

PROCEEDING

INDONESIAN HUMANITARIAN ACTION FORUM 2014

"Humanizing International Relations"

November 6th 2014

Universitas Gadjah Mada
Yogyakarta, Indonesia



Jurusan Ilmu
Hubungan
Internasional
FISIPOL UGM



Institute of
International
Studies
DEPT. OF INTERNATIONAL RELATIONS
UNIVERSITAS GADJAH MADA



GLOBAL
ENGAGEMENT
OFFICE

FACULTY OF SOCIAL AND POLITICAL SCIENCES
UNIVERSITAS GADJAH MADA

PROCEEDING

Indonesian Humanitarian Action Forum 2014

“Humanizing International Relations”

Copyright © 2014 by Institute of International Studies

ISSN 977 2407592 006

Editorial Board

Advisor : Dr. Eric Hiariej, M.Phil

Head of : Dr. Maharani Hapsari, MA

Editor : Amir Abdul Aziz, S.IP

Managing Editor : A.A.I. Diah Tricesaria, S.S

Design & Layout : Christphorus Reza, S.IKom

TABLE OF CONTENTS

PROCEEDING INDONESIAN HUMANITARIAN ACTION FORUM 2014

BACKGROUND	i
ACKNOWLEDGEMENT LETTER	iv
TABLE OF CONTENTS	vi
 SEMINAR	
Humanitarian Initiative Changing Discourse on Nuclear Weapons	
Muhadi Sugiono	1
Peran Pasukan Tentara Nasional Indonesia Dalam Upaya Peacebuilding Pada Misi Pemeliharaan Perdamaian	
Eka Bagus Laksamana	7
Human Security and Development Reducing the Risk & Vulnerabilities in Indonesia	
Beate Trankmann	17
Notetaking Seminar	29
 CLUSTER DISCUSSION	
A New Approach to Refugee's Welfare through the Role of Community: Case Study of Refugee's Community Centre in Sewon	
Nurul Azizah Zayzda, M.A., A.A.I. Diah Tricesaria, S.S. & Rizka Fiani Prabaningtyas, S.I.P	35
Religion: A Hostile Peace	
Dewangga Dura Dematar & Habibah Hermanadi	59
The Contribution of Post Conflict Education to Social Transformation, Identity Reconstruction and Sustainable Development	
Aswin Ariyanto Azis, SIP. MdevSt	73
Notetaking	91

Operasi Perdamaian Regional

Rochdi Mohan Nazala, M.Litt 97

Probabilitas APSC Tangani Konflik Internal Negara Anggota ASEAN

Heditia Syahputri Damanik & Helga Yohana Simatupang 107

Civil Society as Peacebuilder in Internet Era

Edwin Prasetyawan & Arofatin Maulina Ulfa 135

Notetaking 157

Peran Penjaga Perdamaian Wanita Dalam Proses Bina-Damai Studi Kasus Operasi Perdamaian Monusco

Satwika Paramasatya, SIP, MA 171

Independence, Non-Recognition And A Struggle For Peace - The Case of Nagorno-Karabakh

Pia Ferner 193

Mewaspadaai Pembajakan Operasi Perdamaian: Telaah Kritis Intervensi Asing dalam Konflik Libya dan Mali

Nuruddin Al Akbar, SIP 215

Redefining the Issue of Gender Inequities and Structural Violence Beyond 'Dowry Deaths in India'

Jusmalia Oktaviani, Teguh Puja Pramadya 239

Notetaking 259

Indonesian Humanitarian Action Forum 2014

“Humanizing International Relations”

Indonesian Humanitarian Action Forum (IHAF) is an annual event of Institute of International Studies intended as a place to gather scholars and practitioners whose interests are in the humanitarian field. IHAF discusses various issues across the range of humanitarian field and invites key individuals and prominent figures as keynote speakers and resource persons. IHAF publishes proceedings and, in many instances, features a special issue in the academic journal published by Institute of International Studies.

Background and Rationale

There is an obvious nexus between humanitarianism and international relations. Since the founding of the International Committee of the Red Cross (ICRC), humanitarian considerations had maintained and institutionalized their presence in international politics. These considerations had helped set the limits of what states can do in wars, safeguarding humanity from the worsts of international conflicts. Better protections to civilians or noncombatants and restrictions on certain types of weapons and war methods, as embodied in Geneva Convention, are just some examples of how humanitarian ideas shape the norms in international relations. Nevertheless, many are quick to dismiss the significance of humanitarian ideas, pointing those protections and restrictions as a mere formality, without real implementation and enforcement.

For obvious reason, it is a mistake to underestimate the power of humanitarian ideas. The end of the Cold War marked the beginning of a surge in humanitarian forces around the world. Humanitarian agencies are mushrooming, and their activities are much more exposed to the global public. Humanitarian demands are louder and states have a harder time dismissing them as they were in the past. But the most important development is the apparent shift of approach toward global problems, initially dominated by traditional International Relations perspective to an increasingly humanitarian approach.

Humanitarian approach to International Relations is still very much underdeveloped in academic establishments, but some key points are clear. First, looking at global problems through humanitarian lens means primarily assessing their consequences to human beings, especially on how it affects the quality of

human lives and human dignity. Framing the issue this way allows for a more focused discussion on the way to resolve it, the one that puts human lives and dignity front and center as absolute, rather than conditional. Second, Humanitarian approach set aside other considerations (e.g. political costs, territorial boundaries) as conditional, which means they are only relevant so long as they contribute to the attainment of humanitarian goals and cannot, under any circumstances, come at the expense of them.

Considering the increasing prominence of humanitarian ideas in International Relations, Institute of International Studies Program on Humanitarian Action is interested in exploring further about this subject, particularly on the advent of humanitarian approach to International Relations on issues that are traditionally dominated by mainstream IR perspective. With this backdrop, IIS will hold Indonesian Humanitarian Action Forum (IHAF) to gather scholars and practitioners alike to discuss further and thoroughly about this matter.

Objective

The principal objective of the conference is to gather scholars and practitioners to share ideas and thoughts about how the advent of humanitarian ideas fit with issues surrounding IR today, and to develop and explore further about humanitarian approach in IR. The conference is also aimed to inform general audience of recent development in the issues presented, and exposes them to humanitarian ideas underwriting these issues.

Time and Place

The conference will take place on 6 November 2014, from 9am to 3pm (see agenda below). The venue for the conference is the Auditorium Room of the Library of Universitas Gadjah Mada.

Issue Areas

Among a broad range of issues in which humanitarian approach have recently been intensified, IHAF will focus on three issue areas. The first is the issue of weapons disarmament. While landmines and cluster munitions have progressed significantly, nuclear weapons disarmament has not. Humanitarian approach has been promoted recently through Oslo and Nayarit Conference, in an attempt to counter the traditional security narrative dominating disarmament regime. The second issue is peacebuilding. In the past, the efforts of maintaining peace -- predominantly through peace operations -- have always been more about preventing the collapse

of international order rather than preventing humanitarian catastrophe. Today, complex humanitarian emergencies underwrite the urgency of peacekeeping operations and intervention. The third is the issue of human development, where recent human-centered development approach has taken over the old macro-economic approach. This is evident in the increasing use of Human Development Index (HDI) as indicator for development and developmental aid.

IHAF calls for scholars and practitioners to submit paper abstract to this conference, according to the following issue areas:

- International weapons disarmament
- Peacebuilding and peace operations
- Human developments

Participants and Format

This year's IHAF will be set up as a conference, in which there are two components: seminar and cluster discussions. Seminar marks the beginning of the conference and then will be followed up by cluster discussions. There are three types of participants to this conference:

- **Keynote speaker / resource persons:** invited guest speakers to feature in the seminar. IIS extend invitations to guest speakers based on expertise and authority in the respective field.
- **Paper presenters:** invited through abstract submission. The abstract will be selected through review process. Those whose abstracts are selected shall submit full papers upon a specified deadline and present their papers in the cluster discussions.
- **General participants:** open to general public who are interested. General participants will have access to all conference events and facilities.

KATA PENGANTAR

Assalamualaikum Wr.Wb.

Atas nama Jurusan Ilmu Hubungan Internasional Fakultas Ilmu Sosial dan Ilmu Politik Universitas Gadjah Mada, saya mengucapkan terima kasih dan penghargaan sebesar-besarnya atas kontribusi dan partisipasi semua pihak dalam penyelenggaraan konferensi “*Indonesian Humanitarian Action Forum 2014: Humanizing International Relations*”. Konferensi yang berlangsung selama satu hari penuh ini merupakan bentuk komitmen kami dalam pengembangan studi dan perspektif kemanusiaan di Indonesia. Dalam penyelenggaraan kegiatan ini, kami didukung oleh International Campaign to Abolish Nuclear Weapons (ICAN), United Nations Development Program (UNDP), dan Global Engagement Office (GEO) Fakultas Ilmu Sosial dan Ilmu Politik Universitas Gadjah Mada.

Sebagai sebuah konsep, kajian mengenai perspektif kemanusiaan dalam Ilmu Hubungan Internasional masih tergolong baru dan belum banyak dieksplorasi secara mendalam. Padahal, kajian atas hal ini sangat penting untuk menjelaskan pendekatan yang harus dilakukan saat terjadi krisis kemanusiaan seperti konflik bersenjata dan bencana alam. Kenyataannya, diskursus yang mengedepankan sudut pandang kemanusiaan mulai mendapatkan tempat yang penting dalam pembahasan berbagai masalah internasional. Konferensi ini bermaksud menyoroti masalah-masalah internasional ini berkaitan dengan pergeseran diskursus yang terjadi di dalamnya, yang tadinya bekuat pada diskursus yang sangat *state-centric*, menuju pada diskursus tentang kemanusiaan. Tiga masalah internasional yang diangkat dalam konferensi ini adalah perlucutan senjata global, operasi perdamaian dan bina damai, dan pembangunan berbasis manusia.

Adanya jarak antara perkembangan kajian kemanusiaan dan semakin kuatnya pengaruh diskursus kemanusiaan dalam praktek hubungan internasional

kontemporer merupakan panggilan bagi ilmuwan-ilmuwan Hubungan Internasional di Indonesia untuk mengeksplorasi pendekatan kemanusiaan dalam HI. IHAF 2014 merupakan momentum penting untuk menjawab panggilan itu.

Akhir kata, besar harapan saya pelaksanaan kegiatan IHAF 2014 ini dapat berkontribusi besar bagi perkembangan konseptual dan praktis tentang pendekatan kemanusiaan. Hal ini tentunya diharapkan dapat bermanfaat tidak hanya bagi akademisi, tetapi juga bagi pemerintah, lembaga antar pemerintah, maupun lembaga non-pemerintah.

Wassalamualaikum Wr.Wb.

Ketua Jurusan Ilmu Hubungan Internasional UGM

Dr. Eric Hiariej, M. Phil

Humanitarian Initiative Changing Discourse on Nuclear Weapons

Muhadi Sugiono

Humanitarian Initiative *Changing Discourse on Nuclear Weapons*

Nuclear Weapons: *An Irony of Today's World*

- More than 17,000 Nuclear Weapons (NWs)
 - Other WMDs have been banned
 - **How can NWs survive? Can NWs be eliminated? How to make NWs history?**

Security: Persistent Disourse

- NWs as instruments for peace
- Nws as instruments for strategic stability

Non-Proliferation Treaty

- Negotiated primarily by Soviet Union and the US (1965-1968), grow to near-universal membership and survives in the 21st century
- Temporary accommodation to the bipolar world order

Non-Proliferation Treaty

- Discriminative in nature
- Contradictory goals and principles
 - No timeline for disarmament
- No accountability / verification for nuclear disarmament

Setting the Agenda for the Elimination of Nuclear Weapons

- Non Nuclear Armed States on the Driving Seat
- Questioning the value of two-tier countries with regards to nuclear weapons
- Questioning the Commitment of the Nuclear Armed States for Disarmament
 - No indefinite extension for NPT, no indefinite possession of nuclear weapons

Humanitarian Initiatives: A New Start

- Nuclear weapons as WMDs, not as instruments of security
 - Instruments of death -
- Humanitarian consequences of nuclear weapons
- Deligitimation of nuclear weapons

Nuclear Ban Treaty

- New legal framework
- Principles: prohibiting any activities related to use or threat of use, develop, produce, stockpile, acquire, deploy or finance of nuclear weapons
 - Setting specific timeframe
- Acknowledging the rights of the victims of the use or testing of nuclear weapons and the responsibility of the state to these rights

A World without Nuclear Weapons?

- Not an elusive goal
- Challenges: without nuclear-armed states ?
 - Various approaches
- Nuclear weapon free zones

Peran Pasukan Tentara Nasional Indonesia Dalam Upaya Peacebuilding Pada Misi Pemeliharaan Perdamaian

Eka Bagus Laksamana



Nama : EKA BAGUS LAKSAMANA, S.Sos

Pangkat : KOLONEL PSK

TTL : NGANJUK, 7 Juni 1963

RIWAYAT JABATAN

- ❖ DANDEN KAWAL PROTOKOL 1999
- ❖ DAN SKAD 462 PASKHAS SLM 2002
- ❖ DAN SKAD 462 PASKHAS PBR 2004
- ❖ DANDENMA 2005
- ❖ ASPERS Korpaskhas 2007
- ❖ DANWING III DIKLAT PASKHAS 2007
- ❖ DOSTUN GOL IV 2009
- ❖ ASREN Korpaskhas 2012
- ❖ INSPEKTUR Korpaskhas 2013
- ❖ WADAN PMPP TNI 2014

RIWAYAT PENUGASAN

- ❖ OPS GESER XX NATUNA
- ❖ OPS TIMOR TIMUR
- ❖ OPS RAJAWALI ACEH
- ❖ MILOBS GARUDA XVII FILIPINA

DIKMIL :

- ❖ AAU 1988
- ❖ SEKKAU 1998
- ❖ SESKO AU 2003

DIKUM

- ❖ S1 SOSPOL 1995



RUANG LINGKUP

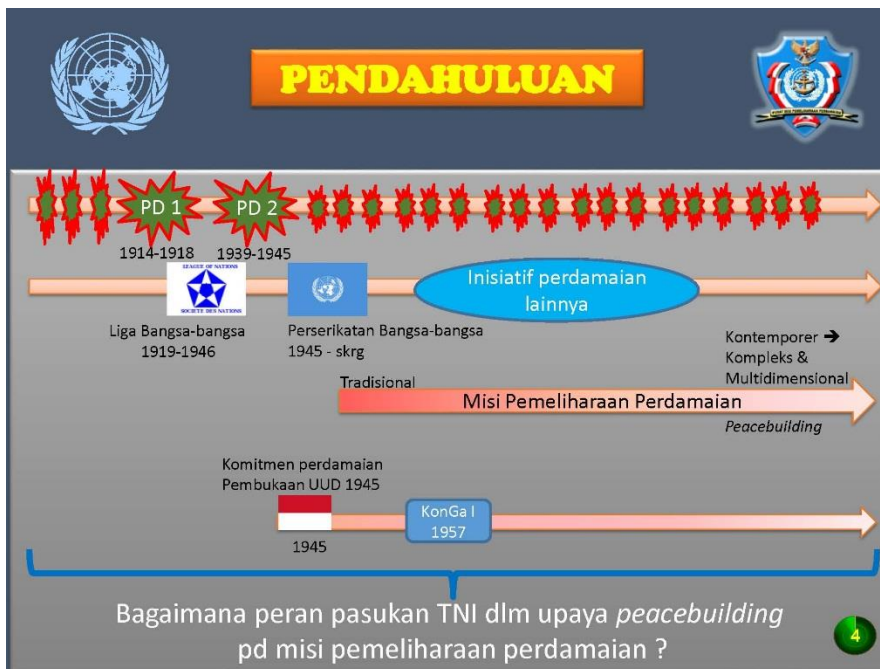


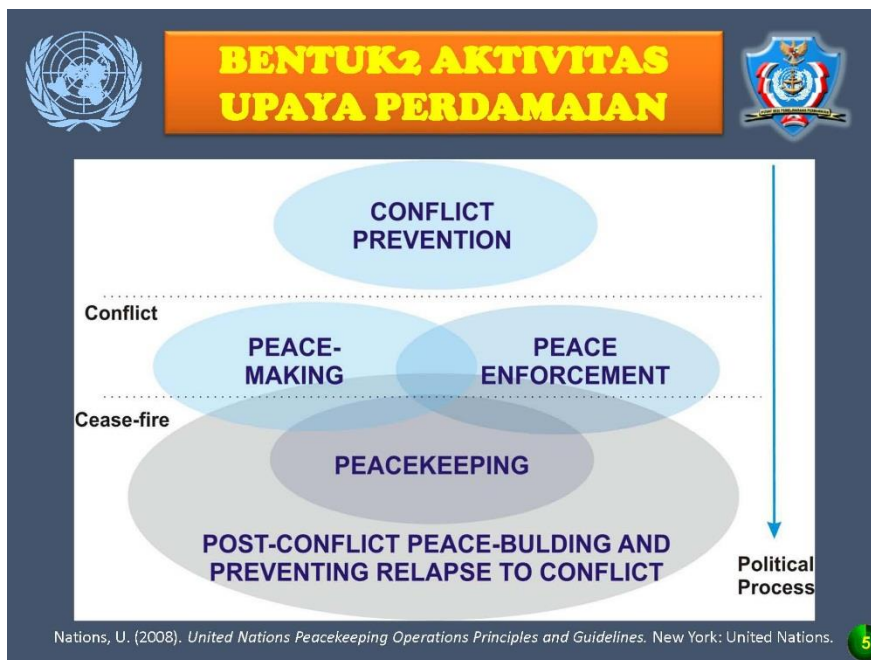


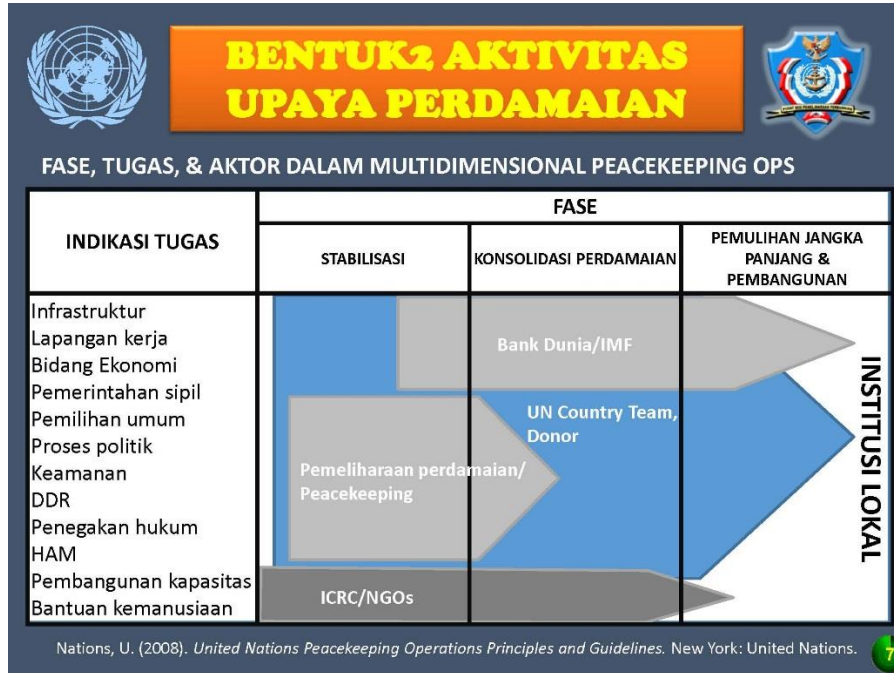
- ❑ PENDAHULUAN
- ❑ BENTUK2 AKTIVITAS UPAYA PERDAMAIAN
- ❑ EVOLUSI MISI PEMELIHARAAN PERDAMAIAN
- ❑ PENERAPAN PASUKAN TNI DALAM MISI PEMELIHARAAN PERDAMAIAN
- ❑ UPAYA *PEACEBUILDING* DALAM OPERASI PEMELIHARAAN PERDAMAIAN TNI
- ❑ PENUTUP

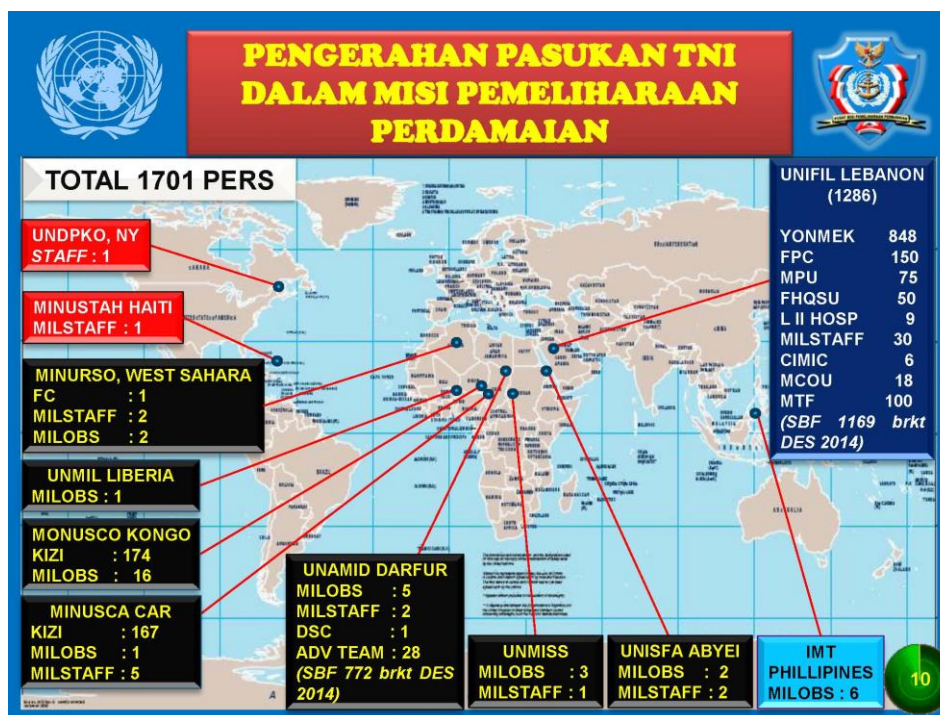
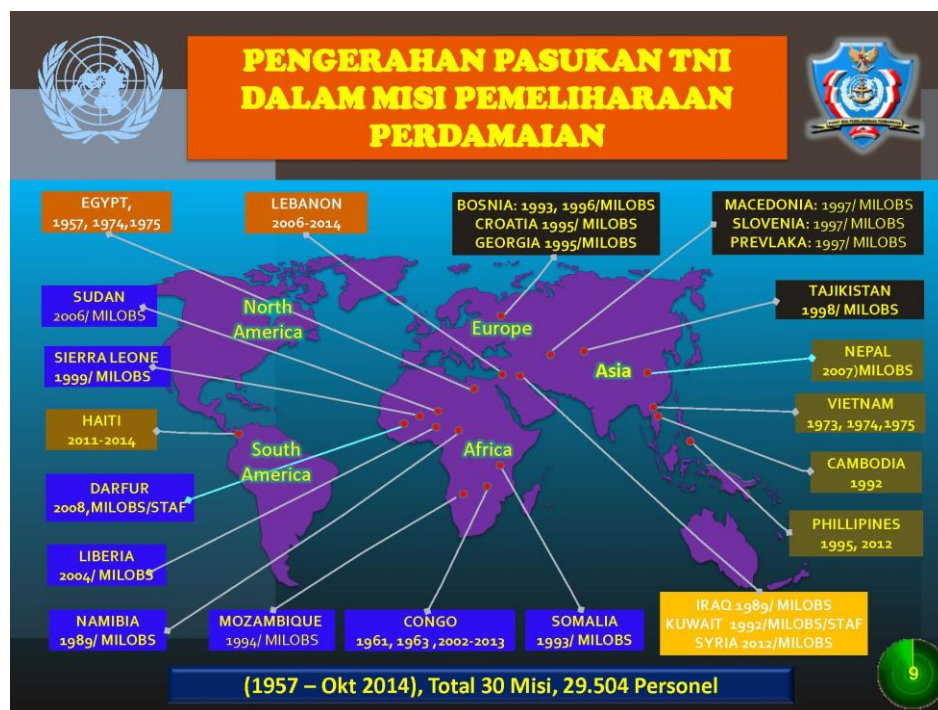


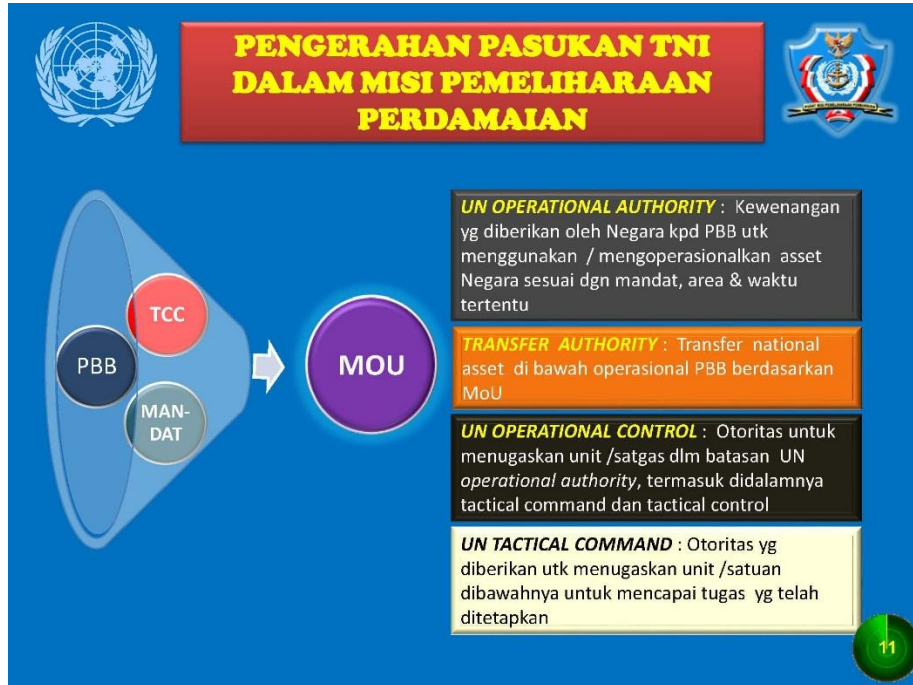
3









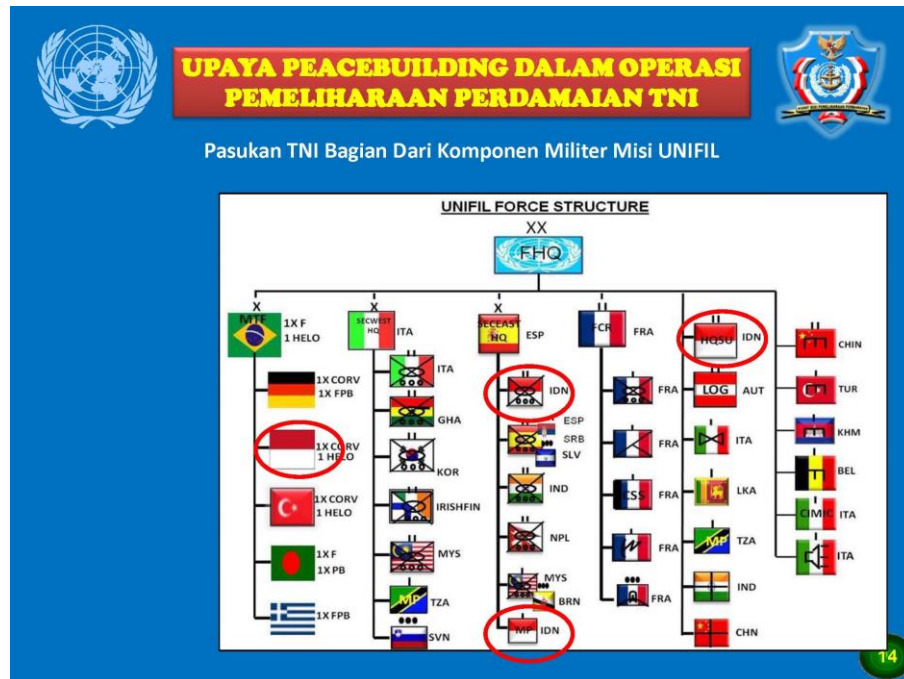


UPAYA PEACEBUILDING DALAM OPERASI PEMELIHARAAN PERDAMAIAN TNI

Daerah Penugasan Pasukan TNI Ditinjau Dari Karakteristik Konflik & Mandat Misi

No	Negara/Misi	Karakteristik Konflik	Mandat Dalam Rangka Peacebuilding
1.	Haiti/MINUSTAH	Konflik intrastate; Kompleks; Multidimensional	Penguatan kapasitas pemerintah & institusi politik; Pemulihan infrastruktur fisik
2.	Sahara Barat/MINURSO	Konflik intrastate; Kompleks; Multidimensional	Mendorong referendum;
3.	Liberia/UNMIL	Konflik intrastate; Kompleks; Multidimensional	Penguatan kapasitas Pemerintah & lembaga politik;
4.	Kongo/MONUSCO	Konflik intrastate; Kompleks; Multidimensional	Mendukung kapasitas Pemerintah dlm stabilisasi keamanan;
5.	Afrika Tengah/MINUSCA	Konflik intrastate; Kompleks; Multidimensional	Dukungan thd proses politik; Pemulihan kapasitas Pemerintah; Penegakan HAM; Mendorong dialog & rekonsiliasi nasional; DDR; SSR;
6.	Darfur/UNAMID	Konflik intrastate; Kompleks; Multidimensional	Menciptakan kondisi aman untuk bantuan kemanusiaan; Mendukung proses politik; Penegakan hukum & HAM;
7.	Sudan Selatan/UNMISS	Konflik intrastate; Kompleks; Multidimensional	Menciptakan kondisi aman untuk bantuan kemanusiaan; Mendukung proses politik; Penegakan hukum & HAM;
8.	Abeyi/UNISFA	Konflik intrastate; Kompleks; Multidimensional	Menciptakan kondisi aman untuk bantuan kemanusiaan; Mendukung proses politik; Penegakan hukum & HAM;
9.	Filipina/IMT	Konflik intrastate; Kompleks; Multidimensional	Mendukung proses politik; Advokasi aspek keamanan, kemanusiaan, rehabilitasi & pembangunan, sosial ekonomi dan perlindungan warga sipil
10.	Libanon/UNIFIL	Konflik interstate	Memperkuat kapasitas Pemerintah dan aktor keamanan Libanon

12





**UPAYA PEACEBUILDING DALAM OPERASI
PEMELIHARAAN PERDAMAIAN TNI**



Jenis Kemampuan, Tugas dan Kegiatan Pasukan Pemeliharaan Perdamaian TNI

No	Jenis Kemampuan Pasukan	Tugas dan Kegiatan	Negara/Misi
1.	Kompi Zeni;	Pembangunan infrastruktur fisik; Pelayanan kesehatan dan dukungan untuk masyarakat terbatas; Perlindungan warga sipil terbatas;	Haiti/MINUSTAH Kongo/MONUSCO Afrika Tengah/MINUSCA
2.	Staf militer	Staf markas	Haiti/MINUSTAH Libanon/UNIFIL Sahara Barat/MINURSO
3.	Force Commander;	Leadership fungsi komponen militer (pengamat militer)	Sahara Barat/MINURSO
4.	Pengamat militer;	Pengamat militer; Pengumpulan data; Penghubung (Liaison); Pengawasan gencatan senjata; DDR; Advokasi SSR; Advokasi implementasi kesepakatan damai;	Liberia/UNMIL Kongo/MONUSCO Afrika Tengah/MINUSCA Darfur/UNAMID Sudan Selatan/UNMISS Abyei/UNISFA Filipina/IMT

17



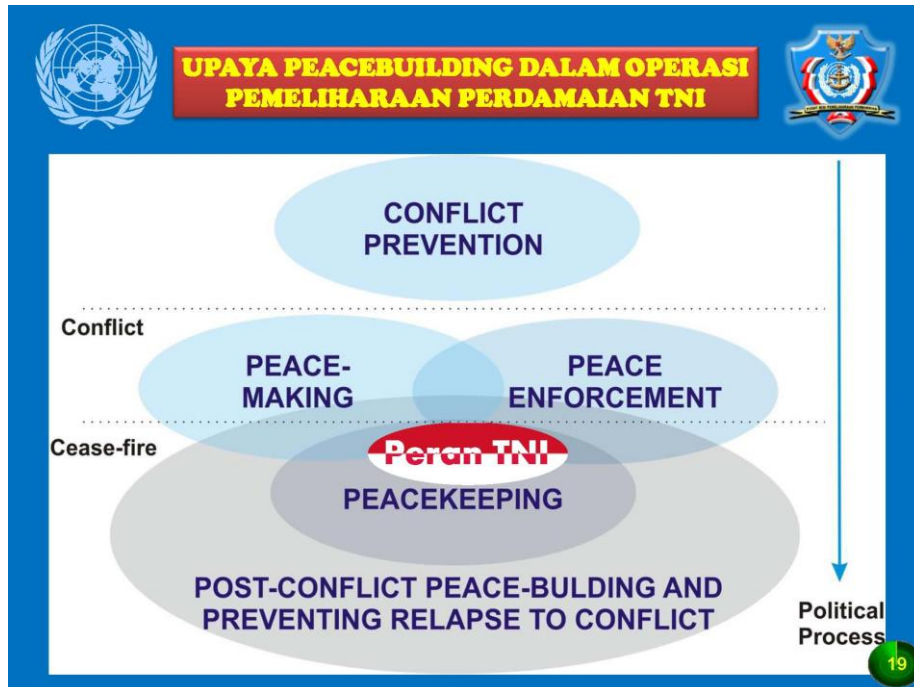
**UPAYA PEACEBUILDING DALAM OPERASI
PEMELIHARAAN PERDAMAIAN TNI**



Jenis Kemampuan, Tugas dan Kegiatan Pasukan Pemeliharaan Perdamaian TNI

No	Jenis Kemampuan Pasukan	Tugas dan Kegiatan	Negara/Misi
5.	Batalyon komposit	Tugas tempur sesuai mandat; Pencegahan konflik bersenjata; Pelayanan kesehatan dan dukungan untuk masyarakat terbatas; Perlindungan warga sipil; Perlindungan aset PBB;	Darfur/UNAMID
6.	Batalyon mekanis	Pengawasan perbatasan; Pencegahan konflik bersenjata; Pengamanan aset PBB; Pelayanan kesehatan & dukungan utk masyarakat terbatas; Perlindungan warga sipil terbatas;	Libanon/UNIFIL
7.	Polisi militer (MPU)	Tugas kepolisian terhadap personel militer PBB;	
8.	Kompi pengawal markas (FPC)	Pengamanan markas; Pengamanan aset PBB;	
9.	Satgas maritim (MTF);	Pengawasan kesepakatan damai di laut; Pencegahan penyelundupan;	
10.	Tim kerja sama sipil-militer (CIMIC);	Pengumpulan data dalam rangka identifikasi kebutuhan masyarakat;	
11.	Tim penjangkauan masyarakat (MCOU)	Pengumpulan data dalam rangka identifikasi respon/persepsi masyarakat terhadap kehadiran PBB	
12.	Tim kesehatan rumah sakit tingkat II	Layanan kesehatan personel PBB	

18



KESIMPULAN

- a. Inisiatif perdamaian Ops Pemeliharaan Perdamaian yg bersifat tradisional → kompleks dan multidimensional.
- b. Upaya2 perdamaian *peacebuilding* → kompleks, jangka panjang & tidak dapat dipisahkan dari upaya2 perdamaian lainnya.
- c. Pengerahan pasukan TNI dlm misi pemeliharaan perdamaian → kebijakan politik negara, terikat pada ketentuan2 yg berlaku pada setiap levelnya → adaptasi pd perubahan konteks misi pemeliharaan perdamaian.
- d. Peran pasukan TNI pada misi pemeliharaan perdamaian merupakan bagian dari upaya *peacebuilding*, baik secara langsung maupun tidak langsung.

