays a smaller role in the life of the nation than it used to’ (Interview, 25 January 2007). Some activists felt that this had increased the political space available to advocacy NGOs. As Rafendi Djamin remarked, ‘we have greater access to political space because we can now directly engage with the government’ (Interview, 29 January 2007).⁹³ Similarly, Ridaya La Ode Ngkowe, gave the example that ‘when the government proposes a national strategy for combating corruption, we are directly involved in developing the policy, we are invited to...have serious dialogue with the DPR’ (Interview, January 17 2007).⁹⁴

Some activists described the efforts of their organisations to establish serious dialogue with the government (Interview with Bivitri Susanti, 30 January

⁹² Also Interview with Wilarso Budiharga, 26 January 2007; (Sinanu 2006).

⁹³ For a number of examples for increased NGO–government collaboration in the post-Suharto period see Nyman (2006: 200-201).

⁹⁴ Ridaya La Ode Ngkowe (Interview, 17 January 2007) discussed ICW’s involvement in the drafting of many laws; laws associated with the establishment of the Aceh government, freedom of information laws, public services laws; witness protection laws and lastly; laws for combating corruption (*pemberantasan korupsi*). Bivitri Susanti also talked about their role in the law drafting process in Aceh and her cooperation with DPD, ‘to submit the judicial review petition to the constitutional court’ (Interview, 30 January 2007).

2007; Interview with Binny Buchori, 25 January 2007).⁹⁵ However, many NGOs have found themselves ill-equipped to take advantage of these new opportunities. Although activists now work with the government, they were quick to point out that their engagement was limited to a consultative status, limiting the impact NGOs had on the political process (see also Nyman 2006: 199).⁹⁶ According to Tommy Legowo:

NGOs can offer alternative solutions or policies but it is up to the decision makers to decide whether to accept our recommendations, now this is where the problem lies, this is what has yet to be developed effectively for NGOs in the post-Suharto era. (Interview, 24 January 2007)⁹⁷

Teten Masduki supported this idea, commenting that ‘you can no longer just make negative statements about the government. You have to make alternative arguments which require an increased capacity and funding’ (Interview, 23 January 2007).⁹⁸ Similarly, Binny Buchori observed that ‘it makes no sense at all to just criticise the government that they must deliver the services we demand. We also have to provide alternative ideas and bright solutions’ (Interview with Binny Buchori, 25 January 2007).

⁹⁵ Despite the majority of advocacy NGOs now seeking to actively engage with the government, some activists maintained the New Order view that there were still great risks associated with government-NGO collaboration, due to the corrupt and bureaucratic nature or the political system (Interview with Ridaya La Ode Ngkowe, 17 January 2007; Interview A. Patra M. Zen, 26 January 2007; Interview with Bivitri Susanti, 30 January 2007). While other research findings suggest that NGO-government collaboration was a major concern in the New Order and the early post-Suharto period (Smith 2004), the research findings of this study suggest that it is the presence of political parties and other social organisations that are also an increasingly important dimension to NGO legitimacy and accountability, rather than just collaboration with a corrupt and centralised government like in the New Order.

⁹⁶ Interview with Ridaya La Ode Ngkowe, 17 January 2007. Also Interview with Binny Buchori, 25 January 2007; Interview with Tommy Legowo, 24 January 2007; Interview with Teten Masduki, 23 January 2007; Interview with Danang Widoyoko, 20 January 2007; Interview with Lili Hasanuddin, 30 January 2007.

⁹⁷ Activists argued that corruption and the survival of predatory interests within the new democratic framework limited their efforts at political reform (Interview with Ridaya La Ode Ngkowe, 17 January 2007; Interview with Bivitri Susanti, 30 January 2007; Interview with Rizal Malik, 31 January 2007). See also Robison and Hadiz (2004).

⁹⁸ Advocacy NGOs rarely used technical details and suggestions of legitimate alternative policies in their advocacy work in the New Order; their campaigns were more often based on moral principles (Ganie-Rochman 2002: 106).