Logos of the United Nations and the Indonesian National Armed Forces (TNI) are in the top corners. A green circle with the number 20 is in the bottom right corner.

Human Security and Development Reducing the Risk & Vulnerabilities in Indonesia

Beate Trankmann





Empowerment
Resilient nations

HUMAN SECURITY

'Safety from chronic threats such as hunger, disease and repression and protection from sudden and hurtful disruptions in people's lives'

HUMAN VULNERABILITY

'Prospect of eroding people's capabilities and choices (and the risk of future deterioration in individual, community and national circumstances and achievements'



Empowerment
Resilient nations

Vulnerabilities – why is it important?

Shocks can cause **development setbacks**

The poor are vulnerable to shocks;

- Lack of coping mechanisms – financial insurance etc
- Exposure to disasters
- Limited access to basic services
- Lack of protection against violence





Empower people.
Resilient nations.

Human security, vulnerability & development



Nine out of 10 countries with the lowest levels of **human development** have experienced conflict or widespread violence within the past 20 years

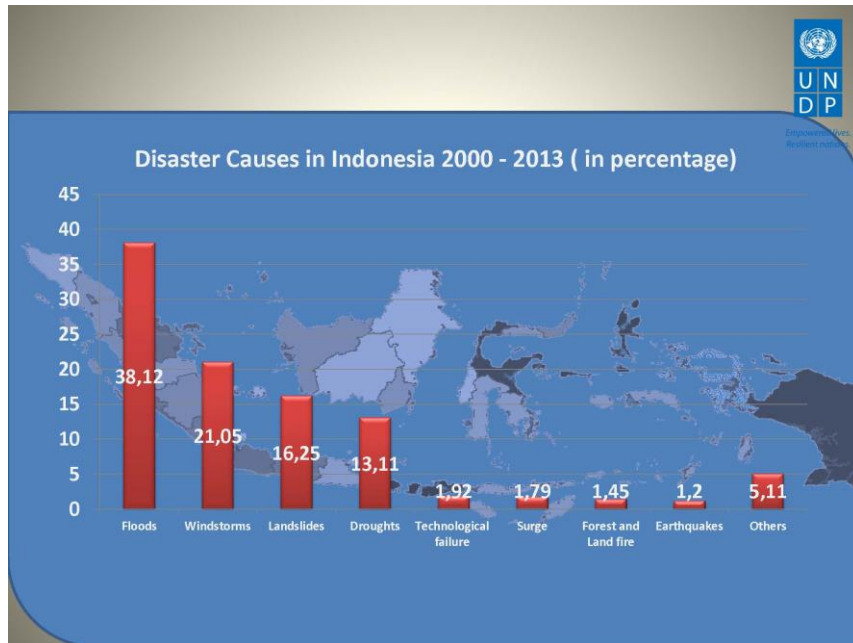
90 percent of deaths caused by **disasters** occur in the world's least developed countries

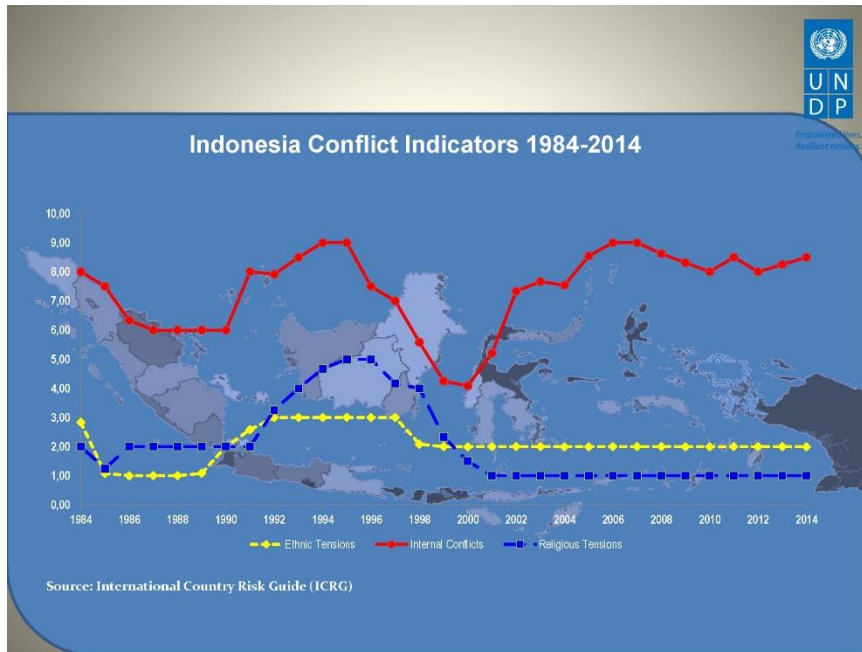


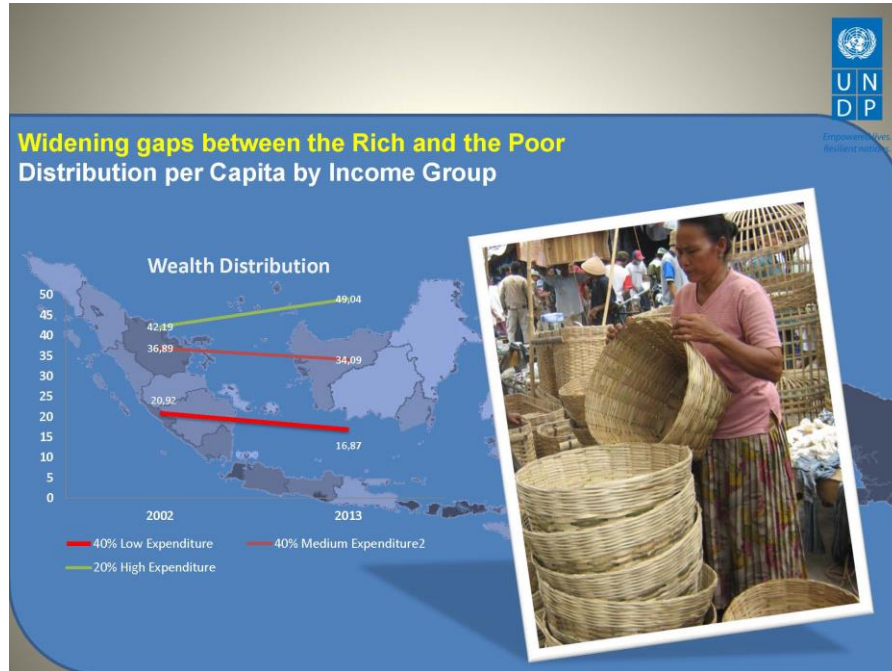
Empower people.
Resilient nations.

Environmental threats	• Natural disasters, quakes • Climate change, floods, drought
Social threats	• Violence, conflicts • Health epidemic
Structural vulnerabilities	• Widening gaps of income • Exclusion of groups; minority groups









RECAP

HUMAN SECURITY
'Safety from chronic threats such as hunger, disease and repression and protection from sudden and hurtful disruptions in people's lives'

HUMAN VULNERABILITY
'Prospect of eroding people's capabilities and choices (and) the risk of future deterioration in individual, community and national circumstances and achievements'

UNDP
Empowerment
Resilient nations



Measures for reducing vulnerabilities and Accelerating Human Progress

Addressing drivers of vulnerabilities

- Low health, education and income
- Investment to expand access of health and education services
- Scaling of investments



Measures for reducing vulnerabilities and Accelerating Human Progress

Early childhood wellbeing, investment in education

- High rates of stunting, 36 per cent of children under five
- Children from poor families enter school earlier and stay longer; however mean years of schooling stagnating at 7.5 years.
- Improve quality of education, Indonesia ranked 62nd out of 64 countries in PISA test score



Empower people.
Resilient nations.

**Measures for reducing vulnerabilities and
Accelerating Human Progress**

**Enhancing
social
protection**

- Social protection needed to provide better coping mechanism
- Why social protection ? Because safety nets are needed to cope with life events such as illness, loss of jobs, old age.
- Indonesia has embarked on ambitious social protection initiative



Empower people.
Resilient nations.

**Measures for reducing vulnerabilities and
Accelerating Human Progress**

**Increasing
social
cohesion to
prevent
conflict**

- Reducing regional inequalities and disparities between region.
- Investment in infrastructure and technology to connect remote areas.
- Mainstreaming conflict sensitivity into development planning



Measures for reducing vulnerabilities and Accelerating Human Progress

Strengthen Disaster Risk Reduction (DRR)

- Mainstreaming DRR into development planning
- \$1 spent on prevention can save up to \$7 in relief and recovery efforts
- Invest in real time data collection to better respond to crisis and monitor response



Measures for reducing vulnerabilities and Accelerating Human Progress

Addressing Climate change and Protecting the environment

- Sustainable environmental management to reduce climate change risks
- Reduce carbon footprint through transition from brown economy to green economic model
- Protecting the environment and the ecosystem services makes pro-poor sense



Conclusion

HUMAN DEVELOPMENT AND VULNERABILITIES

Human development is incomplete unless it takes vulnerability and resilience into account.

The slide includes a photograph of three young children standing outdoors in a grassy area. The UNDP logo and tagline "Empowerment. Resilient nations." are in the top right corner.



International Conference on Indonesian Humanitarian Action Forum 2014

“Humanizing International Relations”

Thursday, 6th November 2014

International Seminar

The Chair: Prof. Dr. Mohtar Mas'ood

Speakers:

- Keynote Speaker : Drs. Andy Rachmianto, M.Phil, the Director for International and Disarmament Ministry of Foreign Affairs, Republic of Indonesia
- First Speaker : Drs. Muhadi Sugiono, MA. The Campaigner of International Campaign to Abolish Nuclear Weapons (ICAN)
- Second Speaker : Kolonel Pasukan Eka Bagus L, S.Sos, Deputy Commandant of Indonesia National Defense Forces Peacekeeping Center
- Third Speaker : Beate Traenkmann, Country Director of UNDP Indonesia

The seminar held by the welcoming speech from **Mr. Muhammad Najib Azca, S.soc, MA as the Vice of Dean Faculty Social and Political Sciences**. On his speech, he welcomed the International Conference as the annual routine agenda to engage humanitarian approach in international relations. Humanitarian approach has been contributing as the new approach for developing Indonesia. Hence, disarmament must be necessarily important. After the speech, officially Mr. Najib opened the seminar.

The next speech held by **Drs. Andy Rachmianto, M.Phil, the Director for International and Disarmament Ministry of Foreign Affairs, Republic of Indonesia**. He focused on three questions that could give the direction for understanding the seminar especially facing the world history about atomic bombs. First, the question stated about the needed of global movement for oppose the nuclear weapon, second, where the Indonesia role in the Process of disarmament is, and the last is what to do next and what would be reformed especially in Indonesia.

Phenomena in Hibanusa 1945 caused by masses weapon destruction has become the tragic history in international relation. This tragedy had long term consequences and has been killing many people. The effect on environmental damage and contamination of food became the main impact that show the use of nuclear weapon or another masses destruction weapon were wounding humanitarianism. Based on its negative impacts, the global movement for opposing nuclear weapon should be campaigned.

Indonesia itself took the efforts of global movement on disarmament and abolishing nuclear weapon by taking the 3rd Conference of Nuclear Weapon in Vienna. Indonesia's attendance should be one of the Indonesia's contributions for pursuing total elimination of nuclear weapons. By taking this effort, Indonesia wants to conduct the activity as the commitment on humanitarian action by following up the social movement, acting in the movement of disarmament and active on the social movement as the response to the United Nations.

After the speech session, Master of Ceremonies gave the Chair a floor to conduct the seminar discussion. The Chair welcomed the participants and declared the panel discussion open. He introduced the speakers and speaker presentations would have delivered. The Chair gave the floor to the first speaker.

The Chair gave the floor to the first speaker, **Drs. Muhadi Sugiono, MA. The Campaigner of International Campaign to Abolish Nuclear Weapons (ICAN)** that was presenting his presentation about Humanitarian Initiative Changing Discourse on Nuclear Weapons.

Nuclear Weapon is still an irony in today's world because more than 17.000 nuclear weapons still exist as the instrument of defense by some countries. In fact, the existence of nuclear weapons declared as the instruments for peace in cold war, and the strategic stability. Afterwards, this background generates several questions, how can nuclear weapons survive? Can be the nuclear weapons eliminated? How to make the nuclear weapons became the history?

Predominantly, Mr. Muhadi showed the way to encounter the proliferation of nuclear weapon by start the campaign of banning the nuclear weapons. The existence of nuclear weapons could be eliminated as long as we start the ban. The framework of nuclear proliferations treaty is kind of discriminated because of having a double standard and giving the ineffective disarmament. There is more law under the system

that stated the banning of nuclear weapons. It shows that there are a lot of chances to eliminated thus weapons by starting the ban and campaign it.

In fact, the existence of nuclear weapons was not the instrument of stability and peace. However, nuclear weapons caused more impacts such the masses killing and the accident during the proliferations activities. It could endanger people and caused death. Therefore, the legal framework should be constructed about the prevention of proliferation in nuclear ban treaty, and the negotiation should be taken to emerge the initiative from civil societies according to the issue of nuclear weapons.

The Chair gave the floor to **Kolonel Pasukan Eka Bagus L, S.Sos, Deputy Commandant of Indonesia National Defense Forces Peacekeeping Center** as the second speaker was presenting his presentation about The Role of Indonesian's Army in Peace-building activities on the Mission of Peace.

Predominantly, Kolonel Eka told about the Indonesian's experience in the Peace-building activities. During 1957 until October 2014, Indonesia had been contributed on Mission of Peace actively through the total thirteen missions and sent for about 29.504 people. As the Indonesian army, the mission took as the responsibility of Indonesia according to the humanitarian commitment. Under the authority given by United Nations, Indonesia has a mandate for using and operating the troops to start the duties.

Peace-building activities included traditional characteristic using weapon that have been determined. The activities are complex in the long term because it depends on another mission of peace. Assignment for building the peace with operational standard depends on the political nation, and the army takes an operation the mission of peace-building according to the mandate of nation. It shows that what Indonesian's army did is the political mandate that should be done.

The Chair gave the floor to the third speaker, **Beate Traenkmann, Country Director of UNDP Indonesia** that presenting her presentation about Human Security and Development Reducing the Risk & Vulnerabilities in Indonesia.

Human security as one of the security perspective refers to the security of the individual as opposed to the security of states. Human security as the perspective has been enlarged the level analysis of security into individual. Human security itself correlated to human vulnerability, the decreasing of human vulnerability means the increasing of human security. The concept is known and emerge the efforts of

development to reduce the human vulnerability from hunger, disaster, disease, repression, poverty, etc.

It is important to be understood for defining the vulnerability in Indonesia and taking the solution of it. UNDP as the development actor takes an action to reduce human vulnerability and increase development. In general, Indonesia is vulnerable because of some indicators such as disaster, level of poverty and emerging internal conflict. For the solution, some measures for reducing vulnerability and accelerating human progress have to be done. There are 3 measures to reduce the vulnerability in Indonesia, first, increasing sectors health, education and income. Second, expand health access and education services by investment, and third, scaling of investment.

There are some factors affecting vulnerability such global climate change, early childhood, health, natural disaster, income, and education. For assure the success of development, thus sectors must be prioritized by investment in education, enhancing social protection, increasing social cohesion to prevent conflict, strengthen disaster risk reduction, addressing climate change and protecting the environment. Human development is incomplete unless it takes vulnerability and resilience into account.

Question and Answer Session

Questions:

1. The First question was delivered by Maulina Ulfah. She asked for the first speaker about relevance of negative peace concept by Johan Galtung now in case of ban nuclear weapon.
2. The second question is delivered by Irsyad, graduated student of International Relations UGM. He asked two questions which each question for Mr. Muhadi and Mr. Eka Bagus. First, he asked about the possibility to ban nuclear weapon because the great countries such United States, United Kingdom using nuclear weapon too. Would be the solution about building the framework effective as comprehensive framework? Next question was addressed to Mr. Eka Bagus. Does the peace-building operation by military consider the value of Human Rights?
3. The third question was delivered by ibu lala for Mr. Muhadi about how to understanding political motive of ban nuclear weapon.
4. The fourth question was delivered by Kevin from International Relations undergraduate student UGM for Mr. Muhadi and Mr. Eka Bagus. First, the question was about ban nuclear weapon. Is it important and how should we do

as international society? Second for Mr. Eka Bagus, the question was what Indonesian's army do in response to blockade attack?

5. The fifth question was delivered by Muhammad Faiq from International Relations undergraduate student UGM. The question addressed to Mr. Muhadi and Ms. Beate. First, for Mr. Muhadi, some countries like United States, United Kingdom and Rusia in fact develop nuclear weapon as the political motive to show their power and capability, so How will the legal framework deal for this actors ? and the second question was addressed to Ms. Beate about how effected to reducing vulnerability by release Kartu Indonesia Sehat and another insurances ?

Answer :

Fisrt, Mr. Muhadi responded all questions from the audiences. He stated that the basic of using nuclear weapon is deterrence. It must be understood if the aim of this order is to create stability. He answer the question from Muhammad Faiq early that in reality the development of nuclear weapon is a serious danger either the effect by using it or accidentally corrupt. ICRS for example, for the first establishing, ICRC faced many opposition, but in behalf of the efforts, ICRC became international organization on humanitarian. He stated that the campaign of ban nuclear weapon has opposition too, but to make the building of framework agenda, what could be done is set the agenda and focus, start the campaign to emerge initiative from civil society.

This countries, Rusia, United States, and United Kingdom are exactly very worry facing the campaign of ban nuclear weapon. In every conference about nuclear weapon treaty, the members also increase. It shows that the nuclear weapon campaign effecting thus countries and effective to be done. Ban nuclear weapon movement will influence the identity of countries. Some country could be identified as the part of using or not using nuclear weapons, and it affects the consideration for investor. So, this campaign is widely effective.

The next, NPT (Nuclear Non-Proliferation Treaty) is hierarchy and has the double standard, the countries may own the nuclear but does not even have the permission to use it. But the problem is, most countries consider it as prestige to show their power, but what happened in Iran and Pakistan. We widely known that it gives widely implications, the countries feel worry about the attack from the countries who have nuclear weapon. So, the best alternative is, ban it, banning nuclear weapons.

The second speaker, Mr. Eka Bagus answered the question in response to Irsyad and Kevin. Basically, every army in the world has the same standard operations. He stated that every operation by military considers human rights in order to save the civil from the conflict or war. Indonesians armies are given the basic knowledge about defense, human rights and international humanitarian law before sent in their operation. They have the responsibility to protect and using their weapon in order to self-defense, as long as the other party does not offense or attack, the army will never shot first.

In counter the blockade, it depend the context. In every blockade facing the army, Country will do negotiation process. In field, as long as the blockade happened, the first thing that the army should do is protecting civil citizens and the weapon because the most motive of blockade is to steal the army weapon and reserve foods.

The third, Ms. Beate responded the Muhammad Faiq question about the effect of Kartu Indonesia Sehat and other insurances. She stated that it is very affecting development and reducing the vulnerability of poor because could break Satan cycle facing Indonesians poor. With thus insurance which will be made by Jokowi's government is showing the attention from Indonesia government to reducing the structural violence and the response to the increasing some population under the poverty line. Based on the concept of human security, as long as the vulnerability could be reduce by development social aspects, the insurance should be affecting.

The Chair concluded the panel and dismissed the panel.

A New Approach to Refugee's Welfare through the Role of Community: Case Study of Refugee's Community Centre in Sewon¹

Abstract

The role of state actors in refugee protection is seriously limited by the “nationalism” nature of a nation-state. In particular, there has been a lack of attention from Indonesia as implied by non-ratifying choice taken by the government. The problem here with this approach is, refugee’s rights are viewed as entitlement from state and should conform with the state’s interest. Thus, there needs to be a new approach in pursuing a refugee protection regime. This paper offers a shift of focus from role of state through the humanitarian and refugee to the roles played by other actors. This paper gives a particular focus on Sewon Community Housing in Sewon, Daerah Istimewa Yogyakarta. The Community Housing is an initiative from International Organisation for Migration (IOM) and provides temporary settlement as well as living allowance for refugees. In our preliminary study, it was found that the coordination from IOM, Jesuit Refugee Service (JRS)- an international NGO committed to work in assisting refugee, and Immigration Office of Yogyakarta, constitute a rhetoric about refugees which to some extent appreciates their rights more than state’s philanthropy. Some limitations to this change of rhetoric remains exist, but overall, community housing provides a foundation for a civil society-based refugee protection.

Keywords: *refugee, community housing, state*

¹ A.A.I. Diah Tricesaria is currently working in Program on Humanitarian Action (POHA), a cluster research under Institute of International Studies, Department of International Relations, Universitas Gadjah Mada. Her area of interest is on development issues mainly on economic and human development. Nurul A. Zayzda has just finished her study in Global Citizenship, Identities and Human Rights. She is keenly aspired to do researches in refugee studies, particularly from the perspective of migrant politics and currently become parts of Working Group on Indonesian Competitiveness. Rizka F. Prabaningtyas is a junior researcher at Indonesian Institute of Sciences (LIPI). She is looking towards refugee’s issues and policy as her core research interest.

Background

Indonesian situation and legal framework

The issue of asylum seekers and refugees has been part of Indonesia's history since the first coming of refugee's wave in 1979. That was the impact of Indo-Chinese War which caused more than 100.000 Vietnamese sought for protection from threats in their home country. At that time, Indonesia provided assistance by accommodating them in Galang Island. This can be seen as first policy taken by Indonesia's government in order to manage the refugees. This policy was conducted under the humanitarian motives, although there was also political motives behind the decision to accommodate of the refugees (Kusumaatmadja, 1983, p.33). After years, the phenomenon of international refugees and asylum seekers has been world-wide attention as the increasing number of international conflicts has risen the risk of people being persecuted.

Indonesia is now facing the rising influx of asylum seekers and refugees. As the recent trends of the influx of asylum seekers show significant increase. An Article in Jakarta Post noted that based on UNHCR data in 2008, the number of asylum seekers stranded in the country stood at 385 people, but significantly rose to 3,230 people the following year. The number has continued to rise from year to year, with 3,965 people in 2010, 4,052 people in 2011, 7,218 people in 2012 and 8,332 people in 2013. As of March this year, 10,623 refugees and asylum seekers arrived in Indonesia (Jakarta Post, 2014). This refugee's wave is prominently influenced by the strict policy conducted by Australia, as most of the asylum seekers which stranded in Indonesia are actually willing to be settled in Australia to get international protection.

Management for the presence of asylum seekers and refugees must be taken seriously due to this situation. However, looking at our basis legal formal, there is no sufficient policy, which specifically designed to handle the issue. Talking about the refugee status itself, Indonesia as a non-signatory country has no rights nor the capacity to conduct Refugee Status Determination. Therefore, the government hand

the refugee status determination process of asylum seekers over to UNHCR. In dealing with refugees, the UNHCR has three durable solutions offered: voluntary repatriation of the refugees to their home country only if it is safe; local integration in the country of asylum; or resettlement to a third country (UNHCR, 2014). For the refugees, going back home is not an option, unless the origin country can provide safety guarantee. It is difficult as most likely the asylum seekers and refugees come from the conflict zone country. As for Indonesia's case, the only feasible option for refugee stranded in Indonesia is waiting for resettlement to a third country. This might be because Indonesia has not ratified the Refugee Convention and its protocol yet so that there would be no rigid obligation for the state to give possible maximum accommodation for the asylum seekers and refugees. Another reason of Indonesia's reluctance for ratifying the Convention is also the fear of pull factor. Even the current condition as transit country has been complicated enough for the government, so it is on the government's concern if asylum seekers will consider Indonesia as destination country rather than only a stepping stone.

But however, the decision of Indonesia's government to ratify some convention relating to human rights, particularly for woman and children, has put the state in the position to fulfill its obligation to protect any person who live in its territory from any human right abuses. In short, the country has ratified all the major human rights conventions. Indonesia's track record of ratifying international human rights treaties can be traced since its recognition of Geneva Convention in 1949, Convention of Political Rights of Women, Convention on the Elimination of Discrimination against Women, Convention on the Rights of the Child, Torture Convention, and many more. This become important yet paradoxical fact if we relate it to Indonesia's reluctance to take responsibilities towards refugee by ratifying Refugee Convention. As protecting refugees is closely related to the enforcement of right to life possessed by all human being, Indonesia will eventually need more comprehensive national policy in accordance with the value of international human rights. It becomes a necessity even when the government keeps avoiding the international obligation by ratifying the specific convention.

In other words, Indonesia eventually needs a comprehensive legal framework to synchronize its position as non-signatory of Refugee Convention and its commitment towards human rights protection. It implied that Indonesia is not ready yet to take further national initiatives and actions to manage asylum seekers and refugees based on the obligation written in the Refugee Convention 1951 and its protocol. Hence, the role of UNHCR representatives and other international agencies like International Organization for Migration (IOM) in Indonesia is prominently important to assure the viability of asylum seekers and refugees in Indonesia. The 2010 Immigration Directive provides for the release of person from detention if they are under the care of an international organization. The relevant organization is IOM. For the past 13 years, this organization has been one of the major stakeholder which supported Indonesia's government continuing efforts to promote alternatives to detention for refugees and smuggled migrants (IOM Indonesia, 2014).

But however, there has been several attempts to give legal bases on its policy towards asylum seekers and refugees. Indonesia recognized the principle of non-refoulement in a 2002 Immigration Directive and accords UNHCR documentation some recognition, allowing them temporary stay in Indonesia under a 2010 Immigration Directive. (Mathew and Haley, 2014). In 2013, there is a draft Presidential decree which based on Act. No. 37/1999 on Foreign Relations. This draft was expected to implement parts of the Refugee Convention/ Protocol, but in fact the process of adopting the draft of Presidential decree was not easy due to the conflict of interest between the agencies which should share the responsibilities and tasks in handling asylum seekers and refugees.

Why Sewon community center?

This research gave a particular focus on community house or community centre where refugees whose status have been granted by UNHCR are being settled temporarily. There are 42 community houses all around Indonesia, distributed in 6

provinces/cities; Sumatera Utara (Medan), Kep. Riau (Batam), DKI Jakarta, Jawa Timur (Surabaya), DIY (Bantul), Sulawesi Selatan (Makassar). There are currently 2,599 refugees, asylum seekers and other vulnerable migrants (women, children, older persons) staying in the community houses (data as of August 2014 by IOM).

The ultimate reason to carry out the research in community centres relates to our concern about the policies concerning and affecting refugees in Indonesia. As elaborated above, Indonesian government has been dealing with refugee protection issue passively. Compared to the border protection efforts reflected in the cooperation with neighbouring countries, the ‘protection’, referring to attempts to meet the asylum seekers and refugees’ rights remain feeble. Given this situation, it is crucial to shift our attention from the ‘top-down’ policy to any endeavours arising from non-state actors, as one of many form of bottom-up initiatives.

As *rumah detensi imigrasi (rudenim)* or detention centres are the policy of Directorate General of Immigration, Ministry of Law and Human Rights, community houses initiatives were born from non-state actors. The main actor establishing the community house programme in Indonesia is International Organisation for Migration (IOM) with the help of NGOs, i. e. Jesuit Refugee Service (JRS) and coordination with the Immigration Offices. Community houses are managed in a different ways from detention centres. Detention centres are almost like ‘jails’, for they restrict asylum seekers and refugees’ rights of movement and lock a huge number of them in one residence. Aside from the rights of movement, detention centres also undermine other rights of refugees as a human; rights to welfare and employment. In addition to that, detention centres are not safe for vulnerable groups, especially the children.

Community houses on the other side do not restrict the rights of movement of the dwellers as they are ‘made’ mainly for refugees. It is established inside a local community (not separated from communities, as is the case of detention centres), with various levels of facilities. Some community houses are provided in form of

boarding house, some are hotels, and some are like *rumah susun* (IOM, 2014). Refugees obtain different 'legal status' from asylum seekers, thus are entitled to rights of movement and capable to access public services in Indonesia, like market, public health services, and so on, although some limitations are inevitable due to their 'foreigner' status. The elaboration in the next part will explain the characters of the community houses in Indonesia, with a case study on Dinas Sosial Community House in Sewon, Bantul, Daerah Istimewa Yogyakarta.

The aim of this research is centering our attention to the attempts to perceiving refugees as part of global community. By learning how community houses work in Indonesia, we will be able to view how this perception is embedded in actions from NGOs, international organisations, neighbouring community nearby the community houses, and even individuals from Indonesian government agency who are engaged in the management of the community house.

Conceptual Framework

State perspective on refugees issue

Refugee's problem is closely related to human right issues, but cannot be simplified by merely using human right perspectives. In fact, refugee movement is also inherent parts of international politics as the causes, consequences, and responses to refugees are affected by what is going on in the world politics (Betts and Loescher, 2011, p. 1). This fact leads to another fact that state is intertwined part of refugee issue since its position as eminent international actor. In International Relation's understanding, there is also assumed relationship which connected state with its citizens, that state should be responsible to provide its citizens' most basic rights and protection (Betts and Loescher, 2011, p. 6). But the ongoing situation of international conflicts, which state's role to the conflict is undeniable, has made its citizens being neglected and even threatened by persecution in their own home country. Therefore, the only option they have would be fleeing from their home country and seek for protection to another state or group of states. This option is

taken despite the dangers to do so. Besides, for states with their own national interest agenda, it is another complicated task to decide giving asylum only by considering the humanitarian aspect. To some extent, destination country can consider asylum seekers and refugee as threat to its national security politics, which made it harder for them to get an asylum from the expected destination country. From this situation, it can be seen that refugee is the victim of the pressures to create or to maintain the traditional trinity of state-nation-territory in the face of technological advancement and mobility (Warner, 1999, 257).

The 1951 Convention relating to the Status of Refugees and Its 1967 Protocol (hereinafter called Refugee Convention) is international legal instrument which is made to reduce the potential conflict between states in handling asylum seekers and refugees. This convention is highlighting what supposed to be state's obligation in dealing with asylum seekers and refugees. A year before, UNHCR was created to be a non-political instrument which take the security politics out of the refugee issues.

UNHCR's task was to take a political problem, that of refugees, and define it as a non-political, humanitarian one. The obligation of states was to go along with this fiction (there is after all nothing non-political about persecution, war and ethnic cleansing) in order to achieve two objectives, one political and one humanitarian: to avoid the spread of conflict, and to make it possible for fleeing civilian victims to receive protection and assistance regardless of the nature of the conflict or the interests of conflict parties. (Hammerstad, 2014, p.299).

This has stressed on state's role to conduct its protection function and state's obligation towards refugees. As mentioned by Goodwin-Gill, there are several state roles or obligations in dealing with refugees in order to make explicit this protection function and state obligations: states must respect the principle of non- refoulement; states have protection obligations with regard to admission and treatment after entry; established rules of international law nevertheless permit the conclusion that States are bound by a general principle not to create refugee outflows; and to co-

operate with other States in the resolution of such problems as they emerge (Goodwin-Gill, 1994).

This effort to separate the management of asylum seekers and refugees and the security politics context is not without obstacles. Problem still occurred even when most states referred as destination country of asylum has ratified the Refugee Convention and work closely with the UNHCR. It is the construction of border security and national sovereignty of each states which made the asylum seekers and refugees often being seen as illegal migrant due to their methods of arrivals which entered the country without following the procedural requirements. As for the transit country, that of Indonesia in this context, the case is problematic as well. The transit country sometimes positioned as buffer for the destination country to block asylum seekers from reaching its country. This is definitely a political problem, which needs to settle between the transit and destination country. Another problem would be the assumed threat of transnational organized crime attached to the entry of asylum seekers and refugees.

The role of civil society in refugee protection

Asylum seekers and refugees are parts of global people displacement or migration. It is important to understand that in most countries of destination or host-states of immigrants, the rhetoric of immigration has long been shaped in the way that migrants are seen merely as object of policy. In addition, they are the outsider of the political environment.

Recognizing the urgency to rethink the future of refugee protection regime, Helton (2002) outlines three “possible future directions” of refugee policy that are realistic to the present circumstances. They comprise of international cooperation, containment and proactive policy. However, all three rely too heavily on states’ morality and have the tendency to end up as ‘charity’ from the states for the refugees. By taking too much account of states’ roles in refugee protection, our view

will always be seriously limited by the ‘national interest’ which, when extended, represents the dilemmas in international refugee protection.

Benhabib’s denotation is useful in understanding this (2006, p. 31)

Throughout the international system, as long as territorially bounded states are recognised as the sole legitimate units of negotiation and representation, a tension, and at times even a fatal contradiction, is palpable: *the modern state system is caught between sovereignty and hospitality*, between the prerogative to choose to be a party to cosmopolitan norms and human rights treaties, and the obligation to extend recognition of these human rights to all.

In the context of refugee protection, this results in continuing confusion on the refugee issue, and a huge gap between the hospitality principle and the implementation of international refugee law (Derrida, 2001, p. 11). This gap particularly lies on the point of departure in understanding refugee protection; whereas hospitality appreciates refugee protection as rights of refugees that is embedded in their existence, the sovereignty and citizenship system makes it an entitlement from the nation-states.

Nyers (2003) further emphasises how practice of ‘refugee protection’ is a political language to strengthen the notion of sovereignty.

“In the case of asylum seekers, the decision over who will, and who will not, be provided with protection is not just a humanitarian determination, but a moment when the sovereign state (re)founds its claim to monopolise the political.” (Nyers, 2003, p.1071)

In his discussion about anti-deportation movement in Canada, he notifies that politics is not exclusive to the state, that grass-root movement or the so-called bottom-up movement are some attempts to redefine politics and to change the policies formed in elite levels.

Hence, it is a matter of urgency that we begin to learn refugee issue in a different perspectives from ones focusing too largely on the role of states' policy. Glick-Schiller emphasises the notion of a global power perspective, which sees migrants "not as foreigners to be differentiated from natives, but also as actors that connect local people to global process" (2010, p. 127). Through this global power perspective, it is possible to understand migrants' lives beyond the context of social cohesion which is grounded in nationalism. Instead, it is possible to overlook the social solidarity, whether it is among the migrants or broader local community.

For the asylum seekers are part of the full picture of a global community, their struggle for recognition and entitlements needs to be scrutinised beyond an analysis of the top-down state's policy. In this sense, it is important to consider that policy can be made through support or challenge from 'below' (Pero, 2011, p. 244). Considering that the limited power of asylum seekers in challenging a host-state's policy, support from civil society is crucial.

The actors who constitute civil society are the non-state actors, comprising of non-governmental organisations (NGOs) and other civil organisations which obtain the power to transform or challenge the policy through their activities (Pero, 2011, p. 244). These non-state actors establish a certain relationship with the government to address the issues and interest of the public (Pero, 2007, p. 272).

The asylum politics here is pursued in empowering the asylum seekers and refugees. To achieve that point, the civil society works by developing the capacity of the asylum seekers and refugees, and supporting them through their set activities. The 'developmental role' of civil society in the governance has been categorised by Edwards (2009, p. 13) into social, economic and political aspects, as follows:

1. Economic: "securing livelihoods, providing services where states and markets are weak, nurturing social values, networks and institutions that underpin successful market economies, including trust corporation"

2. Social: “reservoir of caring, cultural life and intellectual innovation, teaching people the skill of citizenship and nurturing a collection of positive social norms that foster stability”

3. Political: “counterweight to states and corporate power and an essential pillar in promoting transparency, accountability and other aspects of “good-governance” the favourite term of foreign-aid donors in recent times”

(Edwards, 2009, p. 13-15).

This research focuses in elaborating how the civil-society based refugee protection is made possible by the roles of various actors, not excluding the state actor. The coordination system between IOM, JRS, and local government is learnt to determine whether the prevailing activities carried out by this actors have laid a foundation to foster the role of civil society. JRS as an NGO is one part of the civil society, but we are also concerned about the neighbouring community and the local NGOs.

The concept of developmental role by Edwards (2009) will be of use here to measure the extent to which this role is presented. In the heart of this discussion is an understanding that the activities run by IOM and JRS influence the perspectives about refugee in Indonesia. The programme of community housings do not solely provide services or facilities, they by all means push a “shifting ground” (McNevin, 2012) in the way asylum seekers and refugees are accepted in indonesia.

Methods

This research deployed qualitative approach through interviews, document reviews and field observation. The depth of this research is resulted from its grasp on conceptual frameworks regarding refugee politics and role of non-state actors to push refugee’s rights.

Refugee center in Sewon

Since Indonesia has not ratify the 1951 Convention relating to the Status of Refugees or the 1967 Protocol, the establishment of UNHCR offices becomes crucial for the efforts of basic rights fulfillment and settlement for the asylum seekers and refugees. Aside from not ratifying the convention, Indonesia, like many other South-East Asia countries, also does not have national legal framework or specific legal mechanism to deal with the issues of asylum seeker and refugees. Thus, to deal with asylum seeker and refugees issue in Indonesia, UNHCR adopt the procedures and criteria for determining refugee status under the 1951 Convention and the 1967 Protocol relating the status of refugee whilst at the same time working with two government bodies, Directorate General of Immigration Ministry of Foreign Affairs and Ministry of Law and Human Rights. In addition to that, UNHCR establishes cooperation with three main non-state actors which are International Organization for Migration (IOM), Church World Service (CWS) and Je Suit Refugee Service (JRS) who provides basic necessities for the asylum seeker and refugees during their settlement process in Indonesia. To accommodate this collaboration and cooperation , UNHCR set up branch office for registration and refugee status determination (RSD) in Jakarta, along with 12 other staff out-posted in seven location of IOM's office in Medan, Tanjung Pinang, Makassar, Kupang, Pontianak and Surabaya.

Indonesia's location is crucially strategic for asylum seeker who would like to enter Australia as their new settlement. It has several critical entry points such as Batam for irregular migration especially from Afghanistan, Myanmar, Somalia, Sri lanka and Iran. As one of the main government bodies dealing with asylum seekers and refugees, the Directorate General of Immigration (Immigration) set up and manages detention centers spread out all over Indonesia. On its earliest stage, the detention centers for both asylum seekers and refugees features minimum facilities that are often notoriously known as "a prison like facility". Due to the crucial participation from IOM, the detention center facilities are progressively, if not quickly,

transformed into better initiatives. For example, what once used to be Batam Immigration Detention Center, now has been transformed into Sekupang Refugee Shelter, an apartment complex capable of housing 159 people.

Meanwhile in Yogyakarta, IOM who is collaborating with JRS, rent and transform a compound of housing owned by Social Service of Yogyakarta Province. The place often referred as Refugee Center Sewon or Wisma Refugee Sewon. Just like the detention center, refugees presence in Yogyakarta is of responsibility of the Office of Immigration. However, the refugees remain as IOM's responsibility where IOM provides monthly allowance to each of the refugee registered in the center. On the other hand, JRS is entrusted to design two kinds programs, they are 'educational' programs that will provide basic skill such as computer and English and Indonesian skill, to the refugees, based on the refugee's request, until their settlement in third countries, and recreational programs, usually sport activities, i. e. futsal or visit to tourism objects. Briefly said, JRS responsible for refugee's social and psychology recovery at the very basic. Due to the limited funding, the programs are found to be limited, because based on the need assessment, some refugees also wish to obtain other skills education, i. e. in farming or engineering (Interview with Lars and Lino, 2014).

During their stay in Refugee Center Sewon, refugees are allowed to move inside Yogyakarta but are not allowed to go outside of Yogyakarta Province without supervision from IOM or JRS. A collective trip also requires permission from the Office of Immigration. Nevertheless, refugees can freely move and access all the public facilities available in Yogyakarta Province just like citizen of the province. In fact, refugees are also encouraged to socialize with the surrounding communities. In addition to the educational and recreational programs, JRS also initiates the socialisation programme aimed to foster integration or at the least raising awareness of the local communities and government about refugees. The routine activities include events held in Refugee Day annually, and sport activities with local youth (Interview with Lino, 2014). Unfortunately, this has not been an easy case. Although, IOM and JRS have been working hard for the welfare of the refugees,

especially JRS initiative to encourage interaction and communication with local communities, the efforts remain lacking due to several difficulties such language barriers between refugees and local communities as the refugees prefer English to Indonesia, lacking of commitment from local entities (such youth organization) to mediate the socialization and interaction between refugees and local community (Interview with Lakshono, 2014; Interview with Stenger and Sanjaya, 2014).

Learning from this role distribution, there is a clear distinction area of concern on each actor's participation to refugees issue. Indonesia government, here represented by the Immigration as the main means to address refugees issue, acts as the extension of state to protect not only its geographical sovereignty but also the social sovereignty of its people. Thus they act rather like a police who perceive the refugees a criminal who broke the geographic borders as illegal immigrants who might threaten the social stability of the state . Within those perspective that, as detention centers were established in the atmosphere of "a prison like facility". This is an indication of Indonesia's passive participation in asylum seeker and refugees issues. Whereas being passive actor means limited exposure to asylum seeker and refugees understanding. It also leads to limited view and perceptions on rights of, especially, the refugees which somehow still perceived as illegal immigrants because status settlement are conducted by UNHCR officers instead of the Immigrations or any particular appointed government bodies for refugees.

On the other hand, IOM and JRS acted as non-state actors whose action and policy are not limited by notion of 'state' but compromise its participation to address refugee issues in Indonesia through role distribution. The two organizations also work hand in hand to shift state's approach towards asylum seeker and refugees. Refugee Center Sewon is one of this success stories of the slowly state's shifting approach towards asylum seeker, instead of taking the form of detention. Nevertheless, state's participation in this shift remains relatively passive because the initiative comes from IOM, but there is a sign of progressive approach from state's perspective towards refugees welfare and rights by allowing new concept of refugee centers/shelters and on top of that the community housing as well, a

humanize version of detention centers, although this does not necessarily means Indonesia willingness to sign the refugee's convention anytime soon.

Analysis on Indonesia

Between absence of legal framework and no resource to manage refugees

As matter of fact, Indonesia has not finished on drafting the Presidential decree relating on asylum seekers and refugees. This could be assumed as the absence of national legal framework in handling the increasing influx of asylum seekers and refugees stranded in the country, whereas the current situation demands more serious attention as Indonesia's position as transit country will remain due to the geographical consequence. However, the absence of comprehensive national policy has affected on how state respond and allocate its resources to accommodate the asylum seekers and refugees. For state cannot decide the status of asylum seekers, state can only rely on the refugee determination process undertaken by UNHCR. While awaiting the process, Indonesia could only provide minimum accommodation for the asylum seekers. The responsibility of technical coordination in national level of handling the issue lied in The Directorate General of Immigration, under the Ministry of Law and Human Rights. The main duty of the directorate is solely about the distribution of asylum seekers and refugees in all available detention centers in Indonesia provided by the government. Therefore the role of international organization in Indonesia become highly important to ensure that the most basic rights of asylum seekers and refugees which temporarily under by Indonesia's government's territory could be fulfilled. The limited capacity of state to provide maximum accommodation and alternatives to detention has opened the gate for the non-state actor to play greater and bigger role in the field.

Ad-hoc basis of refugees regulation serves "flexibility"

Nevertheless, it is worth our attention that Indonesia's overarching legal framework has been rather 'flexible' and thus provides a fluid foundation for refugee protection in Indonesia. Albeit restraining from the obligation to protect by never ratifying the 1951 Refugee Protection, Indonesia under the Immigration Law permits the temporary stay of asylum seekers and refugee in Indonesia. This temporary stay is allowed whereas their asylum request is being processed by UNHCR and or when they are granted asylum but

still waiting for replacement in a third country. Particularly for refugees, they are given the rights to stay outside the detention, and inside local community temporarily (interview with Lars, 2014).

It is true that under the similar legal framework have the asylum seekers been locked up in the *rudenim* all over Indonesia. However, it is also upon this foundation that the transformation of a humanize detention centers are possible to take place in the form of refugee shelters/centers and community housing; and at the same time also refugees may get their rights of movement and access to public services. The possible future directions can be an extension of the prevailing situation into a broader access to public service, i.e. vocational education, and eventually, citizenship in Indonesia.

In order to reach this end goal, it is too futile to rely only on NGOs role. Although Indonesia is a non-signatory state of refugee's convention, its passive minimum approach towards refugee issues become possible because of the inclusion of humanitarian values in international ethics thus allowing the institutionalization of international humanitarian regime through the involvement of not only one actor or aspect but many. Among these actors and aspects are the state, NGOs, international organizations together with the structure of laws, norms and rules. (Barnett, 2011). However, when working in humanitarianism, a state is involved, there is a tendency that the humanitarian practice itself would lose its neutrality compass as Barnett (2005) claimed:

“Humanitarianism was at its best when it stuck to the independent, neutral, and impartial provision of relief on victims of conflict and natural disasters, and began to lose its way and fall on hard times when it began to work alongside and with states, when it ventured away from symptoms to tackle the ‘root causes’ of suffering, and became involved in basic matters of governance”

Embarking from this argument and assuming that state's limitation in broader humanitarian context also valid for the international refugee regime; then relying solely on Indonesia's government initiative to move progressively on refugees issues, from non-signatory state to signatory state seems to be implausible. UNHCR describes that most of Southeast Asia

countries are still reluctant to be signatory state of Refugee Convention. The reason to this varies in each country. However, at least for Indonesia, the government itself is still struggling to reduce the national unemployment and low skill labor number. At the same time, it cannot be neglected that Indonesia is a strategic transit point for asylum seeker who seek Australia or gaining status refugee. Realizing these fact as two side of coins, slowly, Indonesia's government acknowledge that being part of international refugee regime is unavoidable, thus allowing international organizations and NGOs to take place in its region, whilst at the same actively protect its border by widely ceased down the amount of illegal boat containing asylum seekers crossing the state's border and helping the asylum seeker registering process and refugee determination (and housing) by 2013 (Misbach, 2014). At the same time, this serves as justification of a state to help 'protecting' asylum seeker from human trafficking and when the status refugee is granted, also ensuring the fulfillment of, at least, basic human rights.

Since state, in particular, opted out from signing refugee convention with the alternative of using the existing international refugee system, there is one remaining question: the average amount of time for asylum seeker to register, gain refugee status and settlement in third country often amounted up to 1 year and even more. This means refugee needs to stay at the limited facilities of housing in Indonesia. On top of that, the number of asylum seeker coming to Indonesia keeps on raising significantly (UNHCR, 2014). Then, what are the alternative to this issue or raising number asylum seeker and refugee in Indonesia? JRS addresses this issue by pointing out the importance of local community role to add the number of community housing for refugees, thus raising the capacity and hopefully shortening the average length of waiting time. By local community involved, we meant that refugees could stay alongside with local community residency. IOM has been trying to cultivate this initiative in 42 community housing spread all around Indonesia. In this context IOM and JRS has taken over the developmental role, initially to be fulfilled by state - in both context origin state of the refugee and Indonesia as the transit state -, as part of the international refugee regime.

The elaboration of the roles performed by IOM, JRS as well as Department of Immigration in the previous section demonstrates the system of protection in indonesia established from

below and above. IOM as the ultimate actor in Sewon is the initiator who came up with the idea of alternative to detention centre. Aside from providing a more proper place for refugees, the community housing for refugees also signal the attempt to integrate the refugees with society. Despite the fact that most refugees stay only in a very short period of time in the community housing, the overall facilities and ‘freedom’ provided for refugees, help them to interact with the local community. With the help of JRS as facilitator which delivers a set of lessons, the refugees could catch up with the outside world and prepare themselves for future resettlement.

Herein, IOM and JRS played, although very limited, the developmental role of non-state actors as explained in the initial part of this paper. In economic aspect, IOM assisted by affording the community housing and weekly allowance- assistances that are not provided by the state, in this case, Indonesian government. In social aspect, IOM and JRS both nurture the refugees by daily assistance and other programme, i. e. socialisation programme in the surrounding community. In the political aspect, the assistance from the non-state actors make possible a system rhetoric of refugee protection.

The political aspect of the community housing and the assistance given to refugees there can further be elaborated by looking into to what extent has the community housing influenced the state’s policy. From this initial research, it is found that Indonesian government, in this case, Office of Immigration agrees upon the freedom of movement of refugees within Indonesia. They are treated as no different from citizens at some aspects. Nevertheless, we need to see this as a limited freedom; although permitted to go outside their housing, they are still not allowed to leave the province during the period of waiting for resettlement. Nor can they obtain other extended rights, i. e. rights to obtain driving license or rights to get married (Lakshana, 2014).

Furthermore, the political aspect can be examined by paying closer attention to the rhetoric of refugees’ rights being established in this assistance. As understood in the language of policy of Indonesia, in general, refugees are still regarded as people outside Indonesian citizenship system. Asylum seekers are detained in jail-like place and can only access to the community housing and some extent of freedom when UNHCR has decided that they are genuine refugees or when IOM and JRS granted their approval to help the asylum

seeker. In summary, albeit showing developmental role in its programme, we found the rhetoric about rights of asylum seekers as entitlement from the state instead of the rights inherent to the refugees. Consequently, any endeavor to assist refugees should conform to the national interest and immigration law.

Conclusion

IOM and JRS have done a crucial role whether it is through the assistance programs or the establishment of community housing itself. This answers our question about to what extent has these actors endorsed a new perspective about refugees. Community housing appears as an alternative to detention centers and together with the educational and recreational programs, it creates a perspective that refugees obtain the same rights as citizens. However, it is important to recognize that this perspective still entails the notion of ‘outsider’ attached to refugees and asylum seekers as community housing is only an alternative for refugees who received their status from UNHCR. Asylum seekers remain detained as illegal immigrants, confirming the grasp of their outsider status.

Furthermore, there is still one remaining question: how to engage local community as the smallest derivative of ‘international civil society’, thus allowing more community housing and alike activities to flourish in Indonesia? On the tip of the iceberg, Indonesia as a state considers the current international refugee regime specifically working in Indonesia is enough to overcome asylum seeker and refugees temporary stay in Indonesia. However, just like state has its limitation, non-state actors also has their own limitation usually comes from the aspect of funding and human resources.

Hence, humanitarian consciousness of local community in Indonesia should be encouraged. Local community should be aware that they are the smallest derivative of international society of an international refugee regime which could also contribute, encourage and enforce new norms, alternatives, mechanisms and methods objectively without losing its independence and neutrality. State, on the other hand, will be urged by this bottom-up initiative, leaving it no other option to cater its people concern.

REFERENCES

- Benhabib, S. (2006). The Philosophical Foundations of Cosmopolitan Norms. In Benhabib, S. (Ed.). *Another Cosmopolitanism* (pp. 13-44). New York: Oxford University Press.
- Betts, Alexander and Gil Loescher (eds), *Refugees in International Relations* (Oxford: Oxford University Press, 2011).
- Derrida, J. (2001). *On Cosmopolitanism and On Forgiveness*. London: Routledge.
- Edwards, M. (2009). *Civil society*. Polity.
- Edwards, M., & Hulme, D. (Eds.). (1995). *Non-governmental organisations: performance and accountability beyond the magic bullet*. Earthscan.
- Goodwin-Gill, Guy, *The Refugee in International Law* (2nd edn) (Oxford: Clarendon Press, 1996)
- Glick-Schiller, N. (2010). A Global Perspective on Transnational Migration: Theorizing Migration without Methodological Nationalism. In Bauböck, R. and Faist, T. (Eds.). *Diaspora and Transnationalism: Concepts, Theories and Methods*. Amsterdam: Amsterdam University Press.
- Hammerstad, Anne, *The Rise and Decline of A Global Security Actor: UNHCR, Refugee Protection, and Security* (Oxford: Oxford University Press, 2014)
- Helton, A. (2002). The price of indifference. *The Price of Indifference*.
- IOM Indonesia, *Alternatives to Detention IOM Indonesia* (IOM Indonesia Newsletter, Issue 4, September 2014).
- Kusumaatmadja, Mochtar. *Politik Luar Negeri Indonesia dan Pelaksanaannya Dewasa Ini*. (eds: Eddy Damian and Budiono Kusumohamidjojo) (Bandung: Penerbit Alumni, 1983)

Mathew, Penelope and Tristan Harley, Refugee Protection and Regional Cooperation in Southeast Asia: A Fieldwork Report (The Australian National University, March 2014)

Missbach, Anje, 2014, Refugees Lost In Transit In Indonesia, accessed from <https://newmatilda.com/2014/04/07/refugees-lost-transit-indonesia> on 2 November 2014.

McNevin, A. (2011). *Contesting Citizenship: Irregular Migrants and New Frontier of Political*. New York: Columbia University Press.

Nyers, P. (2003). Abject cosmopolitanism: the politics of protection in the anti-deportation movement. *Third world quarterly*, 24(6), 1069-1093.

Però, D. (2011). Migrants' Practices of Citizenship and Policy Change. In Shore, C. Wright, S. and Però, D. (Eds.). *Policy Worlds: Anthropology and Analysis of Contemporary Power* (pp. 244-263). Oxford: Berghahn

The Jakarta Post, Indonesia hosting close to 3,000 refugees: UNHCR, 21 June 2011, <http://www.thejakartapost.com/news/2011/06/21/indonesia-hosting-close-3000-refugees-unhcr.html>

UNHCR, 2014, 2014 UNHCR Regional Operations Profile - Southeast Asia, accessed from <http://www.unhcr.org/pages/49e488116.html> on 2 November 2014.

UNHCR, What We Do: Durable Solutions, 2014 <http://www.unhcr.org/pages/49c3646cf8.html>

Warner, David, 'The Refugee State and State Protection', in Nicholson, Frances and Patrick Twomey (eds), *Refugee Rights and Realities: Evolving International Concepts and Regimes* (New York: Cambridge University Press, 1999).

Interview

Interview with Lars Stenger (Jesuit Refugee Service), October 7 2014.

Interview with Lino Sanjaya (Jesuit Refugee Service), October 7, 2014.

Interview with Raden Dyka Lakshana (Kepala Sub Seksi Pengawasan Keimigrasian),
Kantor Imigrasi Yogyakarta, October 7, 2014.

Religion: a Hostile Peace

Dewangga Dura Dematar and Habibah Hermanadi¹

Abstract

This paper subsequently tries to bring the immortality of war into a discussion in order to answers questions on the subjects. Obviously, this paper takes its position on questioning the intersection between religion and the concept of war. Ironically, where the concept of religion as a prophecy of peace continues to be a matter of debate, evidence from the waging modern war is also continuously showing the unease of affection from religion. While Christianity was stopped to turn their other cheek under the command of Godfrey of Bouillon, now Islam is smudged from its self-defence credence and turned into an aggressive, bold minded image –a quest on finding a new Saladin. Given, the current fame of Jihad with a regard to previous circumstances, it is not surprising that the word itself has a different definition in western sense. Having considered this on-going drastic transformation process, it is also reasonable to look at the current problem blazing in the globe –Israel and Palestine, ISIS, and Central African Conflict.

Keywords: Religion, radicalism, peace

¹ Dewangga Dura Dematar is currently enrolling in Gadjah Mada University majoring International Relations, entering his second year Dewangga Dura had been an active writer who has a passion for academics research. Habibah Hermanadi is also a student in Gadjah Mada University, majoring in International Relations. A second year student who aspires of becoming a lecturer and a researcher.

Introduction

Why do men go to war? Why in the world does the essence of living only gained by triumphing over another man's carcass and declaring ourselves a winner become a culture worth standing for two millennia? How it could be, that killing someone, is a glory and magnificent chivalry? Our world has gone through changes for many centuries. More than two thousand years ago, ventures of peace and pacifism were introduced in a vertical relations to our creator. Nobody denies that the existence of religion itself is a peace gospel, an amalgamation of wits and virtue of humanity's best moral value: conscience. However, we cannot eloquently say that the peak of humanity is the start of religion itself. It is must be a very important note that eleven centuries after that, wars were conducted by the Catholic Church in the name of the Almighty. Words from the Holy Book were twisted, rapaciously paraphrased into a direct pursuit of heaven. War, at some points in human civilization, has become a way to represent our love to God. This point is also sustained with the existence of the strongest Icelandic warriors, the Jomsviking, who take their biblical guide from Odin and become a battalion of war lovers –war and love itself, distant words emphasizing the same amount of sorrow. There appears then to be acceleration in the growth of a similar model of propaganda, where Valhalla turns into Jannah and Odin becomes Jesus. The question remains the same, does religion still stand on the side of peace or has it been repacked into a foundry of soldiers?

This paper subsequently tries to bring the immortality of war into a discussion in order to answers questions on the subjects. Obviously, this paper takes its position on questioning the intersection between religion and the concept of war. Ironically, where the concept of religion as a prophecy of peace continues to be a matter of debate, evidence from the waging modern war is also continuously showing the unease of affection from religion. While Christianity was stopped to turn their other cheek under the command of Godfrey of Bouillon, now Islam is smudged from its self-defence credence and turned into an aggressive, bold minded image –a quest on finding a new

Saladin. Given, the current fame of Jihad with a regard to previous circumstances, it is not surprising that the word itself has a different definition in western sense. Having considered this on-going drastic transformation process, it is also reasonable to look at the current problem blazing in the globe –Israel and Palestine, ISIS, and Central African Conflict. This radicalism not only brings inter-religion massacre, but also an internal doom that holiness may favour only those who maliciously protect their belief –no matter what it is. In the final process, this paper will answer the question of cause, methods, and a focused explanation on how the transformation could have happened. Moreover, this paper will also provide a concentrated explanation on religious hostility –a shame religion should admit, and process it to answer why it is far easier to go to war for no physical interest under the banner of God than pursuing a calculative chivalry of personal wealth and gain.

Since the time religions were formed, clashes between them has never reached an absolute peace point –there is still war in the name of religion. From the Scandinavian pagan's raid on Catholic Northumbria to Crusaders taking their holy cross to fight Saracens, armed conflicts under the name of religion are deeply preceded in our history. Started from this occurrence, many misconceptions thus constructed around the idea of religion, making a certain predisposition towards what it may refers in the world today. Religion regarded as a community of anti-science, fanatics, and less-intellectual people. Superstition, as a part of religion, nowadays regarded as illogical and unethical factors to be included in someone's judgement. Therefore, the question lies on the eligibility to include unethical economic interest in the conduct of war. Is it true that religion has not only advantages us with social control but also produces the conduct of war?

Realism may define national interest as one universal independent variable and the implications on that must be proved to be benefited one's state. While pursuing its

interest, the conduct of norms and wisdom should be separated simply because those manners are illogically coherent with risk aversion. Satisfaction that does not imply a physical form of goods –or guaranteed bonds to future production, is currently taking a crucial part in the conduct of war nowadays and its danger is undeniable. Countries that has no correlation at all with one's war or civil society that affected indirectly under the umbrella of their belief have currently amusing themselves with the idea of common enemy, which obligate them to join in someone else's war. Given, spiritual satisfaction that includes murder, bombs, fighter jets and things that are very redundant in physical interest gain should be abolished. The conduct is destructive, life-taking, and created a spill-over effect all over the world.

Conflicts and Wars Fundamentally Caused by Religious Dispute:

International image-destruction of Islam on 9/11 tragedy has brought Islam at the paramount of religious radicalism. Nowadays, Islam has heavily prompted as a major threat to liberal structure and international security.² Bush's campaign on war against terrorism has declared international commitment to retaliate Islam radicalism with equal elimination. On that occurrence, Islam was posed as a terrorist believe, threatening not only international security but also our humanity. The brutality –with a spice on *inhumane* law, of Islamic law exposed and become one of the most condemned forms of order in the world, even until today.

The question thus flourished: is it true that Islam is now representing an assertive religion that does not indulge pacifism? Taking a simple example on how Hafez Al-Assad turned its chain reaction on how one's may use religion as not only a peace prophecy, but also a great persuasion to go to war, presence of such occurrence may become very dangerous. Hafez was famous for its greatness to turn Syria from a Middle East backwater into introverted regional power that endured as the centre of

² Djalong, F.F , "*Reorientalising Islam: Terrorism and Discourse on Evil*", Jurnal Ilmu Sosial dan Ilmu Politik, Volume 14, Nomor2, November 2010 (247-273), ISSN 1410-4946, pg. 247

unbending Arab's hostility towards Israel.³ During the time he ruled, Hafez was continuously represent himself as "*The New Liberator*" –Reminding people of Syria with Muslim's previous Glory in the Battle of Hittin 1187 under the greatest Muslim warrior ever existed, Saladin. Hafez was persuading his people through many lectures and emphasizing that he is the present representation of Saladin himself. Under his regime, the war with Israel has turned Syria deeply into chaotic condition, coloured with 1982 Hana Massacre –slaughtering estimated 20,000 of his own people, eliminating Syria's prosperity as a young vast-developing nation into chaotic, paranoid and hostile country.⁴ Assad was simply divided a classic war-method in Religious motivated occurrence. He used the basic structure of religion to divide humanity into two spheres. One sphere represent that society that believe in the same religion will also belong to the society, while the other who's not will be placed on "*unbelievers*", parting their role in society into a categories that does not belong to them. It's a simple analogy "*whoever does not belong to us is not a part of us. They are different and it is between "us" and "them"*". This society division will also provide them with a pessimistic view on one's to do well, as they have tendency to reflect their differences in negative way. The non-believers are seen as un-illuminated and sinful people. Therefore, one's religion is often condemning those who practice other religion or any form of *sinful* actions they observe in the society.

We also cannot deny that the religion has major predisposition towards certain race, certain practice, gender and sexuality. Almost every religion is homophobic. Given, their assertiveness on certain issue is undeniable –and can be used flexibly to justify a violent action based on arranged alphabets written hundred years ago. On the

³ MacFarquhar, N. , "*Hafez Al-Assad, Who Turned Syria Into a Power in the Middle East, Dies at 69*", New York Times, Published June 11, 2000, available at: <http://www.nytimes.com/2000/06/11/world/hafez-al-assad-who-turned-syria-into-a-power-in-the-middle-east-dies-at-69.html> , accessed at: 16 October 2014

⁴ Glyn, N. "*Assad's Useful Idiot*", National Review Online, available at: <http://www.nationalreview.com/articles/312450/assads-useful-idiots-noah-glyn>, accessed at: 15 October 2014

face of such criticism, the counterpoint lies on the idea of respect produced by religion. Ideally, I do believe that religion teach us with peace spirits and ability to respect others despite of their rationality or beliefs. Even the idea of Muslims itself is “*a peaceful religion but not a pacifist*”. However, we should also realize that human that able to combine the reality today with the religious text and amalgamate it with the afterlife may find violence is too easy to be justified. Yugoslavian Kosovo Conflict –collapsing negotiation between the Christian Orthodox Serbs, Catholic Croats and Muslim Bosnian, has truly emphasized that it will be obvious that there cannot be a peace between nations before they bestow to the idea of peace between religion.⁵ Religious identity in the heart of Balkan War was proving simplicity that an ethnic, border, or any other form of dispute can be easily justified or exaggerated by spicing the combination of myth and religion on it.⁶

Resolving the Issues by War Rules and Regulation:

The main idea of this paper would be the abolishment of our freedom to build a war campaign under the umbrella of religion. As we can see in our history, occurrence such as 11st - 17th Century Crusade, Israel and Palestine War, Balkan War, War in Iraq –Operation Dessert Force, and many more, have clearly helping many predictions and casual glance at world affairs’ suggestion that religion is at the core of much of the strife around the globe –war caused by the fracturing bonds between religion will be the start of numerous wars in 21st century.⁷ Given, a preparatory for managing the chaos should also be conducted in between. The danger of allowing someone’s to

⁵ “*Religious Aspect of The Yugoslavia –Kosovo Conflict*”, Religious Tolerance: Ontario Consultant on Religious Tolerance, available at: http://www.religioustolerance.org/war_koso.htm , accessed at: 15 October 2014

⁶ A.J. Rubin, “*Religious Identity at the Heart of Balkan War*,” LA Times, April 18, 1999 at: <http://articles.latimes.com/1999/apr/18/news/mn-28714>, accessed at: 15 October 2014

⁷ Brahm, E. “*Religion And Conflict*”, Beyond Intractability.Org, November 2005, available at: <http://www.beyondintractability.org/essay/religion-and-conflict>, accessed at: 18 October 2014

spread “*The God is in our side*” and assemble a religious-based propaganda on such matter is real, and the necessity to be abolished is crucial.

The first clause we need to convince is the idea on “*Spill-over effect*” itself. No one could deny that religious war will be generalized and even taken for granted by those who believe them, despite his nationality, ethnic and life’s background. International call for religious war can be exceeded to the whole society of one’s religion. As an example, Indonesia, which has no correlation with war happened in Israel-Palestine, have its civilians under the umbrella of certain religious organization, to be sent as volunteers to Palestine.⁸ Not to mention the new establishment of ISIS – Islamic State of Iraq and Syria, Now ISIL, Islamic State of Iraq and the Levant, that was taking volunteers internationally under many approaches, mainly religious one, and placed them directly to war ground.⁹ This occasion thus created an atrocious use of Religion as an instrument of assembling an army –which is should be trampled and removed from nowadays civilized, regulated conduct of war. The war should stop promising great honour in the afterlife –commonly adapting the Icelandic concept of Valhalla and bestow them with the noble way as the warrior of their lord. Therefore, a regulation, or restriction, to declare a war and naming it on one’s preference of faith should be created and set as the corner stone in the conduct of modern warfare.

To campaign a war under one’s religion will also impacting the religion’s image in general. No one would deny that there is a shifting predisposition towards Islam after 9/11 happened. Not to mention how anti-Muslim bigotry is worse than ever –a backlash

⁸ Widiyanto, E. Shomuddin, I. “*Israel Serang Gaza, FPI dan PKS Jatim Kirim Relawan*”, Tempo.co, Friday, 23 November 2012, Malang, Available at: <http://www.tempo.co/read/news/2012/11/23/058443702/Israel-Serang-Gaza-FPI-dan-PKS-Jatim-Kirim-Relawan>, Accessed at 11 October 2014

⁹ Morris, S. Taylor, M. “*Father of Isis Volunteer: My Son has betrayed Britain*”, The Guardian, Sunday, 22 June 2014, available at: <http://www.theguardian.com/world/2014/jun/22/father-isis-video-son-betrayed-britain>, accessed at: 18 October 2014

to Muslim and Middle East American after Al-Qaeda commit the attack.¹⁰ The marginalization of Muslim from the category of Peaceful Religion thus flourished into the idea of “*Assertive Religion*”. It is noted that Judicial system in Muslims’ still taking partial punishment (cutting certain part of your body to eliminate the sins committed by it) and thus prevailed the image that Muslim does not have conscience and does not fit to the modern society. Given, Nowadays, Muslim’s image has constructed into the point where it is taking immense fame from violence, discrimination, sexist, terrorist bombing and homophobic image.