The kind of collaboration with the government described above requires increased funding from donors and the development of robust campaigns based on hard evidence to engage with the government (Interview with Ridaya La Ode Ngkowe, 17 January 2007; Interview with Fabby Tumiwa, 5 February 2007; Interview with Bivitri Susanti, 30 January 2007).⁹⁹ Binny Buchori provided a useful example that demonstrates the demands of the new system:

When I was the director of INFID, we sent statements to the World Bank that were two pages long and were always very normative. We said that the present government under Habibie was illegitimate. But after stating that the government was illegitimate what did we want the bank to do? Stop their loans to Indonesia? Or what else? Okay, if that was the Suharto era that was enough, maybe even in the Habibie era that was still enough. But our level of engagement was always superficial because we would come with our normative statements, with our normative principles. This kept occurring until one day, we learnt from sending a letter to the World Bank about their aid effectiveness in Indonesia. The memo was four to six pages long with our ideas on how they might be able to improve their strategies. Then they replied ‘now we can talk to you’, with an eight page letter addressing our concerns.¹⁰⁰ (Interview, 25 January 2007)

Many of the other activists interviewed agreed that advocacy NGOs did not take full advantage of what they perceived to be more open political space, identifying a need to assess the new dimensions of political space in the post-

⁹⁹ See also INFID (2005: 23).

¹⁰⁰ In 2005, Binny Buchori and Sugeng Bahigijo founded a new organisation, Prakarsa. It was set up in order to overcome the ‘crisis of ideas’ that the advocacy NGOs were encountering in the Post-Suharto period (*Jakarta Post*, 8 July 2007 ‘Binny Bintarti Buchori: Empowering NGOs through Research’; Interview with Binny Buchori, 25 January 2007). Prakarsa was established in order to provide advocacy NGOs access to alternative ideas and new information in support of their attempts to reposition themselves in the post-Suharto era.

Suharto era.¹⁰¹ As a result, advocacy NGOs have had to reposition themselves, a challenging process that led to frustration and uncertainty (Blackwell, 2004).¹⁰² In the words of Rafendi Djamin, ‘we needed to identify what our platform was, so that we could effectively engage in this new democratic terrain’ (Interview, 29 January 2007).¹⁰³

The Transnational Dimension: A Shift to Good Governance and Accountability

Activists observed that their engagement with the transnational dimension had undergone a significant transformation in the post-Suharto era, since, as Teten Masduki noted, ‘international protection is no longer needed like in the New Order, the international dimension is now used more for external demands and reforms from the government’ (Interview, 23 January 2007). As a result, in sharp contrast to the New Order, transnational support was no longer considered an important factor in conducting advocacy campaigns in the post-Suharto era.¹⁰⁴ As Rafendi Djamin commented, ‘the leverage gained by the international dimension for advocacy NGOs has changed, it is only used if we really need it’ (Interview, 29 January 2007). According to Danang Widoyoko:

¹⁰¹ Interview with Binny Buchori, 25 January 2007; Interview with Rafendi Djamin, 29 January 2007; Interview with Wilarso Budiharga, 26 January 2007; Interview with Rizal Malik, 31 January 2007.

¹⁰² Other research findings echo these concerns of insecurity (see Ford 2003: Chapter 8). In an article in *Inside Indonesia*, Munir (2000) said that ‘after the fall of Suharto many NGOs seemed to lose their sense of direction. They only had in mind toppling Suharto, so that when he was gone they were confused.’ See also *Kompas*, 24 June 2000 ‘Ornop Berada dalam Kegamangan’; *Kompas*, 22 January 2003 ‘Organisasi Nonpemerintah di Tengah Gugatan dan Hujatan’.

¹⁰³ Also Interview with Binny Buchori, 25 January 2007; Interview with Wilarso Budiharga, 26 January 2007; Interview with Sugeng Bahigijo, 25 January 2007.

¹⁰⁴ It was viewed instead as resource to be used on rare occasions. Activists used the Munir case as an example to demonstrate the context in which the transnational sphere might be useful (Interview with Danang Widoyoko, 20 January 2007; Interview with Binny Buchori, 25 January 2007; *Kompas*, 24 April 2007 ‘Gerakan Masyarakat: Tuntutan Akuntabilitas LSM, Isu yang Berulang’).

Previously it was far more effective if we went overseas. Now after the fall of Suharto we are free to do it on the domestic level. Like for example, the case of Kedung Ombo dam, we actually borrowed democracy from Europe and America to be able to campaign and to do advocacy for the Kedung Ombo case. But now it is more open here, so we can just conduct our advocacy here in Jakarta. We would have been kidnapped if we acted like we do now. So before going overseas was more effective.¹⁰⁵ (Interview, 20 January 2007)

It is not surprising, then, that when asked what the importance of the transnational dimension was in the post-Suharto era, activists tended to downplay the significance of outside support for their activities, instead arguing their initiatives and programs reflected local needs and problems:

I think now only a few NGOs want to use external pressure to push our government because we now have our national sentiment, our democratic process, it is not for people from outside to tell us what to do. So our relationship with our international donors has changed.¹⁰⁶ (Interview with Fabby Tumiwa, 5 February 2007)

However, the continuing influence of international organisations is reflected both in funding arrangements – government figures from the department of internal affairs in 2003 suggested that that 90 percent of NGO funding was from overseas sources (*Kompas*, 22 January 2004)¹⁰⁷ – and in the programs

¹⁰⁵ The Kedung Ombo case was regarded by activists as one of the key examples of advocacy NGOs' ability to avoid government repression, to put pressure on the Indonesian government. Also see Ganie-Rochman (2002: 129-168).

¹⁰⁶ Similarly A. Patra M. Zen noted 'we still have our main struggle on the domestic level so I don't think much has changed. If there is pressure from international NGOs or even the United Nations...that is only complimentary to our struggles here. If we request support from the Australian government, for example, it is only to strengthen our message here (Interview, 26 January 2007). See also Sjaifudian (2005) and Jhamtani (2005).

¹⁰⁷ For example, YLBHL, one of the leading advocates for human rights and democracy in the New Order, faced a financial crisis when two of its major donors (USAID and NOVIB) ceased to provide funding, a decision which had a significant impact upon the scope of their activities and forced LBH to rationalise the number of staff (*Kompas*, 13 January 2003 'Tidak Baik, Ketergantungan LSM pada Pihak Asing'). The funding problems faced by LBH were actually mentioned a number of times throughout the course of my field work. A

of advocacy NGOs. Although advocacy NGOs' loose accountability structures and highly unregulated nature had made them a viable and effective vehicle for political activism under the New Order (Interview with Teten Masduki, 23 January 2007), they now promote new agendas of transparency and accountability, linked to the broader initiatives of good governance or governance reform (Davidsen et al. 2007; UNDP 1999; 2006; USAID 2004; World Bank 2006). Donors have channelled many funds to those advocacy NGOs that are involved in monitoring state activities, such as election monitors (CETRA), budget monitors (FITRA), corruption monitors (ICW) and police watchers (PolWatch).¹⁰⁸ Also, advocacy NGOs have become involved directly with research on, and the building of civil society, voter education, regional autonomy and judicial reform.¹⁰⁹ Watchdog organisations were able to take advantage of donors' new agendas of good governance, accountability and transparency. As stated by Teten Masduki, 'organisations like ICW have been advantaged now that good governance and anti-corruption have become part of the global agenda. It has made it a lot easier for us to fight these issues' (Interview, 23 January 2007).¹¹⁰

The Accountability Dilemma

Increased opportunities for political parties and other social organisations mean that advocacy NGOs' lack of accountability and transparency to the broader Indonesian public and their target groups is increasingly evident. As

variety of reasons were given. Some argued that Nasution was to blame (*Kompas*, 22 January 2003 'Ornop, Sebuah Citra Ketergantungan'), others argued that it was because LBH had not changed its strategy in the post-Suharto period (Interview with Bivitri Susanti, 30 January 2007) and lastly, other accounts suggest internal dynamics between the leaders of LBH were the cause of the problems (see Antlov et al. 2006).

¹⁰⁸ These are also known as 'watchdog' NGOs.

¹⁰⁹ In the New Order, advocacy NGOs were generally concerned with issues of democratisation and human right, such as freedom of expression, freedom of organisation, fair elections and rule of law (Ganie-Rochman 2002: 113-119). Not one of the concerns highlighted by Ganie-Rochman were described by activists as key agendas of the advocacy NGOs. This demonstrates the drastic changes to advocacy NGOs role and programs in the post-Suharto era.

¹¹⁰ Rizal Malik and Rafendi Djamin both stressed the significant changes in the programs of advocacy NGOs from 2001. They argued that new agendas of anti-terrorism and security have complemented good governance and calls for greater transparency (Interview, 31 January 2007; Interview, 29 January 2007).

a result, NGOs are facing greater scrutiny for their accountability and transparency – the very programs that they now promote.¹¹¹ As part of this critique, there has been increasing attention paid to NGOs' transnational links (from both inside and outside the country), primarily their 'upward' accountability to overseas donors (al-Makassary 2007; Antlov et al. 2006; Blackwell 2004; Lounela 2002).¹¹² For example, in the media, NGOs have even been described as '*agen asing*' ('foreign agents'), '*suara donor*' ('the voice of donors') and as promoting '*sebuah citra ketergantungan*' ('an image of dependence').¹¹³