Case Study: The Israel-Palestine Conflict – Fulfilling God’s wills

The Middle Eastern is well known for its endless war, the people who resides are always known for their enthusiastic upbringing regarding religion and through applying religious values that could justify their actions good or bad. In a way religions teach only good things and deeds to the believers. In other cases it led into never ending war that the political system itself could not understand and see any silver lining that could end the conflict peacefully. However, the Israeli-Palestinian war had been known for decades, the separation of Jewish, Islamic, and Christian states made thousands of men and women suffer for years. Nevertheless, it is rather dull to see the conflict only on the eye of historical background; the condition must be evaluated from every existing aspect. The condition is Post-Palestinian nationalism and the rising of Jewish state into less common terms such as Pan-Arab and the unity of Zionism. In the general idea people would see the Palestinian-Israeli war is a war on ideology; when religions stand on each other’s way.

In understanding this and the relevance of this case is that This conflict is not a sign of struggle for power. In order to be on that state the power of both candidates

¹⁰ Obeidallah, D. “13 Years After 9/11 , Anti-Muslim Bigotry is Worse than Ever”, The Daily Beast, 9 September 2014, available at: <http://www.thedailybeast.com/articles/2014/09/11/13-years-after-9-11-anti-muslim-bigotry-is-worse-than-ever.html>, accessed at: 18 October 2014

must be taken into consideration, the Israelis and Palestinians are most definitely standing on different state of power. This conflict is what is known to be the clash of civilization or the kind of chaotic illogical cultural based conflict with hard resolutions. The greatest advantage of Huntington's civilization model of international relations is that it reflects the world as it is-not as humans wish it to be¹¹. It allows nations to distinguish friends from enemies. And it helps each nation to identify the internal conflicts within civilizations, particularly the historic rivalries between Arabs, Israel, of any leadership on the Islamic front.

Firstly, to avoid misconception it is needed to be understood that the area was occupied by many kingdoms during long period of time, however it could be said that there was no true ruler of Jerusalem or known as the Promised Land. This land had always been a holy territory for 3 major religions in the world: Islam, Christian, and Jew. Jerusalem was under the ruling of Roman then the Byzantine; however the Muslim caliphates grew strong and take over Jerusalem by the end of the crusade. After years of changing from the Umayyad to Abasiyah and finally the Ottoman Empire, in 1917 the British conquest the area and created a British mandate for Palestine on 1922 under the supervision of the League of Nations. It was stated that Palestine became “the historical connection of the Jewish people with Palestine,” Great Britain was called upon to facilitate the establishment of a Jewish national home in Palestine-Eretz Israel (Land of Israel). Shortly Afterwards, the League of Nations and Great Britain decided the provisions for setting up a Jewish national home.¹²

¹¹ Hirsi Ali, Hayaan, “How to Win the Clash of Civilizations,” (online) August 2010, Wallstreet Journal <<http://online.wsj.com/news/articles/SB10001424052748703426004575338471355710184>> (accessed on 12th January 2014)

¹² Jewish Virtual Library, “British Palestine Mandate Overview” (online) <<https://www.jewishvirtuallibrary.org/jsource/History/mandate3.html>>, American-Israeli cooperative Enterprise (accessed on 12th of January 2014)

In 1947 The past leader of the Zionist group, Ben Gurion annihilated the idea of separating two states of Palestine¹³, because it was believed that the Jews needed separation, a sovereign state of Jew in Eretz Israel, different from the Arab State, Palestine. The day after the declaration, The Arabs did not accept the partition and war broke out. The Jews won a decisive victory, expanded their state and [created several hundred thousand Palestinian refugees](#)¹⁴. The Arab states refused to recognize Israel or make peace with it. It was the Egypt, Lebanon, Syria, Jordan, Iraq, and Iran who flew their first shot towards the Israel after the declaration. Thus ruining the good relationship between Arabs and the Zionists since the First World War

Analyzing this conflict with the spectacle of humanitarian perspective is critically sensitive, because what was thought to be the end of this conflict eventually prolonged the conflict. The world ideally wanted a peaceful end towards the situation, where the application of dual-state-solution came into reality. A peaceful end for all the parties, however even series of negotiation had been conducted it is still very unlikely to put an end or to pause the ongoing decades of war, due to the ambiguous reasons. There are several hypotheses regarding the ongoing war, through series of observation the clash that happened between Palestine and Israel is no bigger than the clash of territorial. However, it is not impossible for both parties to prolong the war under the banner of religious war, religion apparently is one of the culprits which could also take the blame out of this conflict. In the international relations' disciplinary of subject it is rather irrational to conduct a war based on religious facts and history, in this matter the land which is being fought over meant very much for both of the parties. The Arab-Muslim religious philosophy of Jihad, of forceful conquest and conversion

¹³ Israeli Ministry of Foreign Affairs, "Centenary of Zionism: David-Ben Gurion Zionist Leader" (online), <<http://www.mfa.gov.il/mfa/aboutisrael/history/pages/zionist%20leaders-%20david%20ben-gurion.aspx>> (accessed on 12th of January 2014)

¹⁴ Mideast Web, "The Israel-Palestine Conflict in a Nutshell," (online), <<http://www.mideastweb.org/nutshell.htm>> (accessed on 12th of January 2014)

finds its violent expression¹⁵. Islamist groups already declare that their aim is to re-establish one Muslim Nation (Islamic ummah) encompassing all Muslim nations, ruled by Islamic law replacing secular governments.

Despite all the desire of the peaceful ending, the movement of anti-Semitism which is taught by the Arabs still roams free on most people minds. Anti-Semitism is when Arabs condemn and single out Israel in international forums. This movement is acceptable in the time of conflict, showing the power of influence to get others sympathy especially during the time of war. The Arab countries which are mostly Islamic nation is trying to get the attention from their Islamic brothers, putting Israel on the antagonistic ride. The Israeli is not much different, by using the historical fact of post Second World War where the holocaust happened, the only Jews state with solemn purpose of protecting Jews will most definitely get attention from the WWII's actors. In an amusing way, the two religions are the divas of wars which have legitimate justification towards their teachings of eliminating each other's.

Simply it will be far more understandable if the goal of all actors was to end the conflict, then no one must put their personal agenda especially if it just because for the sake of religions. The Arabs and Israelis must understand their upbringing and tendency of being violence when it comes to protecting God's wills. It would be far beneficial for both parties if the part of God's will executed from the first place, however the concept of faith which is rooten in the soil of Middle East had been planted long enough to eliminate it. Both of the parties must understand the country's identity and be wise enough by putting an end towards the civilian's misery. The Palestinian should understand that within their internal body there is a case of Fatah and Hamas which must be done far more paramount than just jihad, or the fight over to create a Jew's state or not to and the Islamic solidarity given by other nations which hampered

¹⁵ Israel Science and Technology Homepage, "Arab-Israeli Conflict: Role of religion" (online), <<http://www.science.co.il/Arab-Israeli-conflict-2.asp>> (accessed on 12th of January 2014)

the situation. If in practice this is what religion can offer therefore this is a very legitimate reason to put an end, in terms of jurisdiction. A war, at all time, must be based for the sake of bringing a better situation for the civilization. By protecting what happened in the past should not be prioritized in the realist approach. Religion shall never be the main purpose of a country, because secularism is what keeping everything objective. If they really wanted peace in the first place, both parties might be secularists and put the fact that the fight was all based on the holy land behind them.

Bibliography

A.J. Rubin, "Religious Identity at the Heart of Balkan War," LA Times, April 18, 1999 at: <http://articles.latimes.com/1999/apr/18/news/mn-28714>, accessed at: 15 October 2014

Brahm, E. "Religion And Conflict", Beyond Intractability.Org, November 2005, available at: <http://www.beyondintractability.org/essay/religion-and-conflict>, accessed at: 18 October 2014

Djalong, F.F , "Reorientalising Islam: Terrorism and Discourse on Evil", Jurnal Ilmu Sosial dan Ilmu Politik, Volume 14, Nomor2, November 2010 (247-273), ISSN 1410-4946, pg. 247

Glyn, N. "Assad's Useful Idiot", National Review Online, available at: <http://www.nationalreview.com/articles/312450/assads-useful-idiots-noah-glyn>, accessed at: 15 October 2014

Hirsi Ali, Hayaan, "How to Win the Clash of Civilizations," (online) August 2010, Wallstreet Journal <
<http://online.wsj.com/news/articles/SB10001424052748703426004575338471355710184>> (accessed on 12th January 2014)

Israeli Ministry of Foreign Affair, "Centernary of Zionism: David-Ben Gurion Zionist Leader" (online),
<<http://www.mfa.gov.il/mfa/aboutisrael/history/pages/zionist%20leaders-%20david%20ben-gurion.aspx>> (accessed on 12th of January 2014)

Israel Science and Technology Homepage, "Arab-Israeli Conflict: Role of religion" (online), <<http://www.science.co.il/Arab-Israeli-conflict-2.asp>> (accessed on 12th of January 2014)

Jewish Virtual Library, "British Palestine Mandate Overview" (online)
<<https://www.jewishvirtuallibrary.org/jsource/History/mandate3.html>>, American-Israeli cooperative Enterprise (accessed on 12th of January 2014)

MacFarquhar, N. , "Hafez Al-Assad, Who Turned Syria Into a Power in the Middle East, Dies at 69", New York Times, Published June 11, 2000, available at: <http://www.nytimes.com/2000/06/11/world/hafez-al-assad-who-turned-syria-into-a-power-in-the-middle-east-dies-at-69.html> , accessed at: 16 October 2014

Mideast Web, “The Israel-Palestine Conflict in a Nutshell,” (online),
<<http://www.mideastweb.org/nutshell.htm>> (accessed on 12th of January 2014)

Morris, S. Taylor, M. “*Father of Isis Volunteer: My Son has betrayed Britain*”, The Guardian, Sunday, 22 June 2014, available at:
<http://www.theguardian.com/world/2014/jun/22/father-isis-video-son-betrayed-britain> , accessed at: 18 October 2014

Obeidallah, D. “*13 Years After 9/11 , Anti-Muslim Bigotry is Worse than Ever*”, The Daily Beast, 9 September 2014, available at:
<http://www.thedailybeast.com/articles/2014/09/11/13-years-after-9-11-anti-muslim-bigotry-is-worse-than-ever.html>, accessed at: 18 October 2014

“*Religious Aspect of The Yugoslavia –Kosovo Conflict*”, Religious Tolerance: Ontario Consultant on Religious Tolerance, available at:
http://www.religioustolerance.org/war_koso.htm , accessed at: 15 October 2014

Widianto, E. Shomuddin, I. “*Israel Serang Gaza, FPI dan PKS Jatim Kirim Relawan*”, Tempo.co, Friday, 23 November 2012, Malang, Available at:
<http://www.tempo.co/read/news/2012/11/23/058443702/Israel-Serang-Gaza-FPI-dan-PKS-Jatim-Kirim-Relawan>, Accessed at 11 October 2014

**THE CONTRIBUTION OF POST CONFLICT-EDUCATION TO SOCIAL
TRANSFORMATION, IDENTITY RECONSTRUCTION AND
SUSTAINABLE DEVELOPMENT**

Aswin Ariyanto Azis, SIP. MDevSt¹

The central, primary challenge of re-building war-torn societies has to do with mending relations and with restoring dignity, trust and faith ... More than the physical, institutional or systemic destruction that war brings, it is ... the destruction of relationships ... that has the potential to undermine the solutions to all other problems... (UNRISD, 2000).

Introduction

The role of education in post conflict reconstruction has become increasingly important and gained much greater acknowledgment in development studies in recent years. Education is increasingly accepted as an integral part of humanitarian response in emergencies. It can help conflict-affected community and individual to return to normalcy, safeguard the most vulnerable, provide psychosocial care, promote tolerance, unify divided communities and begin the process of reconstruction and peace building.

¹ The writer is a lecturer in International Relations Department and also head of program study of Government Department in University of Brawijaya. He got his bachelor degree in International Relations from Hasanuddin University in 2002 and Master degree in Development Studies from University of Melbourne in 2007.

However, research also suggests that education can encourage intolerance, create or generate inequality and intensify social tensions that can lead to civil conflict and violence. Education is a key determinant of income, influence and power. Inequalities in educational access can lead to other inequalities – in income, employment, nutrition and health as well as political position, which can be an important source of conflict (Johnson and Kalmthout, 2006). Hence, education has potential to either aggravate the conditions that lead to conflict or to heal them. Nonetheless, the unavoidable conclusions must be that ignoring education, or postponing it, is not an option (World Bank, 2005)

This essay attempts to answer question on how post-conflict education be able to contribute to social transformation, identity reconstruction and sustainable development. I argue that education in general has a key role in both preventing conflict and rebuilding fractured post-conflict societies. I agree with Sarbib and Salmi (2005) on their foreword of ‘Reshaping the Future’ that even when it is part of humanitarian response, education is a development activity and must be undertaken with a development perspective if it is to contribute reversing the damage and to building resilience to prevent further violence conflict.

To explain this argument, I will start by discussing the emergence of education and its significance in post-conflict reconstruction. Secondly, I will explain briefly the relationship between education and conflict. Finally, I will discuss on why

education plays a significant role in post conflict reconstruction in terms of social transformation, identity reconstruction and sustainable development.

Education and Post Conflict Reconstruction

The emergence of education as priority in post-conflict relief

In emergency situations, historical evidence and practices suggest that education is given low priority. Even though support for education has been provided as part of foreign assistance since the Bretton Woods institution were created, most bilateral donors did not articulate support for education during humanitarian crises (natural disaster, or complex emergencies) as a deliberate policy intervention, separate from education for development, until recently, and some have not yet done so. Prior to the 1990's, most agencies maintained separate operations that responded to humanitarian crises without including education activities. Education services that were delivered in refugee camps maintained by international agencies-for example, in Vietnam, the Occupied Palestinian Territories, and Guatemala-were an exception to this pattern, but these interventions were not institutionalized under a broad education policy (Burde, 2005).

The Asian Tsunami in 2004 which has prompted a widespread humanitarian response, however, has indicated a significant shift on humanitarian action.

Education, often an afterthought in a response to a disaster, now surprisingly becomes a high priority.

According to Burde, providing education services as part of humanitarian response challenges many of the assumption on which humanitarian action is based, breaking down division between relief and development (Burde , forthcoming in Burde, 2005).

She further explained that the shift to a new approach, where policy makers challenge the persistent paradigm that dichotomizes humanitarian action from development, based on several reasons. First, the logic of the relief/development division is not meaningful for populations caught in these crises. For those crisis-affected people, returning to normalcy is way to cope with the crisis and education is seen as key ingredient in the process toward it. Second, the violent conflict nowadays has a new type and form which requires innovative responses. Numerous conflicts happen recently are intra-state where the victims are mostly civilians, creating a large number of refugees and internally displaced people. Hence, the expanded impact of conflict on civilians violates international norms and laws of war, and therefore requires response that protects the rights of these civilians, which include the rights to development activities such as education (Burde, 2005)

She then argues that after September 11, policy makers in many donor countries re-examined the humanitarian development paradigm with special scrutiny toward the

quality of, or lack of, education support to disaster and war-affected populations. Concerns over the role that education may play in stoking violence have added weight to the confluence of conflict-related issues (Burde, 2005). Hence, promoting education programs is no longer seen only as a charitable endeavor; many consider it essential to promoting security (United States Agency for International Development [USAID], 2002; 2004; World Bank, 2005).

Today, the critical role of education is being increasingly recognized. This increased attention to education in relief work is reflected in the rising numbers of programs, the greater funding available for this purpose, and the expanded role for education policies in post-conflict state building. The inclusion of education in the UN Consolidated Interagency Appeals (CAPs), for example, is an illustration of the importance attached to the role of education.

The importance of education at times of war or in post-conflict

While it is recognized the importance of post-conflict initiative which aims to provide “minimum acceptable level” of emergency humanitarian assistance such as water supply, food aid and health services, there is growing awareness that these tangible activities while unavoidable, are alone inadequate to address the human depth of conflict experiences and impacts. Hence, it is important to promote long-term strategic planning and analysis from a sectoral and rights perspective. Here education comes for its role for human development and peace. Rights can be promoted within and through education.

However, the question is why education should be a priority when unquestionably the main concern should be to protect children from violence. The answer would be that education is actually a way to protect children from violence.

Education in emergency situations can provide structure and stability for children and adults traumatized by conflict and displacement. School can serve as a fundamental protection tool for the most vulnerable children. It can also provide life-saving information on landmines, HIV/AIDS prevention and health care (Henniger & Anderson, 2005). Education programs seek to protect children by providing cognitive and intellectual tools for them to make better decisions, exposing them to new ideas, and ensuring that they are physically counted (SC Alliance, 2005).

Attending school can minimize the chance that a child will be recruited into a gang or a fighting group, be sexually or economically exploited, or exposed to other risks. Whereas conflict made girls are more prone to rape and other forms of gender-based violence, attending school will provide them security and lessen those threats. (Henniger & Anderson, 2005)

Henniger also suggest that education will provide children with cognitive skills, give them hope for a better future and also teaches them the importance and meaning of life; lessons on peace building and conflict resolution help decrease the

chance of future violence. Education is crucial to economic and social recovery, without basic educational skills, societies lack the educated workforce essential for post-war reconstruction (Henniger & Anderson, 2005).

In addition, conflict often happens in poor countries where women and girls are the most disadvantaged group in the matter of education. On the other hand the women and the girls have to do a lot of jobs-all household work- such in poor countries including taking care of the children, agricultural job particularly after harvest the processing of grains, taking care of the livestock, fetching water; they are to gather fuel for cooking and they are to look after the sanitation of family. But their contributions towards development and post-conflict reconstruction are not normally recognized. They do not have any decision making power in the family or in the society. This is particularly because the women and the girls have no education in most cases, skill training among the rural women and girls in poor countries is almost non-existent and so they cannot take up wage employment, the scope of which is, however, extremely limited. To their disadvantage, they have no adequate capital to undertake income generation activities. (MacPherson, 1998). Hence, education is expected to help bring out these women out of vicious cycle of structural poverty.

During conflict, education as a right is often neglected. Need to bear mind that education is a right. This right is often lost in countries at war. However, war and conflicts provide no exception to the Convention on the Rights of the Child, which

elaborates in article 28 the right of the child to education. The convention recognizes the right of every child to a free primary education and encourages development of secondary education that is accessible and available (Roger, 2002).

Indeed, schooling can be all the more vital for children and families in times of crisis. Unfortunately, there are plenty challenges have to be tackle in order to maintain education systems in countries at war or in post-conflict situations. A number of actions are urgently required to preserve and protect the right to education for affected by war. Awareness of keeping school to work during conflict and post-conflict is one of those actions. It is imperative not to ignore the valuable contribution that education can make as an efficient means to promote reconciliation and peace (Roger, 2002).

However, education particularly peace education is an extremely difficult task in war and post-war situations. Almost all studies of children in conflict show how deeply damaging war and violence are in the lives of young people, even when they are physically harmed and show only 'normal' reactions. When children are living in war circumstances or have problems which are caused by a war situations, peace education has to start with as much restoration of normal conditions as possible. This is not only restoration in a material or physical sense; it is also a matter of mental recovery. Children have to overcome their sorrow by mourning, utterance of anger, and integration of the experience of violence in a way that is not self-destructive. This is an extremely hard and often time-consuming task (Raviv, 1999).

After this, according to Vriens (Raviv, 1999) in his essay, educators can try to help them to orient themselves toward the new positive possibilities of overcoming enmity and toward taking co-responsibility for peace. In this situation, he suggest that it can be helpful to offer children peace heroes to identify with as an alternative to their past war indoctrination (Raviv, 1999). Hence, again education, particularly peace education plays vital role in saving the children and their future.

Bearing in mind that according to UNESCO, more than half of the estimated 104 million children globally who do not attend school are living in countries affected by-or recovering form-conflict. Education is one of the first things lost when people are displaced. Lack of education is both a violation of children's basic human rights and the biggest threat to any hope for a peaceful recovery of a war- torn society (Henniger & Anderson, 2005).

In her essay, Lori (2005) argues that the international community must make education a high priority in emergency response plans; donors must allocate funding for education at the onset of an emergency; quality of the education must be a main concern; and the humanitarian organizations and community members must coordinate better.

She further explains that to meet those challenges, the Inter-agency Network for Education in Emergency have created the first-ever set of global Minimum Standards for Education in Emergencies. These Minimum Standards are designed

to provide a universal framework for appropriate and quality education programs throughout all stages of an emergency. These standards are the first step toward ensuring that education programs in emergency situations lay a solid foundation for post-conflict and disaster reconstruction.

The relationship between conflict and education

The relationship between conflict and education serves policymakers with conundrum. Education and its system produce the skills, values, attitudes and social relations of dominant groups in society; accordingly, they are usually a contributory factor in conflict. Simultaneously reconstructing and reforming education is increasingly viewed as a critical element in the strategy to reduce the risk of conflict or relapse into conflict (World Bank, 2005).

Across the world there is an urgent need to challenge the assumption that education will inevitably create a peaceful and equal society. Indeed it is true that education can be used as a solution for a broad spectrum of social ills and that formal education can shape the understanding, attitudes, and ultimately, the behavior of individuals. But if it is true that education can create a peaceful and equal society, then it is equally evident that it can have a socially destructive impact. It is important that education take deliberate and conscious steps to dissolve interethnic conflict (Peacebuilding).

In areas of conflict education is often a part of the problem. As an example, The Report of the Fiji Islands Education Commission 2000 claims “serious lack of understanding between Indo-Fijians and Indigenous Fijians” and this lack of understanding derive from a deeply complex history and current thinking within Fiji. Many educators in Fiji have failed to make education an agent for change by insisting on a traditionally-determined curriculum which is less relevant to more than 50% of the population. Indeed history and language have an important place in education but the challenge is not to move back in time and embrace traditions as a sole working tool to resolve issues of today as this alienate the non-indigenous part of the population. The requirements for turning away from inter-ethnic suspicion, bitterness and conflict are deceptively complex (Peacebuilding).

To deal with such problem, in Northern Ireland the Education for Mutual Understanding Initiative introduced in schools, aims to increase tolerance and greater cross cultural understanding by educating and informing across conflict lines about the rich cultural and historical heritage of the parties to the conflict, to promote learning about self respect, and respect for others, and by contributing to the improvement of relationships between people of differing cultural traditions. The objectives of education for mutual understanding state that as an integral part of their education the themes should enable pupils to learn to respect and value themselves and others; to appreciate the interdependence of people within society; to know about and understand what is shared as well as what is different about their cultural traditions; and to appreciate how conflict may be handled in non-violent ways (Smith and Robinson 1996).

Overall, conflict which has been conceptualized as ‘development in reverse,’ should be analyzed in the context of its impact on development. Reducing poverty and decreasing reliance on primary commodity exports, both of which require a functioning and effective education system, have been shown to be critical strategies for reducing the risk of conflict. Ethnic or religious dominance rather diversity is also a powerful contributory factor in civil conflict; education has a key role in mediating or deepening ethnic, religious, and other identity-based conflicts. Civil war itself increases the likelihood of further outbreaks of conflict. Education that helps to build stronger resilience to conflict is therefore a critical strategy for post-conflict reconstruction (World Bank, 2005).

Education for social transformation, identity reconstruction, and sustainable development

Education mostly accepted as the most important tool for both accumulation of social assets and formation and accumulation of social capital. This has been proven by research across disciplines, over time. This is also why educational development occupies a central position in social development in most societies. Many countries where the levels of education are low or achievements are biased, the aim should be either to improve educational levels or reduce inequalities (Nayar, 2004).

An equitable way of social transformation means basic needs of people are placed before predatory pursuits of economic growth. It recognizes that health, well-being, security of people depends upon fair distribution of resources and power. It involves people’s participation in decision-making concerning their lives (Nayar, 2004). In

most cases, economic growth would be likely to reduce the tendency to conflict, if it is equitably distributed. Equitable and poverty reducing growth would normally be likely to reduce horizontal inequality, and might make persisting inequalities more bearable. Hence policies that succeed in promoting such growth should form part of any pro-peace policy package. But it should be taken into account that the growth must be widely shared. Inequitably distributed growth can re-enforce horizontal inequality and thus be conflict-promoting, as for example occurred in Rwanda. To simplify, a fairly distributed economic growth will prevent conflict while fail to do so will create one.

There has been plenty of policy analysis which has been devoted to explain the conditions for widely shared growth. Policies include measures to promote human development especially through the spread of education is considered help to prevent conflict or escalation of conflict.

In terms of education for sustainable development (ESD), the concept dates back to the Brundtland Commission's report in 1987, but it really gathered momentum after 1992 United Nations Conference on Environment and Development (UNCED) in Rio de Janeiro. The significance of ESD for development education is its conscious aim of addressing environment and human development concerns in a holistic, educational context. Proponents of ESD suggest that environment and development organizations share common concerns in regard to the sustainability of the planet and its people and, therefore, make natural bedfellows in the field of education.

Development and environment groups also share the pedagogical practice of participative learning and encourage active citizenship in promoting sustainability. There is also some overlap in the content of environment and development education-models of economic growth, the use of natural resources, the quality of life, etc. - that lends itself to a more complete understanding of sustainable development issues. In contrast, some development educators have argued that ESD is not partnership of equals, with the more public friendly environment message eclipsing or minimizing the importance of human development. They also argue that ESD is not a simple hybrid of environment and development education, and adopting such a perspective can traduce their respective agendas for change (McCann & McCloskey, 2003).

Education for sustainable development, as defined by UNESCO, is not merely a synonym for environmental education. Rather, it is the educational process of accomplishing sustainable human development--including economic growth, social development and environmental protection--in an equitable manner. Thus, educational programs for sustainable development may include both formal and informal initiatives for poverty alleviation, human rights, gender equity, cultural diversity, international understanding, and peace. Challenges exist in implementing these concepts within education, such as incorporating sustainable science into curricula; strengthening collaboration between different levels of education; and compensating for the unequal access to information and knowledge in different parts of the world (editorial, 2005).

However, the concept of ESD has fast become part of the development lexicon in Western countries since the Rio conference despite its addition to the myriad labels and acronyms that plague the development sector. The term has become even more consolidated in the public consciousness following the world summit on Sustainable Development (WSSD) held in Johannesburg. The summit was a follow-up to the Rio conference, with the aim of agreeing targets and timetables for addressing key environment and development concerns such as global warming, lack of sanitation and clean water in poor countries, the spread of HIV/AIDS and the eradication of natural wildlife and plants. Although the summit plan's of action fell woefully short of agreeing concrete and measurable steps for addressing its main agenda points, the event's international media coverage galvanized a worldwide discussion on sustainable development issues. Thus, development and environment issues will become increasingly integrated in the strategizing and policy-making of governments and NGOs in the future (McCann & McCloskey, 2003).

Moreover, the practice of ESD reinforces the need for healthy and vibrant development and environment sectors rather than threatening their very existence. ESD could represent a significant opportunity for development education to secure a stronger foothold in mainstream education as part of broader set of strategic relationships with statutory and non-statutory partners.

Conclusion

Society emerging from conflict faces daunting reconstruction challenges. Priorities are sometimes difficult to determine in post conflict or in emergency situations. Here, humanitarian assistance cannot be reduced merely to the supply of food, medicine, and blankets; that there must be a close link between the concepts of ‘relief’ ‘rehabilitation and ‘long-term development. There is growing recognition of the principle that the victims of conflict have an equally inalienable right to education as all other human beings.

Here again, education-in its broadest sense – has a key role to play not only, in building the bases of democratic citizenship; not only in alleviating the physiological after-effects of conflict for young people; but also in ensuring that all sections of the population who have been excluded because their age, sex, ethnic origin, religious beliefs, political or economic situation, or geographical position are given a real opportunity to be brought back into social and working life. Overall, education plays vital role in social transformation, identity reconstruction and sustainable development.

REFERENCES:

Editorial Introduction: Education for sustainable development: Changes and Challenges, 2005, 21 April, available at:
<http://www.tc.columbia.edu/cice/Archives/7.2/72edintro.pdf>

Burde, Dana, (ed), 'Education In Emergencies and Post Conflict Situations: Problems, Responses, and Possibilities, Society for nternational Education Teachers College, Columbia University, New York, available at:
http://www.ineesite.org/core_references/TCJournal_Vol205.pdf

Henniger, Lori & Anderson, Allison 2005, 'Education conflict zones': the vital step to better tomorrows, *The Center for War, Peace and the News Media*, 20 June, available at:
www.bu.edu/globalbeat/syndicate/heninger-anderson062005.html

Johnson, David & Kalmthout, 2006, Editorial, FMR Education Supplement Available at: www.fmreview.org/FMRpdfs/EducationSupplement/01.pdf

MacPherson, S. & Wong H. (eds) 1998, *Social Development and Societies in Transition*, Ashgate, Aldershot

McCann, G. & McCloskey, S. 2003, *From the Local to the Global: Key Issues in Development Studies*, Pluto Press, London

Nayar, U. 2004, 'Education for social transformation: a collective step forward,' *The Journal of family Welfare*, vol 50, No. 1, available at:
medind.nic.in/jah/t04/i1/jaht04i1p9.pdf

Peace Building in Education, Live and Learn: Environmental and Development Education, available at:
http://www.idea.org.au/liveandlearn/method/peace_building.asp

Raviv, A. & Oppenheimer, L. 1999, *How Children Understand War and Peace: A Call for International Peace Education*, Jossey Bass Publishers, San Fransisco

Roger, I. 2002, 'Open forum: Education for children during armed conflicts and post-conflict reconstruction' in *Disarmament Forum Children and Security*, ed. Vignard, K., no. 3, pp. 45-50, available at: www.unidir.org/pdf/articles/pdf-art1731.pdf

Save the Children Alliance, Spring 2005, *Protecting children in emergencies*.

Policy Brief. Westport, CT: Save the Children.

Smith, A. & Robinson, A. 1996, *Education for mutual understanding: The initial statutory years*, University of Ulster, Coleraine.

USAID. (2002). *Foreign aid in the national interest: Promoting freedom, security, and opportunity*. Washington DC: USAID. Available at: <http://www.usaid.gov/fani/>

USAID. (2004). Available at: http://www.usaid.gov/our_work/cross-cutting_programs/conflict/

UNRISD (United Nations Research Institute of Social Development) 2000, 'Rebuilding after war: Lessons from the war-torn societies project, <<http://www.unrisd.org/wsp/wsp.htm>>

World Bank. (2005). *Reshaping the future: Education and post conflict reconstruction*. Washington, DC: World Bank Group. Available at: www1.worldbank.org/education/pdf/Reshaping_the_Future.pdf

International Humanitarian Action Forum (IHAF) 2014

Thursday, November 6 2014

13.30 – 15.30

Moderator: Eva

The panel discussion was opened by the moderator, Eva, by introduced herself and also the presenters.

The first presenter was Fredy Torang Widiyanto, a graduate student in Center for religious and Cultural Studies. He was the assistant for Mr Suhardi, the writer of the paper about The Obstacles of Faith Based Humanitarian Organization in Indonesia. He started to explain the problem in Indonesia as developing country which is facing so many problems. One of the problems was the uneven development which triggers the proliferation of Non-Governmental Organizations (NGO's) in this country. There are two kinds of NGO's which have important role in humanitarian actions, the Faith Based NGO's and Secular Based NGO's. The paper tried to explain on how the faith based humanitarian organizations affect the humanitarian actions in Indonesia. Because somehow they bring evangelic mission in every action they do which is not suitable with the principle of impartiality in humanitarian action itself.

Muslim Aid, Dompot Dhuafa, Catholic Relief Services (CRS) and US Caritas are the examples of faith based NGO's in Indonesia. The presenters then started to explain the role of those organizations, the background, the religion values that they try to bring and the obstacles they faced in Indonesia. He also compared the work of two faith based humanitarian organizations, Muslim Aid and CRS. According to Laura S, there are three kinds of Faith Based Humanitarian Organization, Accommodative Humanitarianism, Synthetic Humanitarianism and Evangelic Humanitarianism. Accommodative Humanitarianism tries to emphasize the humanitarian values and religion is only a symbol to raise fund. Meanwhile the Synthetic Humanitarianism still bring the religion values and combine them with the humanitarian values. And the Evangelic Humanitarianism means that the

organization intentionally try to spread the pure religion values and the aid that they give is a way to make people accept their religion.

Mr. Fredy then compared two faith based organization in Indonesia, Muslim Aid (MA) and CRS. MA penetrated Islamic values in its action by providing special kind of donation to help Islamic humanitarian cases only. The objective is to gain more donations from the fundamentalist donators who somehow only want to donate for particular cases that involve other Moslems as a symbol of Moslem brotherhood. Meanwhile, CRS' ideology of humanitarianism is based on the Catholic value that helping people is one of their responsibilities as human being and also as Catholics. CRS also implement the Catholic value on the staff's recruitment that requires specifically on the Catholic religiosity.

There are several obstacles Faith Based Humanitarian Organization must face, especially in Indonesia. CRS is facing challenges from inside Catholic society, outside Catholic society particularly because Catholic is still considered as minority in Indonesia, and from other Humanitarian organization. Muslim Aid also meets problems such as communication with society with different cultures, humanitarian workers work alone, the impression of forcing programs, different understanding on management and caring technique, as well as the apathies government.

The second presenters were Nurul and Diah, with their paper titled "A New Approach to Refugee's Welfare through the Role of Community: Case Study of Refugee's Community Centre in Sewon". The paper offered shift of focus from role of the state through the humanitarian and refugee to the roles played by other actors, particularly by the Community Housing for Refugees in Sewon, Bantul, DIY. The Community Housing was an initiative from International Organization for Migration (IOM) and provided temporary settlement as well as living allowance for refugees.

As we all realize that asylum seekers and refugees have been one of the fundamental issues in Indonesia since 1979. This nation is currently confronting the climbing increase of asylum seekers and refugees that expand year by year. This

current evacuee's wave is conspicuously impacted by the strict arrangement led by Australia, as the majority of the refuge seekers which stranded in Indonesia are really eager to be settled in Australia to get universal assurance. Consequently, administration for the vicinity of refuge seekers and evacuees must be considered important by the legislature of Indonesia. Tragically, there was no sufficient arrangement which particularly intended to handle the issue. Indonesia's legislature still decides the outcast's status focused around the portrayal by UNHCR. Anyhow until at this time, this nation has not confirmed the Refugee Convention and its convention yet so that there would be no unbending commitment for the state to give conceivable most extreme convenience for the refuge seekers and outcasts.

Accordingly, different instruments and on-screen characters are required to guarantee the privileges of the asylum seekers and refugees. The exploration concentrated on group house or focus where displaced people whose status has been allowed by UNHCR are generally settled briefly. There are 42 group houses all around Indonesia, disseminated in 6 territories or urban communities with 2.599 evacuees, refuge seekers and other powerless vagrants staying there. One of the group houses is in Sewon, Bantul, DIY. It was made by the activity of IOM working together with JRS which lease and change a compound of lodging claimed by Social Service in Yogyakarta. IOM capable to give month to month recompense to every evacuee enrolled in the focal point. Then again, JRS is endowed to outline two sorts of projects; they are instructive projects that will give fundamental ability, for example, machine and English and Indonesia aptitude to the outcasts. They likewise give recreational projects or game exercises focused around the evacuee's appeal. To cover the restricted store for the projects, the outcasts are additionally given working aptitudes, for example, cultivating and building to help them satisfy their everyday needs later on.

IOM and JRS have done an important part through the aid programs and the foundation of group lodging. Group lodging turned into an option to detainment focuses and together with the instructive and recreational projects, it makes a point of view that evacuees have the same rights as residents. At the same time the

remaining issue is the name of outcast that is appended to exiles and refuge seekers. Consequently, helpful awareness of neighborhood group in Indonesia ought to be energized which help, energize and authorize new standards, choices, systems and techniques in managing this issue. State, then again, will be urged by this base up activity.

The third presentation was presented by Habibah Hermanadi and Dhewangga Dura about the religion as the cause of war. They argue that the concept of religion as prophecy of peace continues to be a matter of debate, evidence from the waging modern war is also continuously showing the unease of affection from religion. Given, the current distinction of Jihad with a respect to past circumstances, it is not shocking that the saying itself has distinctive definition in western sense. Having considered this on-going extraordinary change process, it is likewise sensible to take a gander at the current issue bursting in the globe – Israel and Palestine, ISIS and Central African Conflict. This radicalism brings between religion massacre, as well as an inward fate that sacredness may support just the individuals who malignantly secure their conviction – regardless of what it is. The paper likewise addressed the inquiry of reason, techniques and a centered clarification on how the change could have happened. It gave a focused clarification on religious antagonistic vibe – a disgrace religion ought to concede, notice process it to answer why it is far less demanding to go to war for no physical enthusiasm under the standard of God than seeking after a calculative valor of individual riches and gain.

After the presentation session, the moderator allowed the participants to give some questions to the pesenters.

First Question was given by the moderator, Eva, to the second presenter, Dyah and Nurul. She was questioning about the framework for the detention center. Does UNHCR also regulate about it? Nurul and Dyah then answered that in the article 31, asylum seeker can enter the state territory without permission. But the same

article is also mentioning that state has right to detain those asylum seekers which have not received the refugee status yet.

The second question was still for Dyah and Nurul, came from Miss Santi on how the state's role to deal with the asylum seekers problem because handling that will exhaust the national budget. Dyah and Nurul once again answered that national budget and humanitarian action always clash each other. As the part of international society, Indonesia has responsibility to protect the international human rights, including the rights of asylum seekers and refugees. But that effort will take a lot of national budget. Thus, Indonesia has not ratified the Refugees Convention because there are so many definitive articles that will burden Indonesia meanwhile Indonesia is not the receiving state and only as transit place. The establishment of Community Houses by NGOs then expands the scope of problem not only in the state level but people to people level, because it can be considered as the responsibility of human beings to help each other. Taking an example in Cisarua Community Houses, where the local people tried to protect the Asylum Seekers from the police detention, it shows that local people also contribute to the effort of upholding the responsibility as international community when state cannot help more in the term of national budget. This initiative should be encouraged by the government since Indonesia has always been the country that actively promotes Human Rights and Democracy.

Miss Santi then responded that state actually must obey the International Law. But if the refugees or asylum seekers are considered as threat towards the national security, state might intervene. Miss Dyah then answered that state indeed cannot give the status for the asylum seekers because there is another international institution which checks their background and determine their status. Miss Nurul also added that the term "threatening the national security" is somehow exploited to justify the coercive action from the state towards the asylum seekers and refugees. Miss Eva then asked about the framework to make refugees be independent. Miss Nurul said that not all refugees' necessity can be accommodated because the aid from Australia came gradually.

Two questions then went to Mr. Fredy, the first was from Miss Santi that she could not see the distinction between two faith based humanitarian organizations that he compared. Secondly was from Miss Kristi that questioning about the impartiality challenge of those two Faith Based Humanitarian Organizations. Mr. Fredy generally answered that his research tried to describe how the two Faith Based Humanitarian Organizations work. He actually wanted to see how religion values can construct the humanitarian action. This paper also tried to see the challenges of the two Faith Based Humanitarian Organizations engage in multicultural country. There is also a bias in impartiality because frankly they need aid. They have to be pragmatic in order to gain the aid from donator who only wants to give his aid for specific case. Impartiality is still applied in giving the aid to the one who need it without exception.

After all questions were answered, the moderator closed the panel discussion by giving conclusion about the discourses.

Operasi Perdamaian Regional

Oleh: Rochdi Mohan Nazala

Sejak berakhirnya perang dunia kedua, diskursus tentang operasi perdamaian¹ selalu terbatas pada penjelasan mengenai operasi-operasi perdamaian yang telah dijalankan oleh United Nations (UN). Namun sesungguhnya, terdapat fakta bahwa beberapa operasi perdamaian juga mampu dijalankan oleh organisasi-organisasi regional. Pada dasawarsa 1950an, organisasi regional negara-negara dikawasan Amerika (Organization of American States/OAS) mengirimkan beberapa misi perdamaian seperti di Nicaragua, Honduras dan El Salvador². Kecenderungan ini semakin meningkat di era 1990an. Kasus Kosovo merupakan contoh kotemporer bagaimana organisasi regional NATO (North Atlantic Treaty Organization) mampu secara sukses menjalankan sebuah operasi militer dalam rangka stabilisasi dan menciptakan perdamaian di kawasan eks-Yugoslavia. Hal yang serupa terjadi di Afrika sejak pertengahan dekade 2000an, dimana negara-negara yang tergabung dalam Afrika Union (AU) telah berulang kali berhasil membentuk sebuah pasukan militer maupun tim kemanusiaan guna menggelar operasi perdamaian untuk meredakan konflik sekaligus mengatasi problem kemanusiaan di kawasan tersebut.³ Beberapa operasi yang telah digelar oleh AU antara lain di Sierra Leone, Sudan Selatan dan Rwanda.

Namun perlu untuk dicatat bahwa apa yang dilakukan oleh organisasi-organisasi regional tersebut bukanlah merupakan jawaban atas kegagalan operasi perdamaian UN. United Nations (UN) telah melakukan serangkaian perubahan secara berkelanjutan setidaknya dalam dua hal terkait operasi perdamaian yang dijalankannya, yakni penyempurnaan struktur organisasi dan rantai komando serta

¹ Untuk kepentingan paper ini, terma "operasi perdamaian" mencakup "low intensity" operasi perdamaian seperti pemantau militer (military observer) hingga "high intensity" operasi perdamaian contohnya pasukan penjaga perdamaian.

² Child, Jack. (1980), *Inter-American System*, *Military Review*, no: 10 (October) pp. 50-51

³ Berman, E. and Sams, K. (2000), *Peacekeeping in Africa: Capabilities and Culpabilities*, United Nations Institute for Disarmament Research, Geneva, pp. 113-11

revisi atas petunjuk-petunjuk pelaksanaan sebuah operasi perdamaian. Jett (1999) menjelaskan secara spesifik bahwa perubahan ini terutama berkenaan dengan proses pembuatan kebijakan tentang operasi perdamaian dalam tubuh UN dan penentuan mandat dari sebuah misi perdamaian, pembagian sumber daya manusia maupun finansial, serta strategi dan taktik operasional sebuah operasi perdamaian. Berbagai perbaikan tersebut dilakukan dengan dua tujuan, yaitu untuk mengatasi persoalan-persoalan yang menyebabkan kegagalan-kegagalan dari operasi-operasi yang telah dilakukan UN pada dekade 1990an serta meningkatkan efektifitas dan efisiensi operasi perdamaian yang dijalankan oleh UN di berbagai belahan dunia secara keseluruhan.⁴

Terdapat beberapa alasan mengapa organisasi regional terlibat secara aktif dalam operasi semacam ini. Pertama, negara-negara di kawasan dimana konflik terjadi memiliki kepentingan yang besar agar konflik tersebut tidak semakin bertambah buruk dan menciptakan ketidak stabilan regional. Hal ini menyebabkan komitmen politik (*politik will*) untuk melakukan sebuah operasi perdamaian akan mudah terbentuk diantara negara-negara anggota suatu organisasi regional tertentu dari pada komunitas internasional yang berskala lebih luas ketika situasi membutuhkan.⁵ Kedua, keterbatasan UN sendiri dalam hal finansial dan kapabilitas teknis lainnya untuk menggelar operasi perdamaian dalam rangka mengatasi setiap konflik yang terjadi.⁶ Meskipun diakui bahwa organisasi regional memiliki kemampuan yang tidak terlalu besar untuk menyelenggarakan sebuah operasi perdamaian dalam jangka panjang, tetapi setidaknya mereka dapat mengurangi beban UN dalam penyelenggaraan sebuah operasi.

⁴ Sugiono, Muhadi dan Rochdi Mohan N, (2011), *Peacebuilding dan Resolusi Konflik dalam Perspektif PBB*, Diakses pada www.academia.edu, 21 September 2014

⁵ Olonisakin, Funmi (2000), *Conflict Management in Africa: The Role of the OAU and Sub-regional Organisations*, *ISS Monograph Series*, No. 46, pg. 1.

⁶ UN Document A/50/711 and S/1995/911, *Improving preparedness for conflict prevention and peacekeeping in Africa: Report of the Secretary-General*, 1 November 1995

Secara umum data menunjukkan bahwa perbandingan frekuensi maupun efektifitas UN dan organisasi regional dalam menangani isu-isu keamanan adalah tidak terlalu signifikan. Jumlah operasi-operasi perdamaian yang dijalankan oleh UN untuk mengatasi konflik dan menciptakan perdamaian hampir sama dengan jumlah operasi yang dilakukan oleh organisasi regional. Hal ini mengindikasikan bahwa negara-negara pada umumnya cenderung untuk mencari bantuan kepada organisasi di tingkat regional dalam rangka menyelesaikan konflik daripada kepada organisasi yang bersifat global. Dari segi efektifitas, tingkat keberhasilan operasi-operasi perdamaian yang dilakukan oleh organisasi regional relatif sama dengan operasi-operasi yang dijalankan oleh organisasi internasional lainnya semacam UN. Beberapa organisasi regional terkadang jauh lebih berhasil dan efektif dalam menangani konflik di tingkat regional, seperti dalam kasus keterlibatan OAS untuk menjaga keamanan dan perdamaian di kawasan Amerika hingga pada dasawarsa 1960an. Sebaliknya, beberapa organisasi regional semacam Liga Arab gagal dalam mengatasi konflik di Timur Tengah pada dekade 1970an dan 1980an.

Paper ini akan memberikan penjelasan mengenai operasi perdamaian yang dijalankan oleh organisasi regional. Pembahasan akan dibagi menjadi tiga bagian; bagian pertama akan melakukan eksplorasi mengenai jenis dari organisasi regional yang mampu melakukan operasi perdamaian serta karakter dari operasinya itu sendiri. Bagian kedua membahas keunggulan-keunggulan operasi perdamaian regional. Pada terakhir, akan diidentifikasi beberapa resiko ataupun kelemahan terkait penyelenggaraan operasi perdamaian oleh suatu organisasi regional.

Operasi Perdamaian Regional dan Karakteristiknya

Tidak semua organisasi regional memiliki kapasitas dan kapabilitas untuk menjalankan operasi perdamaian. Pada umumnya, organisasi regional yang mampu menggelar operasi perdamaian adalah organisasi regional yang memiliki ciri khas sebagai berikut; pertama, ia adalah organisasi regional yang didesain spesifik untuk mengurus masalah-masalah keamanan. Untuk kategori ini, beberapa contoh dapat

disebut misalnya Organization for Peace and Security in Europe (OSCE). OSCE terlibat aktif dalam membantu UN dalam memantau pemilihan umum dan penegakan hak asasi manusia di Bosnia Herzegovina setelah terjadinya perang Balkan pada era 1990an.⁷ Dapat disebut juga dalam hal ini adalah North Atlantic Treaty Organization (NATO) yang memiliki peran besar meredakan konflik di Kosovo.⁸

Sebuah organisasi regional yang bersifat umum memiliki kemungkinan yang serupa untuk dapat menggelar operasi perdamaian. Department of Peace Keeping Operation (DPKO) UN mencatat beberapa organisasi regional semacam ini mampu untuk menggelar sebuah operasi perdamaian secara mandiri ataupun terlibat secara aktif mendukung operasi perdamaian yang dijalankan oleh UN.⁹ Organisasi regional tersebut antara lain Organization of African Union (OAU), Economic Community of West African States (ECOWAS), South African Development Community (SADC) dan Association of South-East Nations (ASEAN). Sementara operasi perdamaian OAU dilakukan antara lain di Burundi, Etopia, dan Angola, ECOWAS menjalankan operasi perdamaian di negara-negara misalnya Liberia dan Sierra Leone. SADC mengirimkan misi diplomasi untuk menyelesaikan konflik di Kongo dan ASEAN menjadi mediator dalam proses perdamaian di Kamboja.

Meskipun organisasi regional dari kedua kategori diatas secara riil pernah melaksanakan atau setidaknya terlibat dalam sebuah operasi perdamaian, tidak semua dari organisasi regional sebenarnya secara jelas mencantumkan dalam statuta organisasinya kapan dan dalam kondisi apa mereka akan menjalankan sebuah misi perdamaian. Sejauh ini hanya AU yang memiliki komite khusus yang bertugas untuk membuat keputusan terkait operasi perdamaian, disebut Peace and

⁷ Ghibali, Victor-Yves, (2001), *The Role of the OSCE in Bosnia and Herzegovina*, The Graduate Institute of International Studies.

⁸ Roberts, Adam, (1999), NATO's "Humanitarian War" Over Kosovo, *Survival*, no. 41:3, pp. 102-123

⁹ Cooperation Between the United Nations and Regional Organizations/Arrangements in a Peacekeeping Environment: Suggested Principles and Mechanisms, March 1999.

Security Council of African Union, serta pasukan khusus (African Standby Force/ASF) untuk dikerahkan kapan saja jika diperlukan guna meredakan konflik yang terjadi di Afrika.¹⁰ OAS misalnya, meskipun beranggotakan negara-negara yang memiliki kapabilitas besar untuk menyelenggarakan operasi perdamaian secara mandiri, tetapi organisasi tersebut tidak mempunyai pasukan ataupun badan khusus untuk menjalankan operasi perdamaian. Dibawah Perjanjian Rio (Rio Treaty), OAS lebih berfungsi sebagai badan keamanan kolektif seperti halnya NATO sehingga menjalankan operasi perdamaian hanyalah fungsi sementara (*ad hoc*).

Karakter operasi perdamaian yang dijalankan oleh organisasi regional tidak jauh berbeda dengan apa yang dilakukan oleh UN. Secara fungsi, misi perdamaian organisasi regional sedikit banyak justru mengacu pada petunjuk-petunjuk dasar operasi perdamaian UN.¹¹ Perbedaan yang jelas terlihat adalah berkaitan dengan komposisi pasukan. Operasi perdamaian UN pada umumnya beranggotakan negara-negara netral yang tidak memiliki keterikatan erat dengan pihak yang berkonflik. Tetapi dalam kasus operasi perdamaian yang dijalankan oleh organisasi regional, hal semacam ini sulit untuk dilakukan karena negara-negara di suatu kawasan biasanya memiliki jalinan hubungan yang erat. Organisasi regional secara umum kemudian mengizinkan hanya negara-negara yang tidak berbatasan langsung dengan pihak yang berkonflik yang dapat berkontribusi dalam operasi kemanusiaan regional. Hal ini contohnya dapat dilihat dalam kasus operasi perdamaian yang dilakukan oleh OAU di Chad.

Kelebihan Operasi Perdamaian Regional

¹⁰ Malan, Mark, (2008), "Africa: Building Institutions on the Run". Dalam Donald C.F Daniel et.al, *Peace Operations: Trends, Progress and Prospects*, Georgetown University Press: Washington DC, pp. 89-118

¹¹ Bellamy, Alex J, Paul D Williams dan Stuart Griffin, (2010), *Understanding Peacekeeping*, Politiy Press: Cambridge

Sebuah operasi perdamaian yang dipimpin oleh organisasi regional memiliki beberapa kelebihan jika dibandingkan dengan operasi perdamaian dibawah koordinasi UN, yakni konsensus dan dukungan yang lebih besar serta pengetahuan akan kompleksitas konflik yang lebih baik.

Konsensus dan Dukungan yang Lebih Besar

Sebagaimana telah dikemukakan sebelumnya, konsensus untuk menyelenggarakan sebuah operasi perdamaian secara umum jauh lebih mudah untuk didapatkan pada skala regional daripada internasional. Logikanya adalah negara-negara sekawasan cenderung akan memiliki kesepahaman bahwa munculnya konflik di kawasan mereka akan menghasilkan instabilitas regional yang pengaruhnya akan sangat signifikan terhadap keamanan politik maupun ekonomi masing-masing negara. Sementara proses pembangunan konsensus untuk menyelenggarakan sebuah oprasi perdamaian di UN akan memakan waktu berminggu-minggu atau bahkan dalam hitungan beberapa bulan, proses yang serupa dapat berjalan secara cepat pada organisasi regional. Keputusan ECOWAS untuk terlibat dalam mengatasi konflik di Liberia pada tahun 2003 merupakan salah satu contoh bagaimana organisasi regional memilki kelebihan dalam menghimpun konsensus dari para anggotanya.¹² Segera setelah krisis semakin memuncak di Liberia pada bulan Juli 2003, ECOWAS memutuskan untuk menggelar sebuah operasi perdamaian dengan mengirim pasukan dalam jumlah terbatas sebagai pasukan penjaga perdamaian terutama disekitar ibukota Liberia, Monrovia. Hingga bulan September 2003, ECOMIL (ECOWAS Mission in Liberia) telah berhasil menghimpun pasukan dari negara-negara antara lain Mali, Ghana, Togo, Negeria, dan Gambia sebanyak 3500 tentara dan menempatkan mereka di berbagai wilayah konflik di Liberia. ECOMIL ini kemudian dilebur kedalam UNMIL (United Nations Mission in Liberia) pada bulan Oktober 2003 segera setelah anggota dewan keamanan UN sepakat untuk menjalankan sebuah operasi perdamaian di Liberia.

¹² Africa Center for Strategic Studies, *ECOMIL after Action Review Final Report*, August 2004.

Dukungan yang lebih besar dalam hal personel, perlengkapan serta finansial lebih dimungkinkan jika operasi perdamaian tersebut digagas dan dikoordinasikan oleh sebuah organisasi regional. Dalam kasus konflik di Haiti pada tahun 1994, negara-negara yang tergabung dalam OAS dapat secara cepat mengambil keputusan untuk melakukan operasi di negara tersebut dan bersepakat untuk menyediakan sumber daya yang diperlukan agar operasi tersebut berhasil mengatasi konflik dan menciptakan kembali stabilitas di Haiti. Meskipun MNF (Multinational Force) yang dibentuk OAS dalam kasus Haiti lebih banyak didominasi oleh Amerika Serikat, tetapi sumbangsih negara-negara Amerika lainnya sangat besar. Caricom (Caribbean Community) mengirimkan lebih dari satu batalyon tentara sebagai pasukan terdepan misi ini. Reaksi yang cepat serta dukungan sumber daya yang memadai oleh OAS membuka jalan bagi operasi perdamaian UN yang disebut UNMIH (United Nations Mission in Haiti) pada tahun 1995.

Pengetahuan Situasi yang Baik

Agar sebuah operasi perdamaian dapat berjalan secara efektif dan sukses dalam menyelesaikan konflik di suatu negara, para personel yang tergabung dalam sebuah operasi perdamaian dituntut memiliki pemahaman yang cukup tentang kompleksitas konflik yang terjadi serta kemampuan untuk berkerja sama dengan pihak-pihak yang bertikai. Operasi perdamaian dibawah koordinasi organisasi regional pada umumnya memenuhi semua persyaratan ini.¹³ Logikanya adalah negara-negara sekawasan tentu memiliki pengetahuan yang lebih memadai tentang konteks politik, ekonomi, sosial dan budaya dari konflik yang terjadi dikawasan mereka sendiri sehingga para aktor regional ini dapat menyusun strategi operasi yang paling tepat dan sesuai dengan karakter konflik yang tengah terjadi. Pada tataran teknis, para personel operasi perdamaian regional besar kemungkinan memiliki pengetahuan yang cukup terutama berkaitan dengan tentang budaya dan bahasa dari aktor-aktor yang terlibat didalam konflik. Kecakapan ini tentunya akan

¹³ Fortna, Virginia P. (1993). *Regional Organizations and Peacekeeping: Experiences in Latin America and Africa*. Washington, D.C.: The Henry L. Stimson Center.

sangat berguna dalam mengatasi berbagai kendala di lapangan sehingga mereka mampu menjalin kerjasama dengan para aktor terkait secara lebih baik.

Kemungkinan Resiko Operasi Perdamaian Regional

Operasi perdamaian regional memiliki persoalan yang inherent didalamnya, antara lain kenetralan serta organisasi

Kenetralan

Kenetralan merupakan faktor kunci agar pihak-pihak yang berkonflik dapat menerima kehadiran para personal sebuah operasi perdamaian serta kesepakatan untuk berdamai secara cepat. Pasukan perdamaian regional memiliki kemungkinan untuk sulit memenuhi kriteria ini.¹⁴ Pertama, personel operasi perdamaian dari negara-negara sekawasan, terutama dari kawasan negara berkembang, pada umumnya kurang memiliki keterampilan berkaitan dengan tugas maupun filosofi dari pasukan penjaga perdamaian. Mereka adalah tentara reguler di masing-masing negaranya yang dikirimkan ke daerah konflik dan bergabung dengan pasukan perdamaian tanpa dibekali oleh pelatihan yang cukup. Konsekuensinya, terdapat kemungkinan yang cukup besar tentara-tentara ini justru ikut terseret dalam arus kekerasan di daerah konflik yang justru harusnya mereka redakan.

Kedua, meskipun keterampilan para personel operasi perdamaian dapat ditingkatkan, tetapi pihak-pihak yang berkonflik cenderung untuk tetap mencurigai kehadiran para personel operasi perdamaian yang berasal dari negara-negara tetangga mereka. Hal ini bisa dilihat dalam kasus intervensi OAU di Chad, yang mana kedua belah yang bertikai justru menyerang para personal operasi perdamaian OAU. Misi perdamaian oleh UN dalam banyak kasus lebih mudah diterima oleh para aktor konflik karena personel dalam misi tersebut berasal dari negara netral yang memiliki lokasi geografis tidak berdekatan dengan kawasan konflik.

¹⁴ Wiseman, Henry, (1991), "Peacekeeping in the International Political Context: Historical Analysis and Future Directions", dalam Indarjit Rikhye dan Kjell Skjeslbaek, eds. *The United Nations and Peacekeeping: Results, Limitations and Prospects-the Lessons of 40 Years of Experience*. New York: St. Martin's

Organisasi

Sebagaimana diutarakan sebelumnya, banyak organisasi regional yang belum memiliki badan tersendiri untuk mengatur pembuatan kebijakan tentang operasi perdamaian. Kondisi ini menyebabkan organisasi regional akan sedikit banyak mengalami kendala dalam mengatur dan mengorganisir operasi yang mereka lakukan.¹⁵ Akibatnya, operasi perdamaian regional biasanya hanya bersifat jangka pendek (*ad hoc*) dan besar kemungkinan koordinasi dijalankan oleh satu negara yang dianggap kuat pada kawasan tersebut OAS misalnya, mereka tidak memiliki kelengkapan organisasi yang secara spesifik mengorganisasikan pelaksanaan operasi perdamaian sehingga operasi perdamaian mereka biasanya hanya dalam jangka pendek dan didominasi oleh Amerika Serikat.

Kesimpulan

Organisasi regional berpeluang untuk dapat secara aktif menyelenggarakan operasi perdamaian, terutama di kawasan dimana organisasi regional itu berada. Realitas membuktikan efektifitas dan kesuksesan operasi perdamaian yang dijalankan oleh organisasi regional tidak terlalu berbeda dengan operasi serupa dibawah koordinasi UN. Operasi perdamaian regional yang dijalankan oleh organisasi regional tertentu memiliki kelebihan yakni lebih mudah mendapatkan konsensus dan komitmen dari negara-negara anggota organisasi regional tersebut serta dukungan yang lebih besar dalam hal personel, finansial ataupun sumber daya lainnya. Namun demikian, operasi perdamaian juga memiliki kekurangan terutama terkait dengan aspek kenetralan dan organisasi.

¹⁵ Naldi, Gino. (1989). *The Organization of African Unity: an Analysis of Its Rule*. London: Mansell

The Probability of APSC to Interfere the Intrastate Conflict of ASEAN's Member State

Heditia Damanik & Helga Yohana Simatupang¹

Abstract

This paper aims to see the probability of ASEAN Political-Security Community (APSC) to be the agent of humanitarian action particularly in Southeast Asia region. Association of Southeast Asian Nations (ASEAN) will turn into ASEAN Community next year. APSC is included as one of three main pillars of ASEAN Community which concerns in political and security matter. The peace of Southeast Asia region will be endeavored through it. The member states need to cooperate to keep peace in both inside and outside the region. The member states are not expected to dispute against each other. Beside that, APSC intends to secure the region from external threats like terrorism, piracy, and drug-trafficking which are considered as the factors that can cause instability in the region. The organization also believes that the existence of peace will bring the prosperity among its member states. There are several internal conflicts that will be discussed in this paper, such as in Southern Thailand, Southern Philippines, and Myanmar. Internal conflict can be the indicator of national stability in a state. If the state remains unstable, other factors like economic and social activities could be disrupted. We assume that toward fruitful ASEAN's integration, the internal peace of member states should be attempted. Furthermore, one of the characteristics and elements of APSC is to promote political development and encourage the principles of democracy, law enforcement, good governance, also the protection of human rights that has been declared in the ASEAN Charter. However, ASEAN has been considered weak to apply its own rules, particularly the protection of human rights and the settlement of conflict, especially the intrastate conflict, since the member states are obliged to respect and apply the non-intervention principle. ASEAN has not had the settlement of conflict mechanism yet like another regional organization, such as European Union or African Union. Through this paper, the writers will explore whether there will be a probability or not for APSC to settle the conflict and protect human rights in the region. Will APSC represent a more humane face of ASEAN by applying human security concept in its blueprint?

Keyword: APSC, ASEAN Community, Humanitarian Action, Non-Intervention

¹ Mahasiswa Pascasarjana Hubungan Internasional UGM dengan minat khusus Diplomasi Humaniter Global

Introduction

The ASEAN Community is stated to be applied next year. The establishment of ASEAN Community 2015 is based on three main pillars that have done many works since years ago. Those three main pillars are (a) ASEAN Political Security Community that aims to ensure the stability of region and to keep peace among member states in democratic and harmony environment; (b) ASEAN Economic Community (AEC) which is the main purpose of ASEAN Community attempts to create single market based on production, high competitiveness region, fair economic development, and full integrated region to global economic; and (c) ASEAN Social-Culture Community (ASCC) to increase the solidarity awareness and unity in Asean, also to disenchant that the development of community is people oriented (ASEAN, 2014).

The three pillar are interrelated to each other, like the statement *'no security without development and no development without security'* (Evans, 2009). ASEAN believes that peace will be the gate to aim the succesful economic development, and the fruitful economic development will be reserved for ASEAN people through social-culture. The peace is gained through APSC and the member states cooperate to keep peace whether inside or outside region. Among members states are not expected to dispute. Besides, APSC also secures the outside threats like terrorist actions, piracy, and drugs which are considered able to ruin the region.

However, some scholars see that the main threat of security in Southeast Asia doesn't come from outside region, however it comes from inside namely less of protection of human security and less of respect to human rights (Katsumata, Jones, & Smith, 2008). Since the establishment of ASEAN, the member states has strong respect to non-intervention principle that has been declared in ASEAN Charter. Although some member states violated the human rights and humanitarian values, ASEAN remains silent to act for settling conflicts because of its obedience to the non-intervention principle.

Actually, ASEAN has shown the more humanitarian image through the establishment of several commission that concerns to humanitarian issue like ASEAN Intergovernmental Commission on Human Rights (AICHR) in 2009 and ASEAN Humanitarian Assistance (AHA) Center for natural disaster in 2011. AICHR becomes a body that promote and protect human rights in ASEAN, even though just for collecting the data. Yet, it shows that ASEAN's attention to humanitarian issue has increased gradually. Then, is there any bigger chance for protecting human rights and human security in Southeast Asia in order to actualize the ASEAN Community 2015? Moreover, ASEAN emphasizes the development of ASEAN people as the purpose of the community.

So, this paper attempts to elaborate the probability of APSC as the community in political and security field to settle the conflict and protect human rights in Southeast Asia by minimizing the non-intervention principle in ASEAN. This paper will be divided to some parts namely the description of on going internal conflicts in Southeast Asia, the background of APSC establishment, and the analysis of APSC probability to settle the internal conflict of ASEAN member states.

On-Going Internal Conflicts in Southeast Asia

Some member states of ASEAN have the on-going internal conflict situation like Thailand, Philippines, and Myanmar. Indonesia also had some like Aceh crisis, yet it had been settled in 2005 through Helsinki Agreement. However, the prolonged conflicts has been caused by the failure of states to manage conflict and eventually the conflict gave the chance for transnational organization like Al Qaeda to enter Mindanao (Vatikiotis, 2006), radicalised of Rohingya (Singh, 2014), also in Southern Thailand (S.P.Harish, 2006). However, the main focus isn't about terrorism but injustice, discrimination, and violation of human rights that are going on in each countries.

Vatikiotis (2006) wrote that the conflict resolution in Southern Asia tend to be weak. One of the causes is the non intervention principle that makes member states

don't want to interfere other states' business. For instance, the settlement of Aceh conflict conducted by third party outside ASEAN which was Finland. Meanwhile, the fasilitator of disarmament demobilization reintegration (DDR) done by Aceh Monitoring Mission that was supervised by European Union.

At a glance, there are some mutual characteristics of internal conflicts in those countries like the conflict is kind of ethnic-religious problem; the conflicts happen between the government or majority group and minority group; the minority groups demand the independence or special autonomy; also radicalization in minority groups particularly related to jihadist extremist.

Mindanao Conflict

More than 100.000 people died caused of conflict between Government of the Republic of the Philippines (GRP) and Moro ethnic group in Southern Philippines. The conflict has been appeared since 1960s and massively continued until 1970s. Since the some agreement had been signed, however the implementation did not succeed and brought the conflict back. Mindanao, the district in Southern Philippines, has been the residence of about 4 millions until 5 millions of Moro Moslem since long centuries ago. Eventhough the district is the legacy of Moro ancient, yet the number of them only represent 20 percents of total population in Mindanao.

The root of the conflict is about the territory and demography problems and also discrimination to Moro people in Mindanao (Tuminez, 2008). In 1912, most of land belonged to Moro people. However now a days, they just own 18 percents. The shift of land owner didn't happen as such, but it was caused by the regime. When United States occupied Philippines, it imposed the law of land based on private ownership. The law didn't facilitate the culture of Moro as indigenous. They has the communal ownership of land system (Ringuet, 2002).

After Philippines gained its independence, the government made it worse. The GRD facilitated the settlement of Christian community in Mindanao and it made

the Moro marginalized (Tuminez, 2008). As further impact, Moro has been regarded as second class citizen and also stereotyped as liars, violence, and lazy. Like many conflicts, the economic problem also becomes the root of conflict, so does in Mindanao. Most of district resided by Moro are the poorest, low of education, and unsecure (Searle, 2002).

Prior to Spain and United States' occupation and before joining Philippines, Mindanao had an independent authority below two main kingdom namely Kesultanan Sulu and Kesultanan Magaindanao. That history triggered the political movement in grassroot of Moro with the agenda to demand for self-determination. Moro sees they have rights to determine their destiny include having their own state. Although, now a days there is no seperation option in negotiation table between Moro group and GRP, yet leader of Moro Islamic Liberation Front (MILF) remains to endeavor a referendum.

Actually, the four decades conflict has been delivered two peace agreements. The first one happened in 1976 after the intervention of Lybia's foreign policy. Moammar Khadafi at that time intimidated President Ferdinan Marcos to held negotiation with Moro group. The second agreement between Moro National Liberation Forum (MNF) in 1996 was facilitated by Indonesia and Organization of the Islamic Conference (OIC). The both agreement that mandated the autonomy to Mindanao could not run. It can not be separated from long story that happened to Moro people. There are 13 provinces and 9 cities in Mindanao that will be included to autonomy district for Moro in Autonomlus Region in Muslim Mindanao (ARMM). However, only five provinces and one city want to join because most provinces and cities has been resided by Christians. MNLF stated that the five years agreement (1996-2001) didn't bring peace and development to Mindanao, Sulu, and Palawan. However, the failure also brought by the corrupt autonomy leader which was held by Nur Misuari from MNLF, also the autonomy government didn't have enough capacity (Buendia, 2004). Besides, the violence conflicts among Moro clans happened (Tuminez, 2008). Then, since 2008 Malaysia took a role as mediator

between GRP and the Moro representation MILF which is the friction of MNLF. The radical group also took a part in this conflict. The group lead by Abu Sayyat did terrorist action and kidnapped civilian since 2001. Since then, United States has been reported in Philippines to supervise terrorist action (Tuminez, 2008).

Southern Thailand Conflict

Southern Thailand conflict occurred in three provinces which are Yala, Pattani and Narathiwat which are bordered with Malaysia. The conflict waves up and down. The current conflict occurred in January 2004 and caused 5900 people died until early 2014 (Detik, 2014). Southern Thailand district is between two main influences namely Siam Kingdom in north and Malaka Kingdom in south. Southern Thailand is politically as part of Thailand, while culturally they are close to Malay culture. It started in 1832 when Patani that previously was below Malaka Kingdom authority felt to Siam Kingdom (Harish & Liow, 2007).