From the donors' perspective, with more NGOs and other civil society organisations to choose from and direct access to Indonesia's political space, advocacy NGOs are no longer the efficient alternatives they used to be (Interview with Ridaya La Ode Ngkowe, 17 January 2007).¹¹⁴ As a result, they are demanding higher levels of governance and accountability from NGOs themselves. When asked about their transnational links, activists argued that in order to meet the growing demands of their donors, they have had to be more professionalised and sophisticated in the post-Suharto era

¹¹¹ The mass media has paid a large deal of attention to this issue. See *Suara Pembaruan*, 22 June 2004 'LSM, Suara Donor atau Suara Rakyat?'; *Kompas*, 17 September 2003 'Akuntabilitas Keuangan LSM Dipertanyakan'; *Kompas*, 18 September 2003 'LSM "Jadi-jadian" Berkaitan dengan Dana Negara Donor'; *Kompas* 18 April 2007 'Ide Regulasi LSM Dicurigai'; *Kompas*, 6 August 2007 'Tidak Semua LSM untuk Layani Masyarakat'; *Kompas* 24 April 2007a; *Kompas*, 16 April 2007 'Jamhari: LSM Perlu Diawasi'; *Kompas*, 24 April 2007 'Gerakan Masyarakat: Tuntutan Akuntabilitas LSM, Isu yang Berulang'; *Jakarta Post*, 16 June 2007 'NGOs Told to Publish Financial Reports'; *Jakarta Post*, 24 January 2007 'NGO Accountability and Future Role in Global Governance'; *Jakarta Post* 11 April 2006 'Questioning NGO Accountability'; *Jakarta Post*, 7 February 2007 'Bad quality Threatens NGO Survival'; *Jakarta Post*, 24 August 2006 'For Some NGOs, Another Disaster Means New Flashy Cars'.

¹¹² Some NGOs have even called for direct legislation through parliament, the very laws and restrictions that they criticised and were opposed to in the New Order (*Kompas*, 22 August 2007 'Pemerintah Perlu Terbitkan Permendagri untuk Audit LSM'). Other reports argue NGOs must publish their financial reports to increase their legitimacy (*Jakarta Post*, 16 June 2007 'NGOs Told to Publish Financial Reports') and for direct monitoring of NGO activity from the government (*Kompas*, 16 April 2007 'Jamhari: LSM Perlu Diawasi'; *Kompas* 24 April 2007b 'Diperlukan NGO Watch'; *Kompas*, 4 June 2000 'Pemantau yang Harus Dipantau').

¹¹³ See *Kompas*, 18 September 2003 'LSM, "Jadi-jadian" Berkaitan dengan Dana Negara Donor'; *Suara Pembaruan*, 22 June 2004 'LSM, Suara Donor atau Suara Rakyat?'; *Kompas*, 22 January 2003 'Ornop, Sebuah Citra Ketergantungan'.

¹¹⁴ In the lead up to the 2004 elections, political parties were also willing to couch their aims in terms of good governance (Nyman 2006: 185).

(Interview with Teten Masduki, 23 January 2007; Interview with Binny Buchori, 25 January 2007; Ridaya La Ode Ngkowe 17 January 2007).¹¹⁵

According to Fabby Tumiwa:

We had to adjust to the situation because the donors are now asking more. They now have vigorous methods in terms of financing, funding, reporting and their programs are more sophisticated than before. The donors and the people are now more critical. They are asking for more concrete actions, not just protest and discussions, but more concrete actions. (Interview, 5 February 2007)

The changed boundaries of political engagement in the post-Suharto period had a large impact on the nature of NGO ‘accountability webs’ (Ford 2006). In the post-Suharto era, the government’s and political parties’ more direct (public) forms of accountability challenge NGOs’ role as primary forms of political opposition. With increased demands from donors and more opportunities for other forms of social and political activism, advocacy NGOs’ publicly unaccountable structures no longer provide them with the tools needed to be most efficient and viable forms of political and social activism. Rather than create more opportunities for political activism as they did in the New Order, these organisational features act as a barrier to greater involvement in the political system. The changed boundaries of political space in the post-Suharto period – highlighted throughout the chapter – demonstrate a dramatic shift in the nature and quality of advocacy NGO access to political space in the post-Suharto era. As political space expanded for civil and political society, advocacy NGOs experienced a contraction in the political space available.

¹¹⁵ See also Muntz (2005).