Most residence of Yala, Pattani, and Narathiwat are Muslims. Now a days there are 80 percents of Thai Muslims live in those provinces. Nevertheless, (Harish, 2006) the crisis doesn't the matter of religion conflict between Muslims and Buddhist like media often reported, but it was ethnic conflict at first and religious ambience appeared after that. The resistance of southern Thailand people has been started in 1940s by Gabungan Melayu Pattani Raya (Gampar) or the Association of Malays of Greater Pattani. The organization that was lead by Tengku Mahmud Mahyiddien hailed the unity of Malay nation. Then in 1960s another insurgency occurred from Barisan Revolusi Nasional (BRN). They brought the spirit of Malaysia Nationalism and hailed the Pan-Malay in Southeast Asia. In same era, Tengku Biro Kotanila invented Pattani United Liberalization Organization (PULO). Kotanila was the first to internationalized the issue of southern Thailand by collecting the student solidarity of Malay-Thay who studied in Makkah (Harish & Liow, 2007). PULO aimed to create Islamic state, yet based on ethno-nationalist value which was Malay (ICG, 2005). The organization denied related to Al Qaeda. The religious issue then

blew by Gerakan Mujahidin Islam Pattani (GMIP) by Afghanistan-Soviet veteran, Nasori Saesaeng. GMIP then known received fund from Al Qaeda (ICG A. , 2005).

In January 2004, the conflict reappeared. The extremist group attacked the military quarters and burned 18 schools in one night. Then, many violence action occurred like shooting, bombing, attacking to military quarters, and murdering the civilian (Harish & Liow, 2007). The allegedly involved group were Barisan Revolusi Nasional-Cordinate (BRN-C), Pemuda, GMIP, dan New PULO as the transformation of PULO. The government took wrong steps to face the crisis like failed to identify early; removed the effective crisis management institution; the using of military force excessively; the deployment of field officer that were not able to speak Malay and not comprehend the sensitive ambience in Southern Thailand (ICG, 2005).

The conflict remains exist until now. One of the difficulty to settle the conflict in Southern Thailand is the Thailand Government do not want to concede that the root cause of problem is social-cultural problem. The government tend to see it as the militan religious problem instead. In 2005, former Prime Minister Thaksin created National Reconciliation Commision (NRC) as the soft persuasion to settle the conflict in southern. After having consultation to some parties, NRC concluded that the root causes were poverty, disparity of culture, and the failure of justice system. However, the recomendation of NRC were refused by government. Not long after that, the domestic political situation heat up and the government was coup. In 2009, the government of Abhist Vejjajiva was seen able to reduce the violence cases and pushed the insurgency. However, the government could not solve the root causes.

Until now, the crisis in Southern Thailand remains continue. The conflict appraised as the most potential threat regional stability because happened exactly in border between Malaysia and Thailand (Vatikiotis, 2006). The conflict potentially trigger tentention between both.

Rohingya Crisis

Rohingya crisis can be stated as the internal conflict that most internationalized in Southeast Asia. Internationalization of conflict can be seen from two aspects which are refugee and support from other countries. Support consist of morral support, fund, weapons, and etc (Lederach, 1997). Based on United Nations High Commissioner for Refugees (UNHCR) data, currently there are hundred thousands people flee to other countries like Banglades (200.000 people), Pakistan (200.000 people), India (100.000 people), Thailand (100.000 people), Malaysia (10.000-35.000 people), and thousands more in Indonesia (Singh, 2014).

In 1978, Rohingya people exodused to Bangladesh, but they return to Myanmar supervised by United Nations. Then, in 1991-1992 they exodused again to Bangladesh caused by violence and unfair treatment they got in Myanmar. The escape of Rohingya revealed again in 2009 when their boats floated in Hindia Ocean. Their destinations were Thailand, Malaysia, and Indonesia.

According to World Factbook of United States Central Interlegence Agency, total population of Rohingya people in 2012 was about 800.000 people or 1,46 percent of total Myanmar population. Most of them live in Rakhine or Arakan. Rohingya become minority group in Myanmar. Their appearances are different from most of Burma people. They tend to be like Bengali people from the border of India and Bangladesh. Yet, the leader of Rohingya denied they are different ethnic group from another ethnic in Myanmar. Meanwhile, Myanmar government considers Rohingya as Bangladesh people who imigrated illegally to Burma (Himal, 2009).

Myanmar government legislated if an ethnic group want to be considered as original ethnic group, they should be existed in Myanmar region before 1826 exactly when Britain occupied include Rakhine district post Britain-Burma first war (Singh, 2014). According to Myanmar government, Rohingya came to Rakhine about 1930s when Britain joined India and Burma, so that flood migration happened at that time. However, Rohingya has different version and proclaimed been in Myanmar since 1400s. Once upon a time, Arakan was authority kingdom until

Burma invaded Arakan in 1430. The last king of Arakan Kingdom escaped to Gaur, capital city of Bengali to invent brand new kingdom. In 1430-1622, the kings of Arakan used islamic symbols, yet they remained budhist. Eventually, Burma beat Burma again in 1784. Then, Arakan was given to Britain in 1826 as war plunder. The fact that Rohingya doesn't consider as indigenous ethnic in Myanmar makes they don't get some citizen rights. There are also some bans like prohibition of travel, get married, restriction of number of children, deprivation of private property, servitude, etc. They also become the victims of kidnapping, blacmailing, raping, etc.

In Rakhine/Arakan, Rohingya also conflict with Arakan people. Rohingya aren't trusted by Arakan because of their past fault (Singh, 2014). In early 1940, some of Rohingya afiliated with Mujahidin to resist and to separete from Myanmar. They planned to invent new state and it failed. Now a days, the demand of Rohingya to be recognized as indigenous people was seen negatively by some groups in Myanmar, included Arakan people. They prejudiced that after get the recognition, Rohingya will separate and build their own state.

The radicalization also happen in Rohingya. The Myanmar government claimed soma terrorist action delivered by a moslem Rohingya organization, Rohingya Solidarity Organization (RSO). RSO was accused involved in 13 insurgency and some of bombing in Yangon. Yet, still there is no proof to legitimize the accusation.

In other hand, the numbers of Rohingya refugees impacted another states in Southeast Asia. The humanitarian crisis can trigger the solidarity among moslems, particularly in Southeast Asia. Although, the crisis in Myanmar is ethnic problem, yet some see it as religious matter and simplified it to moslem vs budhist. That assumption makes the solidarity movement rise. In Malaysia for instance, there are more then 10 solidarity organization for Rohingya. Then in May 2013, there was planning to bomb Myanmar embassy in Jakarta.

To conclude, the domestic conflicts in Southeast Asia need more attention. From the three prolonged conflicts there are some characteristics: 1) conflicts are between governments/majority groups and minority groups; 2) minority groups asked for recognition, autonomy, even independency; 3) poverty also become big problems; 4) radicalization because of prolonged conflicts, and 5) impact to Asean.

ASEAN Political-Security Community

Rizal Sukma of the Centre for Strategic and International Studies in Jakarta presented a paper conceptualizing an ASEAN Security Community at a seminar, “ASEAN Cooperation: Challenges and Prospects in the Current International Situations”. The paper was conceived in reaction to the proposal of the Singaporean Government to establish an ASEAN Economic Community (AEC) that went beyond the ASEAN Free Trade Area (AFTA). Sukma Argued that “ASEAN can no longer pretend that peace, stability, and prosperity can only be achieved through economic cooperation”. This paper eventually became the departure point for the Indonesian Government’s initiative on the establishment of the ASEAN Security Community (Kraft, 2010).

In the long term, a sustainable economic community can only be guaranteed with the creation of a security community. On the contrary, the existence of a security community will not be proven without the basis of common interest that gained by the economic community. In other words, both economic community and security community will support and strengthen their relations one to another and be able to be implemented in the future. Since ASEAN was established in 1967, the relation between economic and security development actually had gained a key role portion in the consideration and the agreement of regional security. This relation was recognized in the concept/doctrine of national and regional defence which underlined that the economic development in each member state became the basic foundation to attain stability, as the stability itself became the key success of economic development.

The notion of ASEAN Political-Security Community was also based on the concern of the ASEAN member states leaders who desire to create a peace and stabil region to all forms of threats, both traditional and non-traditional security issues. The notion of security community became reasonable considering to the constellation of global politics after 9/11 tragedy. The national and regional defence encompass all spectrums of each member state's life in eliminating the profound discomfort from all forms of threats, both from inside and outside. Those challenges are communism, separatism, inter-ethnic enmity, religion, race, group, and other conventional threats. Furthermore, ASEAN has expanded its perceptions towards another kinds of threats in other aspects, such as human rights issues, democracy, environmental damage, transnational crimes, and so on. Through ASEAN Security Community, the political cooperation was also developed, with the aim to strenghten the existing security by the establishment and the enforcement of norms, conflict prevention, the development of resolving conflicts' means, and post-conflict peace-building.

ASEAN Political-Security Community (APSC) is a fundamental pillar from the ASEAN's commitment in bringing into reality the ASEAN Community. The formation of ASEAN Community will strengthen the regional stability and promote a peaceful conflict resolution. Recognising the strong interconnections among political, economic, and social realities, the APSC acknowledges the principle of comprehensive security, and commits to address the broad political, economic, social and cultural aspects of building an ASEAN Community (ASCPA, 2004). It is also acknowledged the establishment of peace and stability in the region could become an asset for economic and sosio-cultural development process in the ASEAN societies, which are also two main pillars in forming the ASEAN Community 2015. Political and social stability, economic prosperity, would narrow development gap, poverty alleviation, and reduction of social disparity, and also would constitute strong foundation for a sustained APSC.

APSC Blueprint

The ASEAN Heads of States/Governments, at their Summit in Kuala Lumpur in December 1997 envisioned a concert of Southeast Asian Nations, outward looking, living in peace, stability and prosperity, bonded together in partnership in dynamic development and in a community of caring societies. To concretise the ASEAN vision 2020, the ASEAN Heads of States/Governments adopted the Declaration of ASEAN Concord II (Bali Concord II) in 2003, which establishes as ASEAN Community by 2020. To reinforce ASEAN's centrality and role as the driving force in charting the evolving regional architecture, the ASEAN Leaders at the 12th ASEAN Summit in the Philippines decided to accelerate the establishment of an ASEAN Community by 2015. In 2007, at the 13th ASEAN Summit in Singapore, the ASEAN Heads of States/Governments signed the ASEAN Charter, which marked ASEAN Member States' commitment in intensifying community-building through enhanced regional cooperation and integration. In line with this, they tasked their Ministers and officials to draft the APSC Blueprint, which would be adopted in 2009, at the 14th ASEAN Summit in Thailand. (APSC Blueprint, 2012).

The APSC Blueprint is guided by the ASEAN Charter and the principles and purposes contained therein. The APSC Blueprint builds on the ASEAN Security Community Plan of Action, the Vientiane Action Programme (VAP), as well as relevant decisions by various ASEAN Sectoral Bodies. The ASEAN Security Community Plan of Action is a principled document, laying out the activities needed to realise the objectives of the ASEAN Political Security Community, while the VAP lays out the measures necessary for 2004-2010. Both documents are important references in continuing political and security cooperation. The APSC Blueprint provides a roadmap and timetable to establish the APCS by 2015. The APSC Blueprint would also have the flexibility to continue programmes/activities beyond 2015 in order to retain its significance and have an enduring quality. (APSC Blueprint, 2012)

The APSC promotes an ASEAN-wide political and security cooperation rather than a defence pact, military alliance or a joint/common foreign policy. The ASEAN

Security Plan of Action is mutually-reinforcing with bilateral cooperation between ASEAN Member Countries while recognising the sovereign rights of the Member Countries to pursue their individual foreign policies and defence arrangements. In addressing future security challenges, ASEAN Member Countries share the responsibility for strengthening peace, stability and security of the region free from foreign military interference in any form of manifestation (ASCPA, 2004).

The APSC shall contribute to the further promotion of peace and security in the wider Asia Pasific Region. In this regard, the APSC is open and outward looking, engaging ASEAN's friends and Dialogue Partners to promote peace and stability in the region. The ASPC will reflect ASEAN's determination to move forward the stages of ASEAN Regional Forum (ARF) at a pace comfortable to all. The APSC process shall therefore be progressive. This progress shall be guided by well-established principles of non-interference, consensus based decision-making, national and regional resilience, respect for the national sovereignty, the renunciation of the threat or the use of force, and peaceful settlement of differences and disputes which have served as the foundation of ASEAN cooperation (ASCPA, 2004).

The APSC envisages the following three key characteristics (APSC Blueprint, 2012):

- a) A Rules-based Community of Shared Values and Norms;
- b) A Cohesive, Peaceful, Stable and Resilient Region with Shared Responsibility for comprehensive security; and
- c) A Dynamic and Outward-looking Region in an increasingly integrated and independent world.

Elements of the APSC :

- a) Promote understanding and appreciation of political systems, culture and history of ASEAN Member States;

- b) Establish program for mutual support and assistance among ASEAN Member States in the development of strategies for strengthening the rule of law and judiciary systems and legal infrastructure;
- c) Promote good governance;
- d) Promotion and protection of human rights;
- e) Adjust ASEAN institutional framework to comply with the ASEAN Charter;
- f) Promote ASEAN Maritime Cooperation;
- g) Conflict Prevention/Confidence Building Measures;
- h) Strengthen ASEAN humanitarian assistance;
- i) Strengthen cooperation in addressing non-traditional issues, particularly in combating transnational crimes and other transboundary challenges.

Follow-up of APSC Blueprint

The APSC upholds the existing ASEAN political instruments such as the Declaration on ZOPFAN (Zone of Peace, Freedom, and Neutrality), the TAC (Treaty of Amity and Cooperation) in Southeast Asia, and the SEANWFZ (Treaty on Southeast Asia Nuclear-Weapon Free Zone), which shall play a pivotal role in the area of confidence building measures, preventive diplomacy and the approaches to conflict resolution. It shall abide by the UN Charter and other principles of international law (ASCPA, 2004).

ASEAN shall strengthen existing initiatives, launch new ones, and set appropriate implementation frameworks. ASEAN shall explore innovative ways to implement the Plan of Action which comprises six components, but not limited to, as follows: political development, shaping and sharing of norms, conflict prevention, conflict resolution, post-conflict peace-building, and implementing mechanism. A list of areas of activities, which is non-exhaustive, is provided to ensure a coordinated process of cooperation towards an ASEAN Political-Security Community.

There were also another significant progress from APSC Blueprint. First, the establishment of ASEAN human rights body – ASEAN Intergovernmental

Commission on Human Rights (AICHR) in 2009. Second, the establishment of ASEAN Maritime Forum, the 1st AMF meeting was held in mid-July 2010 in Surabaya. Third, the establishment of the ASEAN Coordinating Centre for Humanitarian Assistance on disaster management (AHA Centre) on November 2011 in Bali.

According to the APSC Blueprint, there are several on-going issues to be discussed:

1. The signing on concept of Third Protocol to amend the Treaty of Amity and Cooperation/TAC and the plan of accession of European Union, Canada, dan Turkey toward TAC;
2. The settlement of pending legal issues in the ASEAN Charter;
3. The preparation on concept of Memorandum on Activities under the SEANWFZ for UN Review Conference on Nuclear Non-Proliferation Treaty;
4. The discussion on South-China Sea dispute and Declaration on the Conduct of Parties to the South China Sea/DOC; and
5. The discussion on ASEAN Work Programme on Transnational Crime and in the purpose to make the Mutual Legal Assistance Treaty (MLAT) as the ASEAN agreement.

Concepts: Non-Interference & Human Security (The Probability of it's implementation in Southeast Asia)

Non-Interference

The principle of non-intervention in the internal affairs of States signifies that a State should not otherwise intervene in a dictatorial way in the internal affairs of other States. ASEAN, created in 1967, is Asia's first regional body dealing with a variety of common interests that has survived to the present day (Acharya, 2010). It is widely believed among scholars that the original norms meant to guide ASEAN's behaviour are first and foremost rooted in the principle of non-interference in domestic matters of neighbouring states (Jones, 2010).

Rather than creating a military alliance, ASEAN member countries set out to establish a normative framework based on the principle of non-interference in order to prevent unwanted foreign intervention in the members-states' domestic affairs (Dosch, 2011). Founded during the Cold War, ASEAN's primary aim was to prevent the region's involvement in the great power rivalry between East and West (Dosch, 2011). The sovereignty norm was reinforced by a decision-making approach based on consultation and consensus, and a focus on the peaceful resolution of inter-state disputes (Anggarwal & Chow, 2010). Southeast Asian regionalism thus served to prevent foreign interference and enabled the member-states to focus primarily on internal affairs. ASEAN was not designed to develop into a supranational institutional body, but rather as a forum for constructive dialogue among its member-states (Dosch, 2011).

For years now, ASEAN has invoked its commitment to non-interference in member states' internal affairs. ASEAN's commitment to non-interference is enshrined in several of the association's founding documents and declarations. However, the non-interference principle appears increasingly undermined through expanded membership, new challenges arising from globalization processes, growing demands for democratization, and the increasing international prominence of cosmopolitan norms whereby the focus is centred on human security rather than on state-sovereignty (Jetschke & Ruland, 2009). In that sense, public criticism of other states' domestic affairs has become a frequent practice and a gradual shift toward humanitarian interventionism in this globalization era (Molthof, 2012).

In its efforts to retain its effectiveness and legitimacy on both the domestic and international scene, ASEAN's traditional way of conducting regional affairs has become increasingly subject to vigorous debate (Molthof, 2012). The original non-interference policy has arguably become a stumbling block for ASEAN's capacity to respond to the region's internal problems and external challenges (Tan, 2011). On the contrary, Narine states: "It is the commitment to non-interference, and all of the complications that emerge from this principle, that is at the heart of the controversies over ASEAN's development today" (Narine, 2008).

Human Security

The humanitarian crisis that happen all over the world threat human security. The fulfilling of human rights and basic need ignored because of prolonged conflict. Yet, the threat of human security not only come from conflict but also development. United Nations Development Program (UNDP) stated in its 1994 report that human security not about weapon, yet about life and dignity of human (King & Murray, 2001). It encouraged UNDP to invent human development index (HDI) as indicators of Millenium Development Goals (MDGs) until 2015.

Human security is a complex concept because involve many indicators of human needs. However it can be divided into two main camps namely protective human security and development security (Feigenblatt, 2009). Protective human security concerns to protection from physical threat. The threat can be caused by natural disaster, war, political repression, and violation of human rights. Meanwhile, the development security has long term purpose like UNDP said a) secure from chronic hunger, disease, and repression; b) free from daily hurtful threat.

Boarder, human security divided into seven parts (UNDP,1994) namely economic security, food security, environment security, health security, personal security, community security and political security. Each of typology has some indicators that can be used to measure the human security. The table below detailing human security indicators made by The Global Development Research Center (GDRC). Considering that human security indicators are quite complex, the measurement should be comprehend suited to local relevance.

Human Security Indicators
--

Economic Security	Food Security	Environment al Security	Health Security	Personal Security	Community Security	Political Security
1. Income Level of Income Access to social safety nets Reliability of incomes Sufficiency of incomes Standard of living 2. Employment Share of employed/unemployed Risk of joblessness Protection against unemployment	Availability and supply of Food Access to basic food Quality of nutrition Share of household budget for food Access to food during natural/man made disaster	Assessment of pollution of water and air Prevention of deforestation Land of conservation and desertification Concern on environmental problems Ability to solve environmental problems Protection from toxic and hazardous wastes	Assessment of the health status Access to safe water Living in a safe environment Exposure to illegal drugs Access to housing: helter from natural elements Accessibility to healthcare system (physical and economic)	Fear of violence (Physical torture, war, ethnic tention, suicide, etc) Prevention of accident Level of crime Security from illegal drugs Efficiency of institution	Fear of multinational/region al ethnic Fear of internal conflicts Conservations of traditional/ethnic cultures, languages, and values Abolishment of ethnic discrimination Protection of indigeno	Level of democratization Protection against state repression (freedom of press, speech, voting etc) Respect of basic human rights and freedom Democratic expectation

		Prevention of traffic accidents and related impacts	Accessibility to safe and affordable family planning	Prevention of harassment and gender violence	Protection of vulnerable people	Abolishment of political detention, imprisonment, systematic torture, ill treatment, disappearance.
		Natural hazard mitigations	Quality of medical care	Prevention of domestic and child abuse		
			Prevention of HIV/AIDS and other disease	Access to public information		
			Health trend			
			Basic awareness and knowledge on healthy lifestyle			

Source: The Global Development Research Center website (GDRC).

Analysis

In this analysis, we conducted research by doing document review to the APSC Blueprint and also the ASEAN Charter to see the probability of APSC in resolving internal conflicts in ASEAN member countries. None of the articles in the APSC Blueprint discuss about the internal conflicts of ASEAN member countries, but preferring to the discussion about handling the intra-states conflicts and cooperation among ASEAN member states and non-member states. Formation of the APSC Blueprint is in line with the principles set out in the ASEAN Charter, so it will not discuss any sensitive matters, such as the issue of sovereignty of its member states. It is evidenced by Article 18 of the APSC Blueprint, which stated that the Blueprint only discuss about the conflict prevention which is conducted among its members and outside ASEAN member countries. APSC Blueprint only provides peace facilitation, mediation, consultation, recommendation, reconciliation, issues promotion, and other cooperation through exchange of information, best practices, and capacity building.

Through all things above, it can be seen that the measures undertaken by ASEAN constantly avoiding attitudes or interventions of other countries that might endanger cooperation among its member states and countries outside ASEAN. By doing so, ASEAN will always give priority to the measures of persuasion or soft diplomacy in carrying out any actions as ASEAN continue to keep up to the principles that set out in the ASEAN Charter. We assume, it will be very difficult for ASEAN to handle directly the internal conflicts of its member states. This can be proven by referencing to the principles set out in Article 2 of the ASEAN Charter, which requires ASEAN and its member states shall act as point (e), stick to non-interference principle in the internal affairs of ASEAN member countries; point (f), respect for the right of each member state to lead its national existence free from external interference, subversion and coercion; and point (k), does not participate/involve in any policies or activities, including the use of its territory, pursued by ASEAN member states or non-member states or any non-state actors, which threaten the sovereignty, territorial integrity, or political and economic stability of ASEAN member countries.

In the other hand, we intended to see the probability of ASEAN to present the humanitarian image through the application of human security concept. For finding that, we also did research document toward APSC blueprint. As we explained above, human security has several indicators to be measured. However, in this paper we would choose some parts of human security indicators that most related to the security condition in Southeast Asia. The two parts are community security and political security.

The indicators of community security are a) fear of multinational/multireligion-ethnic; b) fear of internal conflicts; c) conservations of traditional/ethnic cultures, languages, and values; d) abolishment of ethnic discrimination; e) protection of indigenous people. We think that community security becoming important tools to gain deeper understanding about Southeast Asia. Most of internal conflicts that happened in ASEAN member states are ethnic-religious conflict between majority and minority groups. The internal conflicts certainly make people feeling insecure.

Through the table below we identify any probability about the application of community security indicators in APSC blueprint by classifying it.

Community Security Indicators	APSC Blueprint	Statement
Fear of multinational/multireligion-ethnic	----	----
Fear of internal conflicts	----	----
Conservations of traditional/ethnic cultures, languages, and values	A.1.1	Promote understanding and appreciation of political system,

	A.1.9	culture, and history of member states. Promote peace and stability in the region.
Abolishment of ethnic discrimination	----	----
Protection of indigenous people	----	----

Figure 1. The table of classification of Community Security Indicators and APSC Blueprint

If we see the APSC blueprint, most of community security indicators weren't involved except the conservation of tradition/ethnic, language, and values. The fact that in ASEAN there are many communities, particularly the minority group that experienced any state repressions or involved in conflict that gave impact to regional security, in making this concept becoming significant to be concerned. However, the blueprint is ignoring it. Indeed, the APSC blueprint emphasize the importance of peace, conflict resolution, until peace building as written in point B (A Cohesive, peaceful, and resilient region with shared responsibility for comprehensive security), yet those concern only consider about the relations among ASEAN member states or ASEAN with its non member states.

Next, there is political security indicator, such as: a) Level of democratization; b) Protection against state repressions (freedom of press, speech, voting, etc); c) Respect of basic human rights and freedom; d) Democratic expectation; e) Democratic expectation; f) Abolishment of political detention, imprisonment, systematic torture, ill treatment, disappearance.

Though the table below, we identify and classify the indicators and articles in APSC blueprint.

Political Security Indicators	APSC Blueprint	Statement
Level of democratization	----	----
Protection againsts state repressions (freedom of press, speech, voting, etc)	----	----
Respect of basic human rights and freedom; d) Democratic expectation	-A.1.5 -	-Promotion and protection of human rights
Democratic expectation	-A.1.2 -A.1.3 -A.1.4 -A.1.5 -A.1.8	-Lay the groundwork for an institutional framework to facilitate free flow of information for mutual support and assistance of ASEAN member states Establish programmes for mutual support and assistance among ASEAN member states in the development of strategies for strengthening the rule of law and judiciary systems and legal infrastructures Promote good governance Promotion and protection of human rights

		Promote principles of democracy
Abolishment of political detention, imprisonment, systematic torture, ill treatment, disappearance.	----	----

The table explains that there are some indicators of political security involves the blueprint particularly related to promotion of democracy and human rights. If we elaborate deeply, the blueprint also commit to some actions as the implementation of sharing ASEAN values. However most implementation just spread through workshop, seminar, facilitating, mediation, etc. APSC doesn't promote beyond the educating way.

Conclusion

The probability of APSC to directly deal with internal conflicts in ASEAN member countries does not exist, because the APSC blueprint only regulates the inter-states conflicts and if there will be a humanitarian assistance to be given, it can be done through the approval of the host country. It is also reinforced by the ASEAN Charter Article 2, which mandates the principle of non-interference in the blueprint. Only a few of the human security indicators, particularly the point of community security and political security which is contained in the APSC blueprint, this is caused by the APSC blueprint that's focused more on the state level rather than the individual level.

Bibliography

Book:

- Dosch, J. (2011). Southeast Asia: ASEAN and the challenge of regionalism. In M. K. Connors, R. Davison, & J. Dosch, *The new global politics of the Asia Pacific* (p. 121-139). London: Routledge.
- Kraft, H. J. (2010). The ASEAN Political Security Community and the Financial Crisis. Dalam I. o. Studies, *The Global Economic Crisis: Implications for ASEAN* (p. 26). Pasir Panjang, Singapore: ISEAS Publishing.

Lederach, J. P. (1997). *Building Peace: Sustainable Reconciliation in Divided Society*. Washington DC: United State Institution of Peace.

Singh, B. (2014). *Tantangan Orang Rohingya Myanmar: Menghadapi Satu Minoritas Teraniaya dan Implikasi untuk Keamanan Nasional dan Regional*. Yogyakarta: Gadjah Mada University Press.

Journal:

Acharya, A. (2010). Asia is not one. *The Journal of Asian Studies*, 69(4), 1001-1013.

Anggarwal, V., & Chow, J. (2010). The perils of consensus: How ASEAN's meta-regime undermines economic and environmental cooperation. *Review of International Political Economy*, 17(2), 262-290.

Buendia, R. G. (2004). The GRP-MILF peace talks: Quo Vadis? *Southeast Asian Affair*, 205-221.

Harish, S., & Liow, J. C. (2007). The Coup and the Conflict in Southern Thailand. *Crossroads: An interdisciplinary Journal of Southeast Asian Studies*, 161-184.

Jetschke, A., & Ruland, J. (2009). Decoupling rhetoric and practice: the cultural limits of ASEAN cooperation. *The Pacific Review*, 22(2), 179-203.

Jitpiromsri, S., & McCargo, D. (2010). The Southern Thai Conflict Six Years on: Insurgency, Not Just Crime. *Contemporary Southeast Asia*, 156-183.

Jones, L. (2010). ASEAN's unchanged melody? The theory and practice of 'non-interference' in Southeast Asia. *The Pacific Review*, 23(4), 479-502.

Katsumata, H., Jones, D. M., & Smith, M. (2008). Asean, Regional Integration, and State Sovereignty. *International Security*, 182-188.

King, G., & Murray, C. (2001). Rethinking Human Security. *Political Science Quarterly*, 585-610.

Narine, S. (2008). Forty years of AESEAN: a historical review. *The Pasific Review*, 21(4), 411-429.

Ringuet, D. J. (2002). The Continuation of Civil Unrest and Poverty in Mindanao. *Contemporary Southeast Asia*, 33-49.

S.P.Harish. (2006). Ethnic or Religious Cleavage? Investigating the Nature of the Conflict in Southern Thailand. *Contemporary Southeast Asia*, 48-69.

Searle, P. (2002). Ethno-Religious Conflicts: Rise or Decline? Recent Developments in Southeast Asia. *Contemporary Southeast Asia*, 1-11.

Tan, S. S. (2011). Is Asia-Pacific regionalism outgrowing ASEAN? *The RUSI Journal*, 156(1), 58-62.

Vatikiotis, M. (2006). Resolving Internal Conflicts in Southeast Asia: Domestic Challenges and Regional Perspective. *Contemporary Southeast Asia*, 27-47.

Paper:

Evans, G. (2009). Tackling Conflict, Fragility, and Insecurity: Creating the Conditions for Effective Poverty Reduction. *DFID Conference on Future of International Development*. London.

Molthof, M. (2012, February 8). ASEAN and the Principle of Non-Interference.

Mukherjee, N., & Parihari, M. (2010). A Framework for measuring human security in conflict zones: A Meso-Level Approach.

Tuminez, A. S. (2008). Neither Sovereignty Nor Autonomy: Conflict in the Southern Philippines. *Annual Meeting of American Society of International Law* (hal. 122-125). American Society of International Law.

Document Report:

ICG, A. (2005). *Southern Thailand: Insurgency, not Jihad*. Brussels: International Crisis Group.

Secretariat, A. (2004). *ASEAN Security Community Plan of Action (ASCPA)*.

Secretariat, A. (2012). *ASEAN Political-Security Community Blueprint*. Public Outreach and Civil Society Division. Jakarta: ASEAN Secretariat.

Websites:

ASEAN. (2014). <http://www.asean.org/>. Accessed October 6, 2014, available from: <http://www.asean.org/>: <http://www.asean.org/>

Detik. (2014, February 16). Accessed October 7, 2014, available from: www.detik.com:
<http://news.detik.com/read/2014/02/13/131001/2495927/1148/konflik-sektarian-thailand-renggut-5-nyawa-termasuk-anak-kecil-dan-biksu>

Feigenblatt, O. V. (2009). *Asean and Human Security: Challenges and Opportunity*. Accessed October 20, 2014, available from: Asia Pasific University Website:
www.apu.ac.jp/rcaps/uploads/fckeditor/publication/workingpapers/RCAP_S_WP09-5.pdf

GDRC. (). Available from: The Global Development Research Center - <http://www.gdrc.org/sustdev/husec/z-indicators.html>. Accessed October 19, 2014.

Himal. (2009). Accessed October 7, 2014, available from: www.himalmag.com:
<http://old.himalmag.com/component/content/article/483-rohingya-not-bengali-burma.html>

ICG. (2005). Accessed October 7, 2014, available from: www.crisisgroup.org:
<http://www.crisisgroup.org/en/regions/asia/south-east-asia/thailand/098-southern-thailand-insurgency-not-jihad.aspx>

Synthesist. (2011, September). Accessed October 6, 2014, available from: <http://synthesistblog.com/>: <http://synthesistblog.com/wp-content/uploads/2011/09/k4c4FQ.jpeg>

Civil Society As Peacebuilder In Internet Era

Edwin Prasetiawan & Arofatin Maulina Ulfa¹

Abstract

Efforts in creating peace in the modern era are not glued to the conventional ways such as in world war era. Conventional ways like balance of power concept in international relations has undergone a shift. Right now, the peace process is no longer determined by the policy between state leaders, but also involves the participation of the society. One of them is by using the internet as an instrument of peace and the role of civil society as an agent. It is also the implication of the increasing complexity of humanitarian problems that occur in the international system. Increasingly massive user of the Internet occurred in the early 21st century after the rapid development of technology. The emergence of the ease of use of the Internet through smartphones and other gadgets make people more exist in social media. The era of internet support changing patterns of social movements, political parties and each other. Reduction in the use of Internet as a communication tool to make people more aware for humanitarian problems. The role of social media throughout the world such as twitter, facebook, and the other is an arena for the existence of another virtual world community or commonly known as netizens. Transformed into an agent of civil society in the process peacebuliding in the international system. The presence of civil society as an actor in the peace process trying to build awareness of netizens as active Internet users. This paper wants to explain how the influence of civil society on netizens in addressing humanitarian issues and peacebuilding processes in the international system. Civil society acts as an advocacy group on humanitarian issues and the problems of peace. So the role of civil society as one of the actors in international relations increasingly legitimate in the internet era.

Keywords: Civil Society, Online Activism, Internet Era, Peacebuilding

¹ Mahasiswa Hubungan Internasional Universitas Jember

Pendahuluan

Berkembangnya teknologi internet semakin memudahkan manusia untuk saling terhubung satu dengan yang lain. Interkoneksi yang terjadi semakin luas dan menembus batas wilayah negara. Tidak seperti cara konvensional yang rumit dan terkadang sulit dijangkau, koneksi antar manusia dengan menggunakan internet dinilai lebih fleksibel dan efisien. Jangkauan luas yang berasal dari internet dianggap merupakan penemuan manusia yang paling mutakhir dan membawa perubahan besar. Internet berfungsi sebagai instrumen yang sering dimanfaatkan manusia dalam kehidupan sehari-hari. Menurut Internetstats.com (2013) pemanfaatan internet oleh manusia kini yang mencapai angka 2.802.478.934. Milyaran manusia bisa terhubung dengan internet dan saling berinteraksi melalui beragam platform jejaring sosial seperti facebook, twitter, skype, dan banyak lainnya.

Produksi smartphone yang semakin canggih juga merupakan penunjang mobilitas masyarakat dalam penggunaan internet. Sehingga terdapat istilah baru bagi pengguna dunia maya, manusia yang sehari-hari menghabiskan waktunya untuk berselancar di internet memiliki penyebutan baru sebagai masyarakat internet atau *netizen*. Berbeda dengan masyarakat nyata yang hidup bermasyarakat dalam suatu wilayah, memiliki kedaulatan dan pemerintahan yang terstruktur, masyarakat internet atau *netizen* hidup dalam lingkungan yang tidak memiliki kedaulatan dan struktur yang jelas. Mereka hanya berkumpul di satu tempat yang tidak nyata tapi memiliki jangkauan yang cukup luas.

Munculnya *netizen* di abad modern menjadi sebuah komunitas baru dalam *cleavage* sosial. (lihat Price. 2013; Goode. 2010) Mereka adalah komunitas imajiner, namun pada hakikatnya mereka memiliki pengaruh yang cukup besar. Karena internet telah mendorong peran partisipatoris masyarakat untuk menyoroti masalah-masalah publik (Thornton. 2001). Salah satunya dalam proses perdamaian. Membangun perdamaian pasca konflik-konflik yang terjadi di berbagai belahan dunia kini bisa melibatkan *netizen* dalam prosesnya. *Netizen* merupakan sebagai sasaran yang paling mudah dijangkau sebagai sasaran kampanye perdamaian.

Menyikapi fenomena ini, penulis juga melihat keterlibatan masyarakat sipil sebagai salah satu faktor utama dalam proses perdamaian.

Perdamaian merupakan sebuah proses menuju selesainya sebuah konflik. Studi tentang perdamaian dewasa ini menjadi salah satu konsen studi ilmu sosial. Proses perdamaian diartikan sebagai prakarsa atas timbulnya perdamaian yang terus-menerus yang melibatkan peran antagonis dalam konflik berkepanjangan. Sebuah proses perdamaian akan memiliki kualitas yang kuat dan sistemik yang memungkinkan untuk menyelesaikan konflik. Paper ini ingin menjawab bagaimana proses pengaruh yang dapat diciptakan masyarakat sipil terhadap *Netizen* melalui gerakan aktivisme online. Menempatkan proses perdamaian dan aktivisme online sebagai premis. Dengan masyarakat sipil sebagai aktor utama.

Masyarakat Sipil Sebagai Aktor

Konsep masyarakat sipil atau *civil society* merupakan konsep yang terus diperdebatkan definisinya. Konsep ini memenuhi perdebatan-perdebatan kontemporer mengenai ilmu ekonomi, politik, dan sosial. Perkembangan konsep yang semakin meluas ini merupakan akibat dari ketidakmampuan disiplin-disiplin ilmu ini untuk memberikan penjelasan yang memadai terhadap perkembangannya. Pengadopsian terhadap sistem politik demokrasi oleh negara-negara modern menjadi sistem pemerintahannya, membuat semakin menguatnya peran-peran masyarakat sipil dalam pengambilan keputusan. Masyarakat sipil yang sebelumnya digambarkan sebagai pihak yang pasif dalam sistem politik kini menjadi aktif dalam menyoroti kinerja pemerintah.

Menguatnya peran *civil society* dalam sistem politik yang ada merupakan hasil dari proses yang tidak pendek. Munculnya konsep *civil society* memiliki akar yang panjang dalam sejarah pemikiran sosial. Masyarakat sipil muncul dari pemikiran filsuf-filsuf Inggris yang menitikberatkan pada adanya kontrak sosial.² Thomas Hobbes menitikberatkan pada kuatnya peran negara sebagai satu-satunya penjaga perdamaian serta mencegah kondisi *bellum omnium contra omnes* (semua

²kontrak sosial merupakan kesepakatan diantara masyarakat sipil untuk membentuk peraturan yang mengikat dengan memberikan mandat pada negara untuk menegakkan peraturan tersebut.

lawan semua). Karena ketika kondisi semua lawan semua ini terjadi maka hak-hak individu tidak terjamin keberlangsungannya, Di lain pihak, John Locke menitikberatkan pada adanya kebebasan individu untuk kehidupan sosialnya dan secara tidak langsung akan menjamin keberlangsungan masyarakat sipil. Individu-individu memberikan sedikit kebebasannya berupa mandat kepada negara untuk menjamin kebebasan individu. Kebebasan individu yang didengungkan oleh John Locke menjadi populer sekarang, karena peran negara yang minimal sesuai anjuran teoritis negara liberal menjadi dominan yang dianut oleh negara-negara modern (Pietrzyk. 2001).

Alexis de Tocqueville menyebut *civil society* sebagai asosiasi sipil. *Civil association* ini menarik perhatiannya karena kesuksesannya membangun sistem demokrasi. Akan tetapi walaupun sedemokratis apapun sistemnya pemerintah memiliki kecenderungan untuk mengekang kebebasan dari warganya. Tocqueville melihat hal ini sebagai kecenderungan negara untuk menjadi *despotisme*, ketika sistem demokrasi di dalamnya tidak diisi oleh orang-orang yang berasal dari masyarakat demokratis. Untuk menjamin itu agar kebebasan individu, De Tocqueville melihat *civil society* sebagai bentuk asosiasi politik dimana ia bergerak untuk mempromosikan hal-hal ihwal publik untuk menjadi perhatian bersama (de Tocqueville).

Aktifnya masyarakat sipil dalam ranah politik pengambilan keputusan yang dihasilkan pemerintah secara efektif dijalankan dalam bentuk organisasi-organisasi masyarakat sipil. Organisasi masyarakat sipil yang memiliki struktur ini menjadi kelompok-kelompok kepentingan yang terfragmentasi berdasarkan isu-isu publik (Imawan, 2013). Luasnya fragmentasi terhadap isu-isu yang berkembang ini berakibat pada tingginya jumlah organisasi masyarakat sipil. Heterogenitas ini menjadi kekuatan penyeimbang dari dominasi negara dan pasar serta menjadi kekuatan ketiga dalam struktur politik modern (Keane. 2003: 65). Selain jumlah yang sangat banyak kekuatan dari organisasi masyarakat sipil terdapat pada dua hal. (1) Agen advokasi terhadap masyarakat. Dikarenakan kemampuan dari organisasi masyarakat sipil untuk menjangkau masyarakat terpencil. (2) Pemotongan jalur

yang dilalui pemerintah dalam penerapan kebijakan (Riker dalam Widjanto. 2007: 38).

Perkembangan masyarakat yang tidak lagi dalam lingkup skala nasional melainkan juga internasional telah mengembangkan isu-isu yang sebelumnya sebagai masalah nasional kemudian menjadi perhatian internasional. Selain jumlah yang meningkat diperkirakan terdapat lebih dari 50.000 organisasi masyarakat sipil internasional yang beroperasi pada tahun 2003 (Keane. 2003: 5). Isu yang ditangani gerakan masyarakat sipil pun semakin meluas karena eskalasi lingkup sosial yang semakin mengglobal. Munculnya organisasi masyarakat sipil sebagai aktor dalam sistem internasional tidak serta merta menggantikan dominasi negara (Tvedt. 2002). Akan tetapi lebih kepada mengisi jenjang yang tidak bisa di penuhi negara seperti yang disebutkan Riker.

Secara definitif terdapat perbedaan dalam memberikan definisi atas konsep mengenai gerakan masyarakat sipil yang melewati yurisdiksi negara. Gerakan transnasionalisme masyarakat sipil (Widjanto, 2007) dan masyarakat sipil global (Anheier, Glasius dan Kaldor, 2001) dari definisi mengenai organisasi masyarakat sipil lintas batas negara ini. Terdapat kesamaan adanya penguatan terhadap masyarakat sipil internasional yang menjadi aktor berskala global. Organisasi masyarakat sipil lintas batas negara ini tidak serta merta menjadi pesaing negara dalam kenyataannya. Operasi yang dijalankan tetap harus masuk ke dalam yurisdiksi batas wilayah negara. Hal ini menjadi kurang efektifnya kerja dari organisasi masyarakat sipil global. Selain ketidakmampuan untuk mengurangi intervensi negara dalam praktiknya. Organisasi masyarakat sipil global dianggap tidak memiliki keterkaitan terhadap penegakan demokrasi di negara-negara inangnya (Suharko. 2003).

Masyarakat sipil berperan sebagai agen perdamaian melalui organisasi masyarakat sipil. Mendorong partisipasi aktif organisasi masyarakat sipil dalam proses perdamaian yang selalu melibatkan proses resolusi konflik. Upaya resolusi konflik dapat dilakukan melalui beberapa tahap. Salah satunya mengupayakan peran masyarakat dalam organisasi masyarakat sipil. Peran masyarakat sipil sangat menentukan pembentukan struktur perdamaian yang terorganisir dalam satu

komunitas. Pembentukan struktur perdamaian sangat beragam dilihat dari tujuan, fungsi yang dijalankan, maupun struktur organisasi yang dilibatkan. Ragam gerak masyarakat sipil tersebut tampak antara lain dari cara organisasi masyarakat sipil berhadapan dengan pemerintah atau organisasi internasional. Dalam kerangka kerja masyarakat sipil, mereka berusaha melakukan sinergis dengan pemerintah. Hal ini dilakukan dengan upaya membentuk simbiosis antara poros warga dan poros Negara(Widjajanto,2007)

Internet Dan Aktivisme Online

Pemanfaatan internet di era digital semakin beragam. Salah satunya, internet digunakan sebagai instrument utama dalam pergerakan aktivisme online. Internet merupakan jejaring yang berjaring. Jejaring komputer raksasa dan terpusat yang di rancang untuk menyebarkan informasi dengan protocol standart yang khusus. Dibawahnya jutaan mesin mengirim, mengolah, dan menerima paket data dengan kecepatan menakjubkan lewat serat optik dan kabel tembaga. Segala hal yang terdapat dalam jaringan dunia maya adalah serangkaian angka, dikemas bersama, dikirim melalui deretan router di seluruh dunia, lalu kembali lagi di ujung akhirnya (Schmidt & Cohen. 2014). Kerumitan sistem kerja interenet menghasilkan suatu kecanggihan yang semakin memudahkan penggunaanya, meskipun kerumitan sistem kerjanya tidak dapat terbayangkan oleh otak manusia awam.

Aktivisme Internet adalah bentuk aktivisme yang dilakukan di dunia maya. Salah satu bentuknya adalah menyampaikan E-petisi yang ditujukan kepada pembuat kebijakan atau masyarakat luas. Tujuanya adalah untuk memprotes dan mendesak guna mengadakan perubahan. Aktivisme merupakan kegiatan yang menjadi bagian dari gerakan sosial. Gerakan aktivisme cenderung konsen terhadap tercapainya perubahan sosial. Perubahan tersebut umunya ditujukan kepada para pembuat kebijakan, atau sekedar untuk mempengaruhi pemikiran masyarakat luas. Tim Jordan(2002) menjelaskan bahwa :

Activism is essentially something done together by many people, but we must be careful with the sense of group or collective that is employed here. What is essential to activism is not simply being more than one, as we are in

a cinema, but a sense of solidarity in pursuit of transgression. There has to be a sense of shared identity, which can best be understood at this stage as people recognizing in one another the anger, fear, hope or other emotions they feel about a transgression.

Aktivisme selalu identik dengan suatu gerakan yang dilakukan bersama oleh beberapa atau banyak orang. Aktivisme berkaitan erat dengan usaha dalam kegiatan advokasi terhadap pelanggaran-pelanggaran yang terjadi dalam kehidupan sosial. Ketika gerakan aktivisme terbentuk dalam masyarakat, hal tersebut menandakan bahwa ada sesuatu yang harus dirubah. Gerakan aktivisme mengindikasikan terdapat pelanggaran dan ketidakadilan yang terjadi di masyarakat.

Aktivisme internet juga memungkinkan organisasi seperti LSM untuk berkomunikasi dengan individu secara mudah dan terjangkau. Pertemuan dan protes dapat diatur dengan masukan dari penyelenggara dan peserta. Lobi juga dibuat lebih mudah melalui internet, salah satunya dengan pemanfaatan e-mail massal dan kemampuannya untuk menyiarkan pesan secara luas. Situs jejaring sosial mainstream, misalnya Facebook.com dan twitter.com juga semakin memudahkan gerakan e-aktivis. Hal ini kemudian memicu budaya partisipatif aktif dalam sistem internet yang digerakkan oleh organisasi masyarakat sipil di situs jejaring sosial.

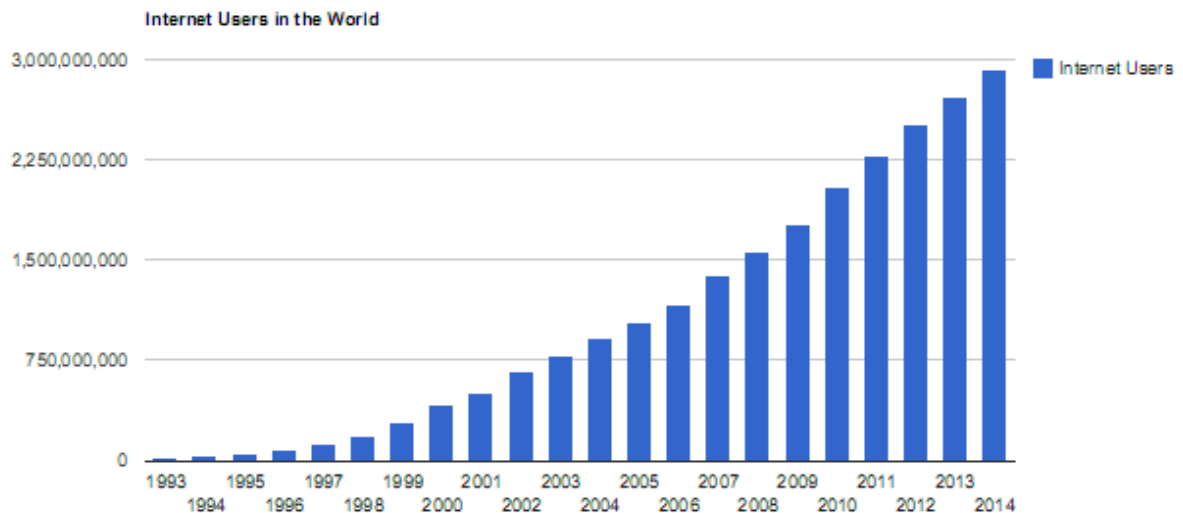
Penggunaan media-media sosial online merupakan hal penting dikarenakan komunikasi lebih cepat dalam masyarakat dengan tujuan untuk penyampaian informasi kepada masyarakat luas. Sandor Vegh (2003) membagi aktivisme online menjadi tiga kategori utama:

1. advokasi: Dalam beberapa permasalahan sosial seringkali terjadi adanya bias informasi. dikarenakan adanya kepentingan-kepentingan yang turut masuk di dalamnya. Dengan semakin terhubungnya internet dalam masyarakat maka advokasi yang dilakukan oleh aktivis lebih mudah dan murah. Hal ini dikarenakan informasi secara efisien lebih cepat sampai pada masyarakat luas.
2. mobilisasi: internet juga mempermudah mobilisasi massa dari para aktivis dengan berbagai jalan. Pertama, jalan *offline*. penyebaran info mengenai

aksi massa melalui internet dapat mempercepat informasi. Kedua, *online*. dengan memberikan milis dengan pihak-pihak *stakeholder* untuk memaksa pihak *stakeholder* agar mengambil tindakan atas suatu masalah. ketiga mobilisasi internet, melalui saluran saluran seperti petisi online, penyebaran informasi via retweet twitter.

3. aksi: dalam menjalankan aksi, dapat dikatakan sebagai aksi diluar izin pemerintah. Aktivisme online adalah gerakan yang sulit di kontrol secara penuh oleh pemerintahan Negara. Fakta ini mendukung gerakan ini untuk melakukan aksi online tanpa harus meminta izin terhadap pemerintah suatu Negara. faktor lainnya adalah bahwa internet merupakan sebuah lanskap yang sering disebut sebagai “*tanah tak bertuan*”, sehingga peraturan-peraturan dalam kedaulatan Negara tidak berlaku di sini.

Melihat aktifitas masyarakat dalam menggunakan internet, misalnya dapat dilihat dengan tingkat ketergantungan pada internet yang terlihat dalam statistic berikut :



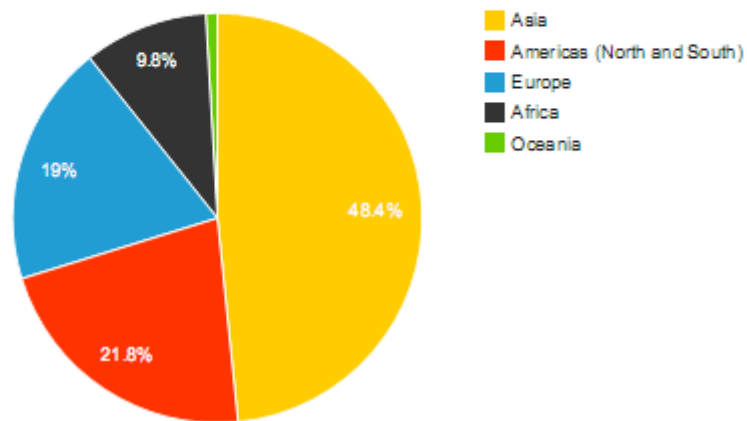
Gambar 1. Perkembangan Jumlah Pengguna Internet di Dunia tahun 1993-2014

Sumber : www.internetlivestats.com

Gambar 2. Pengguna Internet berdasarkan Kawasan

Internet Users by Region

As of July 1, 2013:



Sumber : www.internetlivestats.com

Data menunjukkan pengguna internet dalam beberapa periode semakin meningkat dan massif. Hal ini adalah konsekuensi logis dari semakin berkembangnya teknologi internet yang semakin mempermudah serta memfasilitasi penggunaannya. Data statistik menunjukkan bahwa puncak penggunaan internet terbanyak berada di tahun 2014 dengan jumlah 3 milyar pengguna. Dengan regional pengguna terbesar berada di kawasan benua Asia. Hal tersebut mengindikasikan bahwa 3 milyar manusia saat ini sedang terkoneksi satu sama lain dalam sebuah “*tanah tak bertuan*” yang dikenal sebagai jaringan internet. Dengan terkoneksi internet, 3 milyar pengguna internet dapat berperan aktif dalam aktivisme online.

Aktivisme online menjadi *jalan baru* bagi terciptanya suatu perdamaian dalam suatu konflik. Internet memiliki peran sentral dalam upaya penyebaran kepentingan-kepentingan organisasi masyarakat sipil dalam proses perdamaian. Masyarakat sipil menjadi konsumen utama jaringan internet yang saling terkoneksi di berbagai jaringan media social. Media social memberikan kemudahan sebagai sarana penyebaran isu-isu perdamaian, kampanye-kampanye perdamaian, dan pengadaan petisi bagi proses resolusi konflik. Manifesto jaringan internet sebagai

“*tanah tak bertuan*” dengan *netizen* sebagai penghuninya, merupakan ruang yang tak terbatas sebagai bentuk objek dari aktivisme internet.

Masyarakat Sipil dan Proses Perdamaian

Politik Internasional yang semakin dinamis pasca berakhirnya Perang Dingin turut serta membawa pengaruh yang besar terhadap peran organisasi masyarakat sipil. Perdamaian semasa Perang Dingin yang diatur oleh logika *statecentric* dimana perdamaian dilihat sebagai absennya perang dikarenakan adanya perimbangan kekuatan dan dimana kekuatan suatu negara diukur melalui kekuatan militer yang dimiliki oleh negara tersebut. Berakhirnya Perang Dingin juga memulai babak baru dalam lanskap politik internasional dimana kekuatan suatu negara tidak lagi diukur hanya melalui kekuatan militer tetapi digantikan dengan kekuatan ekonomi politik. Hal ini juga mendorong adanya pendekatan yang lebih lunak terhadap definisi perdamaian.

Arah perdamaian pun berubah dimana setelah Perang Dingin yang lebih dititikberatkan pada pembangunan masyarakat sipil (Leewen & Verkoren. 2012). Pembangunan masyarakat sipil ini bertujuan untuk pencegahan terhadap terjadinya konflik yang terjadi di masa depan. Sebagai agen sosial masyarakat sipil berperan terhadap pertumbuhan dialog dan peningkatan kepercayaan publik terhadap institusi-institusi publik. Peran masyarakat sipil sebagai pengawas terhadap agenda-agenda pemerintah telah membawa masyarakat sipil menjadi aktor penting dalam menjaga akuntabilitas pemerintahan. Menjaga negara untuk tetap pada jalur yang disepakati semisal dalam perjanjian internasional, masyarakat sipil menyoroti langkah-langkah yang diambil oleh negara dalam mewujudkan perjanjian tersebut.

Gerakan masyarakat sipil global bergerak berdasarkan aktivisme yang dibangun dalam skala global. Aktivisme yang berdasarkan masyarakat sipil tentu tidak memiliki kekuatan seperti yang dimiliki oleh negara. Organisasi masyarakat sipil yang diidentikkan dengan organisasi non pemerintah menyebarkan ide-ide perdamaian dengan penguatan masyarakat sipil di dalam negara yang berkonflik. Hal ini dilakukan untuk mendorong kelompok masyarakat sipil di dalam negara tersebut untuk menyebarkan ide-ide perdamaian di internal negara (lihat Anheier,

et al eds. 2007: 94). Secara konvensional lembaga-lembaga donor ini memberikan kemampuan masyarakat sipil lokal untuk memiliki otonomi dalam kegiatan-kegiatannya tanpa tergantung dari pemerintah. Sehingga peran mereka diperhitungkan dalam kegiatan penciptaan perdamaian di negara berkonflik. Terlebih negara tidak mampu memberikan jaminan terhadap stabilitas internal.

Selain adanya kelompok masyarakat sipil global yang khusus dalam menyoroti masalah-masalah perdamaian sebagai agenda utamanya. Tongeren (2013) menyoroti adanya gerakan *bottom up* oleh masyarakat sipil yang membentuk kepanitiaan lokal yang terdiri dari para tetua adat untuk mewujudkan perdamaian dalam skala yang kecil pada daerah yang berkonflik. Kepanitiaan lokal yang terdiri dari masyarakat ini merupakan perwujudan dari penciptaan perdamaian di level tingkat kota di berbagai negara konflik seperti Afghanistan, Kongo, Kolombia. Kepanitiaan ini sangat bermanfaat untuk mengendalikan konflik horizontal yang lebih menekankan pada konflik berdasarkan etnisitas. Kelebihan lain adalah panitia perdamaian ini lebih cair dalam penciptaan perdamaian karena kemampuannya untuk mempertemukan pemimpin-pemimpin konflik sehingga berpengaruh terhadap pengikut kelompok masing-masing.

Dua model ini merupakan model perwujudan perdamaian yang diprakarsai oleh masyarakat sipil. Tipologi mengenai masyarakat sipil yang terlibat dalam konflik lebih lanjut dijelaskan oleh Marchetti dan Tocci (2009). Aktor-aktor masyarakat sipil dalam konflik dibagi menjadi 8 tipe jalur. Sesuai tabel di bawah, terdapat jalur-jalur yang dapat di tempuh masyarakat sipil dalam proses perdamaian. Jalur-jalur yang ada dijelaskan dengan beberapa tipologi aktor yang berperan dalam proses perdamaian. Penulis memfokuskan analisa pada poin 3 dan poin 5 dimana terdapat jalur *private citizen* dan kegiatan *activism*. Karena konsen kajian dalam paper ini menekankan pada peran masyarakat sipil dalam mengkampanyekan perdamaian melalui kegiatan aktivisme, khususnya aktivisme online. Kegiatan aktivisme ini dapat dilakukan oleh tipe aktor yang terdapat dalam poin 3 dan 5. Masyarakat sipil dapat berpartisipasi dalam proses perdamaian dengan jalur aktivisme, dengan jalan berafiliasi terhadap NGO, Lobby Groups, Grassroot social movement, Local Communities, atau combatant group. Atau bahkan dapat

berpartisipasi dengan jalan *private citizen* yang melibatkan individu itu sendiri, grup diaspora, bahkan melalui klan keluarga (Marchetti & Tocci, 2009) *Netizen* sebagai masyarakat yang teratomkan menjadi individu masuk kedalam tipologi ini. Karena teknologi informasi internet dewasa ini telah mendorong individu berperan untuk ikut berpartisipasi dalam masalah publik

Table 1. Conflict society organizations (CoSOs) typology.

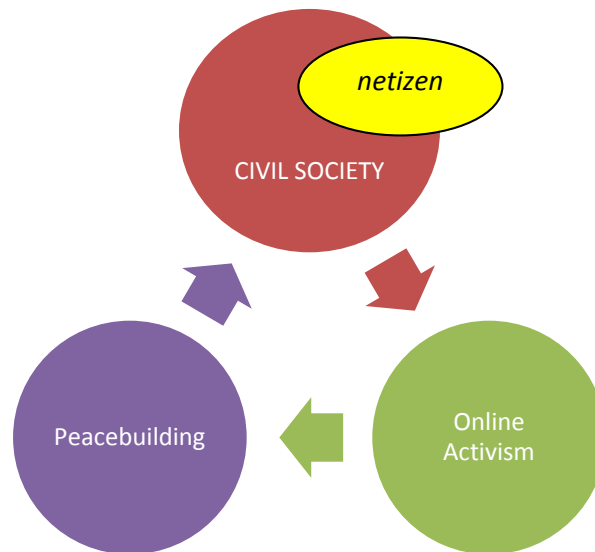
	Type of track diplomacy	Actors
1.	Professional	Technical experts consultants
2.	Business	Businessmen Trade unions Professional associations Organized crime networks
3.	Private citizens	Individual citizens Diaspora groups Families and clans
4.	Research, training and education	Special interest research centres Think tanks Universities
5.	Activism	NGOs Lobby groups Grassroots social movements Local communities Combatant groups
6.	Religion	Spiritual communities Charities Religious movements
7.	Funding	Foundations Individual philanthropists
8.	Communication	Media operators

Masyarakat Sipil Sebagai *Peacebuilder* Melalui Aktivisme Online

Konflik selalu melibatkan isu-isu rasis, dan pelanggaran hak asasi manusia. Hal ini mempengaruhi gerakan aktivisme yang terjadi dalam sistem internasional. Fakta adanya isu humanitarian adalah sebuah tanggapan maraknya kasus kekerasan serta konflik yang terjadi dalam tatanan sosial masyarakat. Dalam konteks ini, penulis mengkaji fakta keterlibatan masyarakat sipil dan *netizen* dalam gerakan aktivisme yang terkonsentrasi pada isu-isu humanitarian.

Netizen merupakan bagian dari masyarakat sipil yang aktif dalam dunia virtual. Adanya istilah masyarakat internet atau *netizen* hanya sebuah bentuk pembatas atau pembeda berdasarkan domain. Istilah penyebutan *netizen* merupakan sebutan bagi masyarakat sipil yang memiliki eksistensi di dunia maya. (Kittilson & Dalton, 2011) Masyarakat sipil dan *netizen* keduanya merupakan pelaku atau aktor dalam aktivisme online. Masyarakat sipil melakukan *amalgamasi* melalui

organisasi-organisasi masyarakat sipil, ataupun berperan secara individu dalam proses perdamaian melalui kegiatan aktivisme.



Contoh bentuk aktivisme online saat ini adalah petisi online, gerakan di facebook, twitter, youtube, dan beberapa website kampanye yang berisis tentang tindakan-tindakan persuasi. Selain tindakan persuasi, gerakan aktivisme online bertujuan dalam mempengaruhi kebijakan politik suatu pemerintahan. Aktivitas masyarakat sipil melalui situs *change.org* dan peran media sosial adalah bukti bahwa sedang terjadi gerakan yang digagas dan di prakarsai masyarakat sipil dengan pemanfaatan internet sebagai instrument kampanye, dengan tujuan melakukan persuasi terhadap *netizen*. Persuasi atau hegemoni yang coba dibangun disertai dengan tujuan dan harapan bahwa gerakan aktivisme dapat mempengaruhi pengambilan kebijakan publik yang dilakukan oleh pemerintah dan dapat menciptakan perdamaian secara luas.

Dalam situs *change.org* misalnya, menggunakan *tagline* “Wadah dunia untuk perubahan dengan 79.382.696 orang berpartisipasi dalam perubahan”, merupakan bentuk aktivisme online yang di gagas oleh masyarakat sipil dengan harapan dapat mengadakan perubahan yang signifikan (Change.org, 2014). Dalam proses *peacebuilding*, situs *change.org* sering dimanfaatkan sebagai situs kampanye dan lahan untuk melakukan persuasi terhadap milyaran pengguna internet di berbagai belahan dunia dalam bentuk petisi. Dalam konteks ini, masyarakat sipil di tuntut

untuk aktif dan partisipatif. Setiap individu, NGO, kelompok masyarakat, kelompok lobbying, serta berbagai organisasi masyarakat sipil mempunyai kesempatan untuk menyuarakan serta melakukan mobilisasi untuk melakukan penandatanganan petisi secara online. Domain kerjanya tidak terbatas pada satu wilayah saja. Tetapi dapat dijangkau di seluruh belahan dunia.

Sebagai data adalah salah satu bentuk petisi yang di ajukan oleh *Save The Children Australia* sebuah lembaga dari Australia yang konsen terhadap isu-isu perlindungan hak asasi anak melalui situs *Change.org* :

Israel/Gaza: it's time to permanently stop using explosive weapons

Save the Children welcomes with relief the much-needed ceasefire agreement between the Israeli government and Palestinian representatives.

We hope this will be sustained and ensure the wellbeing of children in Gaza and Israel. Save the Children encourages governments and individuals to be generous in contributing to the urgent reconstruction of Gaza.

To support our work with children affected by crisis in Gaza and other humanitarian crises around the world, please donate to our Children's Emergency Fund. Thank you for your wonderful support.

PETITION CLOSED

Explosive weapons kill indiscriminately. During the seven-week conflict in Israel and Gaza, 483 Palestinian and Israeli children have been killed mostly by the use of such weapons.

We're calling on Julie Bishop, Minister for Foreign Affairs to use her diplomatic influence to:

- 1. Urge the UN Secretary-General to call for all sides to permanently end the use of explosive weapons in populated areas.*
- 2. In the longer term, seek an end to the blockade of Gaza to ensure children receive life-saving aid and reconstruction materials/services.*

Sign our petition and help put an end to the suffering of children (Save The Children Australia. Change.org. 2014).

Melalui situs change.org, gerakan *Save The Children Australia* mempunyai wadah untuk menyalurkan gagasan untuk mengkampanyekan, mempengaruhi masyarakat internet sebagai upaya agar kekerasan anak yang terjadi di Gaza dapat di hentikan. Petisi tersebut di tujukan kepada Hon Julie Bishop selaku Menteri Luar Negeri Australia. Poin petisinya meminta menteri luar negeri dapat menggunakan diplomasi untuk mempengaruhi PBB guna menghentikan penggunaan senjata secara massif di Gaza serta pemberian bantuan serta mejamin kelayakan hidup anak-anak di Gaza. Selain petisi yang di tujukan kepada Julie Bishop selaku Menteri Luar Negeri Australia, detail petisi yang termuat dalam situs change.org dapat di akses dan di baca oleh *netizen*. Konsekuensinya, memungkinkan *netizen* tertarik dan menandatangani petisi secara online. Dengan quota tanda tangan yang telah terpenuhi, situs change.org meneruskan isi petisi terhadap Julie Bishop selaku Menteri Luar Negeri Australia. Memungkinkan bahwa tuntutan yang dikemukakan oleh gerakan *Save The Children Australia* dapat menjadi bahan pertimbangan dalam pengambilan kebijakan.

Contoh bentuk aktivisme lainya adalah gerakan aktivisme yang tergabung dalam *International Campaign to Abolish Nuclear Weapons* (ICANW). Melalui akun twitter @nuclearban gerakan ini berusaha menciptakan pengaruh terhadap *netizen*. *International Campaign to Abolish Nuclear Weapons* (ICAN) merupakan organisasi masyarakat sipil dengan koalisi kampanye global bekerja untuk memobilisasi orang-orang di semua negara untuk menginspirasi, membujuk dan menekan pemerintah untuk mendukung perjanjian melarang penggunaan senjata nuklir. Kampanye ini dimulai pada 2007, dengan 360 organisasi mitra kini aktif di 93 negara di seluruh dunia. Kampanye ini fokus pada mobilisasi masyarakat sipil dengan tujuan spesifik penghapusan perjanjian senjata nuklir global. Memiliki kelompok pengarah, staf tim dan organisasi mitra (www.icanw.org. 2014)

Contoh gerakan change.org dan ICANW dapat dilihat melalui perspektif aktivisme online yang di jelaskan Sandor Vegh. Yakni advokasi, mobilisasi, dan

aksi. Gerakan aktivisme online adalah usaha untuk melakukan advokasi terhadap proses perdamaian dalam kasus-kasus konflik. Tujuannya adalah melakukan mobilisasi masa. Target mobilisasinya adalah masyarakat internet atau *netizen* melalui aksi-aksi kampanye via online. Aksi dalam aktivisme-aktivisme online juga tidak memerlukan izin pemerintah suatu Negara, bahkan mereka mampu untuk menjangkau dan bekerja dalam sistem internasional tanpa harus melalui batas-batas kedaulatan suatu Negara. Seluruh gerakan mereka dapat menjangkau *netizen* di belahan dunia.

KESIMPULAN

Konsep “*tanah tak bertuan*” yang identik dengan jaringan internet telah berhasil membawa aktivisme online mampu melampaui kedaulatan Negara dalam sistem kerjanya. Berbagai gerakan aktivisme online yang muncul merupakan upaya persuasi serta upaya hegemoni terhadap *netizen*. Tujuannya adalah untuk menciptakan kesadaran, mempengaruhi dan mendekonstruksi pemikiran-pemikiran yang terbentuk dari media-media arus utama, serta sebagai upaya dalam mempengaruhi kebijakan pemerintah. Sebagai “*watchdog*” terhadap agenda-agenda pemerintahan, kemudahan-kemudahan yang didapat dari perkembangan teknologi menjadi alat yang digunakan masyarakat sipil untuk mengawal dan mengimbangi pemerintah negara.

Situs Change.org sebagai situs petisi online berpotensi efektif sebagai sebuah situs yang mampu menciptakan suatu kekuatan untuk mendobrak dan mendorong masyarakat sipil maupun pemerintah bahkan dalam mempengaruhi kebijakan maupun dalam menciptakan kesadaran masyarakat secara luas. Demikian halnya dengan ICAN melalui @nuclearban. Keduanya adalah akun yang bekerja dalam mempengaruhi dan menghegemoni *netizen* guna mempengaruhi pembuat kebijakan. Hasil yang ingin di capai adalah perubahan sosial serta terciptanya perdamaian secara luas.