Conclusion

Reformasi presented a number of challenges to advocacy NGOs, which are no longer one of a few effective vehicles for political competition and social expression and organisation. This suggests that contests over power in the post-Suharto period are not just reconfigurations of the social contests that existed under the New Order, but involve new arenas of political space where NGOs compete and cooperate to secure their interests. The creation of new opportunities for political parties and social organisations at both the local and national level has not resulted in the same degree of expansion of political space for advocacy NGOs as it has for these other organisations. Instead, competition has forced NGOs to reconsider the effectiveness of their transnationally-linked form of social activism.

Activists' concerns about competition within the realm of civil society, political parties and changing programs of donors demonstrate the utility of conceptualising political space as both inside and outside of the NGO-government engagement. Their responses demonstrate the fact that democratisation did not simply equate to an expansion in political space for civil society, but has transformed the nature of NGOs' political engagement.

Conclusion

Most analyses of Indonesian NGOs are situated within the framework of civil society, a framework in which oppositional organisations are positioned in a battle against the state. By adopting this oppositional framework, these analyses downplay constraints on other forms of opposition in authoritarian contexts. This thesis uses the concept of political space as an alternative lens through which to analyse the shift in advocacy NGOs' experiences before and after Indonesia's transition from the authoritarian New Order to a fledgling democracy. The framework of political space makes a distinction between advocacy NGOs' position within civil society and the broader political opposition movement in order to account for the nature and access to political space for NGOs in both authoritarian and democratic contexts. Specifically, it explains advocacy NGOs' experiences of, and responses to, Indonesia's transition from authoritarianism to democracy.

In New Order Indonesia, NGOs were seen as concrete representations of civil society and part of the broader political opposition movement as a result of their campaigns and sharp criticism of the government. Advocacy NGOs were able to survive harsh periods of repression because of their loose accountability structures, based in the *yayasan* structure (foundation), their task-oriented nature, small leadership-circles and their transnational links. These characteristics distinguished advocacy NGOs from other vehicles of political opposition, creating political space for advocacy NGOs in a context where those other vehicles were constrained by the repressive apparatus of the New Order.

Activists described their access to political space during this period as 'limited' and 'closed', and expected that the changes in the political system after the fall of Suharto in 1998 would expand their opportunities for political activism. However, while greater opportunities were clearly afforded to civil

society as a whole by the reforms achieved in *Reformasi*, the very organisational features that provided advocacy NGOs with preferential access to political space under the New Order now limited advocacy NGOs' ability to compete with other actors in domestic and international civil society and local and national political parties.

Transnationalism is an important factor in explaining this phenomenon. In the New Order, advocacy NGOs were able to circumvent the repressive structures of the regime through their concrete financial support networks from overseas networks, and advocacy NGOs used their transnational support base to develop critical campaigns against the centralised regime. This is no longer seen as the only legitimate form of political contestation in the post-Suharto era, in which decentralisation and the lifting of formal constraints and regulation of political parties and mass organisations has redefined the boundaries of political engagement. These changes to the political system significantly altered who their advocacy targets are, but also the nature of their campaigns.

Changes to the boundaries of domestic political space not only created opportunities for actors within the country, it also created opportunities for INGOs (and IFIs) eager to enter directly into Indonesian political space. In the New Order, limits were placed on donors' ability to enter directly into the authoritarian state, so these organisations channelled large amounts of funding to local advocacy NGOs, their domestic counterparts. After the fall of Suharto, they were able to be directly involved.

As a result, the nature of overseas support for advocacy NGOs changed dramatically. Debates concerning NGOs shifted from problems of how to avoid collaboration with – and persecution by – the government during the New Order, to centre on the issues of transparency and accountability. The restructuring of discourse to these issues presented a problem for advocacy NGOs, whose loose accountability structures ran in direct opposition to the very notions of accountability and transparency they promoted. As a result,

there has been widespread criticism of advocacy NGOs; specifically that they represent foreign interests and have no accountability to the target groups they represent. This criticism is pictured in sharp contrast to the political parties and mass organisations that have more direct modes of accountability.

This thesis has demonstrated NGOs' transnationally-linked forms of activism are no longer as effective in the new forms of political space provided by democratisation, and has emphasised the importance of distinguishing between different forms of social activism in defining the political space available to NGOs. The Indonesian case suggests that while NGOs' transnational links are an effective means of accessing the limited political space available in closed political systems, they are less effective in democratic contexts, where the opportunities for more direct and domestic forms of political and social activism are available.

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Interviews

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