Tapi disisi lain ketiadaan fisik ini menjadi hambatan terhadap kinerja *netizen* dalam mewujudkan perdamaian. Tingkat efektifitasnya di asumsikan belum maksimal. Hal ini di dasarkan pada ruang lingkup kerja aktivisme online yang masih di anggap maya dan utopis. Dengan domain jaringan internet, pengaruh yang di ciptakan dianggap sebagai pengaruh yang tidak nyata. Dan hal pengaruhnya terhadap kebijakan pemerintah, akan berbenturan dengan kinerja sistemik dalam pemerintahan dikarenakan masih adanya prosedur-prosedur yang harus dilalui dalam menciptakan pengaruh bagi pengambilan kebijakan. Singkatnya, legalitas dari berbagai aktivisme online ini masih di rasa kurang. Sehingga tingkat pengaruh terhadap pengambilan kebijakan di anggap masih kurang maksimal. Dengan munculnya internet, negara juga tidak mau kalah dalam melakukan penetrasinya ke dalam ranah dunia maya ini (De Nardis. 2012; Yang. 2014). Sebagai contoh, gerakan petisi online yang di sediakan pemerintah di Filipina dan Amerika lebih memiliki legitimasi dari pemerintah di bandingkan efektifitas petisi online melalui situs change.org di karenakan instrument tersebut di keluarkan resmi oleh pemerintah.

Negara berusaha untuk melakukan langkah pelemahan terhadap otoritasnya. Melalui kontrol terhadap penggunaan media sosial, monopoli terhadap media sosial dan memberikan akses hanya kepada media sosial yang diatur Negara. Penghapusan konten-konten yang tidak sejalan dengan agenda pemerintah, merupakan agenda pemerintah untuk mengembalikan kedaulatannya dalam ranah baru bernama internet ini. Aksi mobilisasi kelompok masyarakat sipil yang terhambat pada adanya regulasi-regulasi ini juga mengurangi dampak aksi *netizen*.

Pendekatan-pendekatan liberal yang merupakan arus utama dalam kajian mengenai masyarakat sipil yang mana melihat bahwa negara harus berperan seminimal mungkin, menjadi kurang relevan ketika dilihat dari perspektif negara yang sedang berkonflik. Negara yang tidak cukup mampu membawa stabilitas internal dimana elemen-elemen masyarakat didalamnya bersaing berakibat pada pelemahan terhadap masyarakat sipil itu. Yang mana berbeda dengan masyarakat di negara-negara yang sudah mapan baik dalam menjalankan demokrasi dan kebebasan dalam mendapatkan internet. Sebagai pihak yang hanya menyoroti

kinerja pemerintah serta mendorong pemerintah untuk melakukan aksi tertentu dalam pelaksanaan perwujudan perdamaian *netizen* tidak bisa melakukan lebih dari pada penyebaran isu. Strategi “*boomerang*” yang digadang gadang sebagai strategi untuk melakukan pemberian sanksi sosial terhadap negara juga tidak bisa mendorong negara untuk melakukan lebih dari apa yang diinginkan oleh kelompok masyarakat sipil ini.³

³ Strategi boomerang ini merupakan konsep yang diajukan Margareth Keck dan Kathryn Sikkink. Strategi ini merupakan langkah yang dijalankan oleh organisasi masyarakat sipil yang berkecimpung pada isu-isu internasional. Dengan jalan memberikan “resonansi” terhadap aktivis dalam negara ketika menyoroti perilaku negara yang dianggap melanggar isu-isu ataupun perjanjian yang telah diratifikasi semisal HAM. Lihat Margareth Keck dan Kathryn Sikkink *Transnasional Advocacy Networks In International And Regional Politics* dalam <http://courses.washington.edu/pbaf531/KeckSikkink.pdf>

REFERENSI

Buku

- Anheier, H., Glasius, M. and Kaldor, M. (eds) (2001). *Global civil society 2001*. Oxford: Oxford University Press.
- Jordan . Tim, 2002, *Activism : Direct Action, Hactivism and the Future of Society*, London : Reaktion Books
- Kaldor, Mary. Kostovicova, Denisa. And Said, Yahia (2007) *War and Peace: The Role of Global Civil Society* dalam Anheier, H., kaldor, M. and Glasius, M. (2007) . *Global Civil Society 2006/07*. London: Sage.
- Keane, J. (2003). *Global civil society?*. Cambridge: Cambridge University Press.
- Schmidt, Eric & Cohen, Jared. Hanna, Selviya (pent.) (2014) *The New Digital Age*. Jakarta : Gramedia
- Vegh. Sandor (2003) *Classifying Forms of Online Activism: The Case of Cyberprotests against the World Bank* dalam McCaughey, M. and Ayers, M. (eds) (2003) *Cyberactivism*. New York: Routledge
- Widjajanto, A. (2007). *Transnasionalisasi masyarakat sipil*. Depok: FISIP UI Press.

Jurnal

- Alinta L. Thornton (2001) *Does the internet create democracy?*, *Ecquid Novi: African Journalism Studies*, 22:2, 126-14
- Emma Price (2013) *Social Media and Democracy* *Australian Journal of Political Science*, 48:4,519-527
- Erich J. Sommerfeldt (2013) *Online Power Resource Management: Activist Resource Mobilization, Communication Strategy, and Organizational Structure*, *Journal of Public Relations Research*, 25:4, 347-367, DOI: 10.1080/1062726X.2013.806871

- Grant Blank & Darja Groselj (2014) *Dimensions of Internet use: amount, variety, and types*, *Information, Communication & Society*, 17:4, 417-435, DOI:10.1080/1369118X.2014.889189
- Guobin Yang (2014) *The Return of Ideology and the Future of Chinese Internet Policy*, *Critical Studies in Media Communication*, 31:2, 109-113, DOI: 10.1080/15295036.2014.913803
- Laura DeNardis (2012) *Hidden Levers Of Internet Control*, *Information, Communication & Society*, 15:5, 720-738, DOI: 10.1080/1369118X.2012.659199
- Luke Goode (2010) *Cultural Citizenship Online: The Internet and Digital Culture*. *Citizenship Studies* 14:5 527-542
- Marc Eaton (2010) *Manufacturing Community In An Online Activist Organization*, *Information, Communication & Society*, 13:2, 174-192, DOI:10.1080/13691180902890125
- Mathijs Van Leeuwen & Willemijn Verkoren (2012) *Complexities and Challenges for Civil Society Building in Post-Conflict Settings*, *Journal of Peacebuilding & Development*, 7:1, 81-94, DOI: 10.1080/15423166.2012.719353
- Mici Caul Kittilson & Russel J. Dalton (2011) *Virtual Civil Society: The New Frontier of Social Capital?* *Polit Behav* 33, 625-644
- Paul van Tongeren (2013) *Potential Cornerstone of Infrastructures For Peace? How Local Peace Committees Can Make a Difference*, *Peacebuilding*, 1:1, 39-60, DOI:10.1080/21647259.2013.756264
- Raffaele Marchetti & Nathalie Tocci (2009) *Conflict Society: Understanding The Role Of Civil Society in Conflict*, *Global Change, Peace & Security*. 21:2. 201-217
- Rafif Pamenang Imawan (2013) *Dua Aktor Demokrasi: Menelisik Peran Organisasi Masyarakat Sipil di Indonesia*. *Prisma*. 32:4, 28-37
- Suharko (2003) *NGO, Civil Society dan Demokrasi: Kritik Atas Pandangan Liberal*. *Jurnal Ilmu Sosial dan Ilmu Politik*, 7: 2, 205-226

Summer Harlow & Dustin Harp (2012) *Collective Action On The Web, Information, Communication & Society*, 15:2, 196-216, DOI: 10.1080/1369118X.2011.591411

Terje Tvedt. (2002) *Development NGOs: Actors in a Global Civil Society or in a New International Social System?* Voluntas: International Journal of Voluntary and Nonprofit Organizations, Vol. 13, No. 4, Global Civil Society (December 2002), pp. 363-375

Internet:

<https://twitter.com/nuclearban>

<http://www.icanw.org/campaign/>

<http://www.change.org/id>

Alexis de Tocqueville. Chapter 12: Political Association In The United States. dalam http://xroads.virginia.edu/~HYPER/DETOC/1_ch12.htm diakses tanggal 16 September 2014

Dorota I Pietrzyk. (2001) *Civil Society: Conceptual History from Hobbes to Marx* Marie Curie Working Papers – No 1 diakses dari

http://graduateinstitute.ch/files/live/sites/iheid/files/sites/political_science/shared/political_science/1836/Week_3_Petrzyk.pdf pada tanggal 16 September 2014

Margareth Keck dan Kathryn Sikkink (1999) *Transnasional Advocacy Networks*

In International And Regional Politics dalam

<http://courses.washington.edu/pbaf531/KeckSikkink.pdf> diakses tanggal 10 Oktober 2014

The Internet Big Picture World Internet Users and Population Stats 2014

<http://www.internetworldstats.com/stats.htm> diakses tanggal 10 Oktober 2014

PANEL DISCUSSION 2

Moderator	: Sukmawati Bela Pertiwi, M.A.
Tempat	: Ruang BA 204
Waktu	: 13.21-15.32 WIB
Tema besar	: Peace keeping and peace cooperation
Notulen	: Haura Sekar Mayang

1. Operasi Perdamaian Regional, oleh Rochdi Mohan Nazala, M.Litt

Pergantian perdamaian regional bukan dipahami berdasarkan regim tertentu, tetapi perdamaian yang dilakukan dibawah sebuah organisasi regional. Sebagai contoh di Amerika ada OAS.

Dalam beberapa tahun, pergeseran trend dalam operasi perdamaian cukup signifikan. Dari segi kualitas dan kuantitas operasi perdamaian anantara UN dan regional itu mix. PKO mencatat bahwa operasi yang dilakukan oleh UN itu meningkat. Operasi perdamaian yang dilakukan oleh UN pernah melakukan kegagalan dan sebanding dengan keberhasilannya hal ini juga berlaku bagi organisasi regional. Jd baik dari regional maupun internasional sama aja dari segi kualitas dan kuantitas.

Apakah semua organisasi regional mampu menjalankan peace keeping operation?

Organisasi mana saja?

a. Organisasi yang memang didesain untuk menjaga keamanan.

Ia memang didesain untuk berkaitan dengan security. Tapi ga semua organisasi yang diciptakan untuk perdamaian efektif. Contoh yang di Uni Soviet.

Ex. NATO

b. Organisasi yang bersifat general

Banyak fakta bahwa ternyata mereka justru lebih mampu daripada jenis organisasi regional yang pertama. Mereka biasanya punya badan sendiri yang mengurus permasalahan perdamaian. Meskipun tidak ada specific institution namun mereka punya sebuah desk yang menjalankan peran sebagai peace keeping operation

Ex. ASEAN

Apakah ada perbedaan antara organisasi regional dengan UN dalam melakukan peace keeping operation?

Secara general ga ada, biasanya malah OR meminjam nilai2 normative UN. Biasanya yang berbeda hanya komposisi. Biasanya juga, organisasi regional hanya punya satu minimum requirements: pasukan yang bisa masuk ke dalam sebuah pasukan peacekeeping hanya negara2 yang tidak berbatasan langsung dengan negara yang sedang berkonflik.

Apa keuntungan regional peace keeping operation?

a. Konsensusnya jauh lebih mudah didapat

Negara2 satu kawasan itu jauh lebih konsern sama perdamaian kawasannya masing2.

Ex. Kerusuhan di Liberia. UN butuh waktu 3 bulan sementara ECOAS hanya butuh 3 minggu.

b. Pengetahuan situasi yang jauh lebih baik.,

Aktor2 dalam peace keeping operation memiliki pemahaman yang baik terhadap sebuah konflik. Dan yang kedua mereka tidak memiliki barrier terhadap permasalahan bahasa.

Kelemahan?

a. Mereka punya limit

b. Organisasi

Biasanya organisasi ga punya institusi yang bertanggung jawab langsung untuk menjalankan peacekeeping operation. Biasanya maksimal 3 bulan,

habis itu di kasih ke UN. Karena ga punya fasilitas training juga, jd kualitas personelnnya kurang baik.

Kesimpulan, fokus kita sekarang kemudian harus mulai digeser ke *whether or not regional organization can do a peace keeping organization* dan apa yang harus dimaksimalkan untuk mencipayakan regional peace keeping operation.

2. Probabilitas APSC Tangani Konflik Internal Negara Anggota ASEAN, oleh Heditia Syahputri Damanik dan Helga Yohana Simatupang

Tahun 2015 ASEAN akan memasuki babak baru, ASEAN COMMUNITY, kami akan fokus pada satu pilar yaitu security. Yang dimaksud dengan keamanan dan perdamaian adalah bagaimana ASEAN menjaga keamanan regional. Babarapa ilmunan HI melihat bahwa ancaman terbesar ASEAN itu datang dari dalam ASEAN itu sendiri dan bukannya dari luar. Sebagai ilustrasi setidaknya ada banyak sejarah konflik yang cukup panjang.

Tapi seperti yang kita lihat ASEAN cukup kental sama prinsip non intervention.

Apakah ada kemungkinan ASC untuk menindak konflik2 internal di dalam kawasan regional?

Apa saja konflik internal negara-negara ASEAN?

a. Konflik Mindanao

Konflik ini sudah terjadi sejak tahun 2010 dan masih berlangsung hingga sekarang. Persoalannya pun dapat dikatakan cukup klasik mengenai tanah, demografi, suku dan agama. Bagaimana orang-orang lokal pada saat masih di jajah oleh AS dan tidak mengenal yang disebut dengan kepemilikan tanah pribadi. Saat itu mereka hanya mengenal apa yang disebut dengan kepemilikan tanah komunal. Populasi org MORO hanya 20% padahal itu tanah asal, hal ini terjadi karena migrasi besar2an. Pada akhirnya banyak kejahatan transnasional bersarang disana.

b. Konflik Thailand Selatan

Permasalahan yang terjadi di Thailan Selatan juga permasalahan suku dan ras. Suku di Thailand Selatan secara politik memang berada di batas negara Thailand, namun secara kultural mereka berada di bawah suku besar Melayu. Hal inilah yang hingga saat ini masih menimbulkan konflik.

c. Konflik Rohingya

Konflik ini adalah konflik yang paling banyak mengalami internasionalisasi. Dari segi pengungsi juga sudah sangat banyak. Permasalahannya lagi-lagi adaklah permasalahan n suku, bagaimana Rohingnya tidak diakui sebagai etnis asli Myanmar namun ia bertempat tinggal di Myanmar. Jadinya Rohingnya tidak mendapatkan status sebagai warga negara asli. Hal ini kemudian membawa masyarakat Rohingnya sebagai target pemerkosaan dan kejahatan lainnya.

Kesamaan dari tiap konflik:

- a. Koflik terjadi antara pemerintah dan minoritas
- b. Pengakuan otonomi kemerdekaan
- c. Persoalan kemiskinan yang membuat konflik jadi semakin besar
- d. Terjadi internasionalisasi karena konfliknya berkepanjangan karena sebagian besar terjadi di perbatasan dan merembet ke negara2 tetangga.

Apa itu APSC?

ASEAN Political Security Community.

Selama ini ASEAN hanya banyak membahas mengenai kerjasama ekonomi. Ide APSC datang dari Indonesia. Adalah dokter Rizal Sukma yang mengemukakan strategi ini. Sebagai reaksi atas proposal dari pemerintah Singapura. Perdamaian di Asia Tenggara ga bisa hanya lewat ekonomi harus ada departemen yang menindak permasalahan keamanan untuk kemudian akhirnya diterima.

Dengan pembentukan komunitas keamanan ini, negara-negara anggota ASEAN berharap mereka dapat mengeliminasi tantangan yang berasal dari luar (isu melebar habis 9/11) maupun dari dalam (separatisme etnis etc).

Untuk menciptakan keamanan dibutuhkan keamanan regional sendiri. Berbeda dengan NATO, ASEAN, membangun security dari aspek2 budaya dan ekonomi juga. Bagaimana mengusahakan good governance di ASEAN dll. Fungsinya lebih ke soft security bukan hal militer.

KTT ASEAN ke-12 di Filipina → muncul ide mempercepat ASEAN

KTT ASEAN ke-13 Singapore 2007 → membentuk blue print APSC.

Pada dasarnya blueprint APSC banyak mengacu pada ASEAN charter. Berpedoman pada piagam utama ASEAN yaitu *ASEAN charter*. Sebelum memang sudah ada beberapa program yang bersifat keamanan seperti Vientien Action Program namun program ini hanya bersifat jangka pendek.

Tujuan dari program APSC sendiri hanya menciptakan sebuah keamanan regional yang dapat memfasilitasi berlangsungnya pembangunan ekonomi dan budaya.

Untuk menuju sebuah ASEAN yang lebih humanis, ASEAN kemudian membentuk ASEAN human trade body, ASEAN maritime forum, dan AHA centre (terbentuk saat terjadi tsunami di Indonesia). Dengan demikian dapat dikatakan ASEAN semakin humanis.

Tapi hingga saat ini mekanisme ASEAN masih cukup kaku karena prinsip *non-intervension*-nya.

Dalam analisisnya kami menggunakan dua teori:

- 1). Konsep non intervension
- 2). Teory human security
 - a. Comitee security
 - b. Political security

Menekankan terhadap demokratisasi dan human right.

Metodologi: dokumen research, blueprint APSC untuk disandingkan dengan konsep2 tsb.

Ternyata tidak ada satupun agreement di APSC yg menunjukkan bahwa satu negara bisa ikut campur dalam konteks tertentu. APSC sangat rigid, mulai dari peace keeping buildingnya sangat rigid. Konfliknya selalu terjadi antara 2 negara. Ga pernah bahas bagaimana kalo hanya satu konflik dalam satu negara.

Kesimpulan:

Probabilitas APSC itu sebenarnya tidak muncul karena hanya mengatur hubungan *inter-state* dan bukan *intra-state*. Prinsip dasarnya, ketika ingin melakukan humanitarian assistance, program hanya boleh dilakukan apabila diizinkan oleh negara yang bersangkutan. Hal ini tentunya tidak akan berjalan dengan baik. Bagaimana mungkin sebuah negara mengizinkan ASEAN masuk dan mengintervensi negaranya. Blueprint APSC berasal dari ASEAN charter. Fokusnya pada level negara padahal human security fokusnya dalam level individu.

3. Civil Society as Peacebuilder in Internet Era, oleh Edwin Prasetiawan dan Arofatin Maulina

Latar belakang dari pembuatan paper ini adalah kami melihat fenomena bahwa terdapat berbagai konflik di dunia dan kemunculan teknologi internet yang membuat manusia menjadi interdependence dan inter-konektivitas menjadi lebih tinggi.

Argumentasi utama:

Netizen memiliki peran yang sangat central dalam perdamaian itu sendiri. Netizen merupakan bagian dari masyarakat sipil dan masyarakat sipil merupakan aktor dari perdamaian.

Civil society, bentuk asosiasi politik dari sipil. Ada sekitar 50rb international civil society atau lebih. Dan dari 50rb ini bergerak di masing2 isu, jd mereka terfragmentasi. Heterogenitas ini dapat menjadi kekuatan penyeimbang dari dominasi negara dan pasar.

Keunggulan:

- a. Agen komunitas dari tempat2 terpencil, ia mampu menjangkau daerah terpencil sekalipun untuk mengadvokasi hal2 kecil
- b. Mampu memotong jalur yang biasanya digunakan oleh pemerintah dan berjalan tidak efektif.

Kemunculan internet kemudian memunculkan sebuah bentuk aktivisme. Aktivisme digital. Merupakan sebuah bentuk aktivisme yang dilakukan dalam dunia maya, dapat dilakukan dalam bentuk campaign melalui social media untuk mendorong tercapainya perdamaian itu sendiri.

Case study: change.org

Situs petisi online. Orangmanapun bisa melakukan petisi online.

Ex. savethechildren.org → ia menuntut kekerasan anak di palestina dapat dihentikan. Sistem kerjanya adalah ketika save the children aus membuat petisi kemudian mendorong masyarakat untuk ikut sadar terhadap isu2 sosial. Ada kemungkinan besar bahwa petisi ini dapat mempengaruhi permasalahan politik luar negeri aus.

Challenge:

Ranah kerja aktivis online masih kurang jelas

Level of influence:

Pengaruh mereka bisa saja efektif atau tidak sama sekali

Negara itu sekarang jauh lebih sering menghalangi kelemahan terhadap otoritasnya.

Ex the great firewall China.

Yang jadi masalah kemudian adalah persebaran aktivisme melalui internet jadi tidak efektif dengan hal2 seperti China dan Turki yang berusaha mengontrol penggunaan internet oleh masyarakatnya.

Kesimpulan:

Bagaimana eric schmith mengenalkan bahwa internet adalah *no man's land*. Bagaimana internet ini akhirnya memunculkan masyarakat-masyarakat yang terbebas dari batas-batas negara dan institusi negara. Namun netizen juga dapat menjadi *watchdog*. Internet melipat gandakan online activism. Online activism secara efektif dapat menyebarkan opini terhadap isu-isu tertentu.

Pertanyaan:

Sesi 1

Heriana

1. APSC kan mendorong peace building yang cenderung positive peace, bagaimana bentuk problem solving ketika konflik yang memicu instabilitas ditingkat region. Contohnya kan mindanau, padahal kan menggunakan senjata tradisional bukannya hal ini jadi negative peace?
2. Bagaimana tindakan regional ketika negara satu region bermasalah dengan negara di luar region

Dias UGM

1. Bagaimana netizen menghadapi negara super power dan negara yang non demokratis?
2. Ketika ancaman dari dalam muncul kan dapat menghambat integrasi terus gimana?

Nala

1. APSC itukan peace building, apakah APSC ini termasuk bentuk semacam cara untuk menggedor prinsip non intervension china?
2. Bagaimana efektifitasnya? Kan masyarakat bebas mengeluarkan partisipasinya, bagaimana parameter keberhasilannya.

Jawaban:

1. Rochdi Mohan Nazala:

Biasanya kalo terjadi konflik antar region dimana satu negara merupakan super power, pasti yang turun UN. Low intensity: masih bisa ditangani secara regional tapi kalo udh mulai high intensity di ambil UN.

Melihat EU, ia punya badan humaniter dan melakukan intervensi dimana2. Termasuk Ghana dan lain2

2. Edwin Prasetiawan dan Arofatin Maulina

Dalam kajian civil society ada yang namanya strategy boomerang→ sipil melakukan pemantulan terhadap isu2 yang dibawa oleh aktivis dalam negara2 tertentu. Masyarakat sipil menjadi pemantul terhadap latar belakang aktifisme yang memantul dari dalam negaranya. Jadi aktivismenya disebarkan lagi secara online lebih jauh..

Ketika aktivisme online berbenturan dengan negara superpower non demokratis memang dapat dikatakan masih sangat kurang efektif. Namun gerakan aktivisme ini memiliki potensi untuk jadi efektif. Ex ada beberapa petisi yang sudah berhasil.

Moderator: apakah ada perbedaan antara masyarakat sipil yang lokal dan internasional?

Netizen ini kan diluar batas negara jadi dapat dikatakan netizen merupakan private society yang tidak tersentuh batas negara.

3. Heditia Syahputri Damanik dan Helga Yohana Simatupang

Asean sejak awal berdirinya untuk memajukan stabilitas kawasan dan mendukung prinsipnya PBB. ASEAN dari awal pendiriannya tidak di *encourage* untuk melakukan perdamaian. Jadi peace buildingnya jauh kearah bantuan. Peace building yang ditanamkan ASEAN itu lebih ke nilai dan soft diplomacy.

APSC itu memang sangat positivist. Membuka dialog yang tujuannya menciptakan *common understanding*. Tidak bersifat intervensi hard diplomacy, bentuknya kebanyakan adalah bantuan selama ada ijin dari negara yang bersangkutan. Ex Myanmar menutup semua bentuk bantuan tp asean boleh masuk karena ada prinsip non intervention

Membicarakan keamanan di ASEAN itu dapat dikatakan cukup sungkan. Mungkin karena kurangnya keterbukaan itu jadinya tidak ada common understanding. APSC menghormati negara lain. APSC itu blueprintnya mencegah konflik antara negara ASEAN sehingga cara agar sebuah negara tidak konflik adalah menghormati batas2nya. Ketika persoalannya internal nagar agak sulit karena tidak termasuk dalam blueprint.

Case studi di Filipina, MLF, seolah2 melakukan internasionalisasi isu dan pada akhirnya internasionalisasi isu ini lah yang mengundang pihak eksternal ikut masuk. Padahal belum tentu semua eksternal yang masuk itu membantu.

Pertanyaan sesi 2:

Sandi, Ekonomi UGM:

1. China punya *cyber troops*, yang kalo ada opini buruk langsung nyerang netizen dengan komentar-komentar positif. Social media adalah sebuah weapon yang bisa positif atau mungkin negative yang bahkan bisa meruntuhkan rezim melalui arab spring dsb. Bagaimana dengan Indonesia sendiri? Apakah Indonesia sudah ready?

Arum Anggraini Maulida

1. Internasional lagi ada konflik di Syria dan Iraq ada uni arab emirats, AS mengambil alih ikut membantu Syria (UN). Ada 2 pandangan di dalam negeri ada yang mendukung dan ada yang tidak. Konflik2 seperti apa yang kemudian dapat dihandle? Apakah dapat terjadi perdebatan dalam forum regional, rebutan siapa yang mau bantuin?

Eri HI

1. Kata mas Awang organisasi regional itu sama aja, padahal kata mbak Helga ga efektif.
Biasanya yang jadi pasukan perdamaian itu adalah tentara negara tetangga? Loh bertentangan sm mas awang.
Prinsip ASEAN menghalangi APSC untuk menjalankan tugasnya. Apakah memang prinsip non intervensi ini masih sulit di terapkan?
Apakah netizen punya kapanilitas untuk melakukan sistem preventif diplomasi?

Jawaban:

1. Heditia Syahputri Damanik dan Helga Yohana Simatupang
Asean masih exist. Menurut mbak Helga, prinsip non intervensi ini lah yang kemudian membantu mendukung existensi ASEAN sendiri. Prinsip ini memang tidak efektif untuk beberapa kasus, tapi hal ini juga cukup efektif untuk beberapa kasus.
Mungkin juga dengan adanya globalisasi, ASEAN bisa memilah2 untuk kasus apa prinsip ini akhirnya bisa digunakan.

Non intervension itu adalah sebagai bagian untuk merayakan keadualatan. Hal itu sangat mainstream. Bagaimana jika kita melihat bahwa kedaulatan adalah sebuah tanggung jawb utk melindungi manusia. Bgaimana negara2 dpat melihat kedaulatan sebuah tanggung jawab dan bukannya tameng untuk menindas masyarakat

Moderator: menurut mbak Helga dan mbak Hedit apa dampak negative jika ASEAN akhirnya harus menghilangkan prinsip non-intervensi?

- a. Negatifnya adalah adanya rasa curiga antar negara-negara ASEAN terhadap setiap tindakan ASEAN.
- b. Berpengaruh terhadap citra ASEAN di kancah internasional.

2. Edwin Prasetiawan dan Arofatin Maulina

- a. Netizen, meskipun tidak ada batas negara, namun mereka tetap membawa identitas yang hadir di dunia nyata. Indonesia itu nasionalis. Jadi pasti jadi tentara Indonesia di dunia maya dengan sangat membara.
- b. Preventif diplomacy: kebanyakan petisi di change.org itu masih sifatnya tidak preventif. Masalahnya terjadi dulu baru bikin petisi. Tapi kemaren di pilkada langsung sempet ada tapi belum banyak

3. Rochdi Mohan Nazala

- a. Mengapa US intervensi? Pertanyaanya harusnya bagaimana mekanismenya dalam liga arab sendiri? Sejujurnya liga arab memang tidak pernah efektif kalo ngomongin konflik di dalam arab sendiri.
- b. Hampir semua tipe konflik bisa diintervensi. Yang menarik kemudian Afrika membentuk AFrika Standing Force karena UN kelamaan.
- c. Dalam kasus UN biasanya persoalannya jauh lebih kompleks. Kalo UN biasanya ga ngundang negara yang dekat dengan konflik. Memang ada beberapa yang ngambil dari dekat daerah karena mereka mengerti soal bahasa, no language barriers. Namun karena konflik opsinya jadi terbatas. Dan di regional peace keeping org. punya satu syarat: ga boleh berbatasan langsung. Tapi Liberia itu opsi berbeda, dia ga bakalan ngundang boswana dan Kongo.

Moderator: Negara tetangga itu biasanya sangat kuat ya nilai-nilai yang samanya, apakah mereka tidak boleh member bantuan juga?

Bukan ga boleh, kalo bantuan kemanusiaan itu boleh. Tapi kalo ikut campur ada kemungkinan nanti malah jadi tambah rumit kalo ikut campur.

Pertanyaan sesi #3

Tamojawa HI UMY

1. Apakah ada upaya lain selain ASEAN selain AHA untuk bisa menyelesaikan masalah2 non tradisional?
2. Apakah permasalahan kekuasaan dalam penghapusan ASEAN non intervention berpengaruh? Apakah AE ini merupakan keinginan negara2 Asia tenggara? Atau ada mainan dari luar?

Mas Dias

1. Mengenai peace keeping operation di Sahara Barat. Bagaimana mengkoordinasikan peace keeping operation kedua institusi, UN dan Regional. Bisa ga sih org. regional membuat batan pertahanan sendiri?

Jawaban:

1. Heditia Syahputri Damanik dan Helga Yohana Simatupang

Asean ga siap memecahkan masalah2 non tradisional. Apakah ada cara lain?
Cara asean: mereka mendorong treaty dsb.

Memang APSC itu didorong sm aktor2 internasional. Hal ini pasti karena memang sistem internasional memaksanya seperti itu.

ASEAN itu production base, jadi daripada melihatnya sebagai pasar, mereka juga percaya bahwa ASEAN bisa menjadi basis2 produksi negara luar.

Moderator: Apa syarat intervensi?

Cuma satu negara memberi ijin.

2. Edwin Prasetiawan dan Arofatin Maulina

Moderator: bagaimana netizen dapat diregulasi?

Internet itu adalah proyek anarkhis manusia paling besar dalam negara. Celaknya pembangunan infrastruktur itu membutuhkan dana negara yang cukup besar.

3. Rochdi Mohan Nazala

OAS adalah organisasi yang lebih mempersoalkan permasalahan politik. EU yang dulunya merupakan masyarakat ekonomi eropa, namun punya security policy juga. Bisa ada kemungkinan.

Moderator: bagaimana mengkoordinasikan?

Biasanya di kasus Liberia yang masuk pertama kali itu adalah regional organization dulu. Setelah disana stabil baru UN masuk. Nah setelah itu pelan-pelan regional peace cooperation mentransfer tanggung jawabnya ke UN.

Kesimpulan oleh Moderator:

Terdapat 3 perubahan paradigma utama di dunia internasional:

1. Bagaimana tadi peace keeping operation yang tadinya dilakukan oleh UN jadi berpindah ke organisasi regional.
2. Organisasi regional yang tadinya bersifat state centric saat ini sudah mulai ke arah people centric.
3. Feature aktivisme yang biasanya fisik, di era modern ini jadi ke arah virtual atau online.

**PERAN PENJAGA PERDAMAIAN WANITA DALAM PROSES BINA-DAMAI:
STUDI KASUS OPERASI PERDAMAIAN MONUSCO**

Satwika Paramasatya¹

Abstraksi

Peacekeeping Operation (PKO) atau dikenal sebagai operasi perdamaian merupakan suatu instrumen yang digunakan oleh PBB untuk membantu negara yang terkena konflik guna menciptakan kondisi damai dan mempertahankannya. Operasi perdamaian dimaksudkan sebagai langkah untuk menjadi penengah bagi pihak-pihak yang berkonflik dan memastikan aksi kekerasan tidak lagi digunakan dalam proses menuju perdamaian. Setelah perdamaian tercapai, operasi perdamaian diharapkan tetap terlibat dalam proses bina-damai sehingga konflik tidak akan terulang. Pada awalnya, peran lelaki masih sangat dominan dalam setiap operasi perdamaian. Meski begitu, kini peran wanita dalam operasi perdamaian semakin meningkat. Hal ini dapat dilihat dari peningkatan jumlah anggota operasi perdamaian wanita. Makalah ini akan membahas sejauh mana peran wanita dalam berkontribusi terhadap proses bina-damai yang terjadi pada operasi perdamaian MONUSCO di Kongo. Kongo dipilih karena memiliki jumlah anggota operasi perdamaian wanita yang paling banyak dibandingkan dengan operasi perdamaian lain. Penilaian kontribusi akan dilakukan dengan menggunakan berbagai parameter seperti tingkat keberhasilan pelaksanaan mandat, konsistensi pelaksanaan Capstone Doctrine, DDR (Disarmament, Demobilization, Reintegration), CIMIC (Civil-Military Cooperation) dan berbagai parameter lainnya.

Kata Kunci: penjaga perdamaian, operasi perdamaian, wanita, bina damai, MONUSCO

Abstract

Peacekeeping Operations (PKO) is known as an instrument used by the United Nations to assist countries affected by conflict in order to create the conditions of peace and defend it. Peace operations is intended as a step to be a mediator for the parties to the conflict and ensure that violence is no longer used in the process towards peace. Once peace is achieved, peace operations are expected to remain engaged in the peacebuilding process so that the conflict will not be repeated. At first, man was very dominant in any peace operation. Even so, women has been more involved in peace operations nowadays. It can be seen from

¹ Penulis adalah Staf Pengajar Program Studi Ilmu Hubungan Internasional FISIP Universitas Diponegoro

the increasing number of female members of peace operations. This paper will discuss the role of women in contributing to peacebuilding processes that occur in the MONUSCO peacekeeping operation in Congo. Congo was chosen because it has a number of members of the women's peace operations compared to most other peace operations. Contribution assessment will be done using a variety of parameters such as the rate of successful implementation of the mandate, the consistency of the implementation of Capstone Doctrine, DDR (Disarmament, demobilization, Reintegration), CIMIC (Civil-Military Cooperation) and a variety of other parameters.

Keywords: *peacekeeper, peacekeeping operation, woman, peacebuilding, MONUSCO*

Pendahuluan

Peacekeeping atau dikenal sebagai penjaga perdamaian merupakan suatu instrumen yang dikembangkan sebagai cara untuk membantu negara yang terkena konflik guna menciptakan kondisi damai. Istilah *peacekeeping* sendiri sebenarnya tidak tercantum dalam piagam PBB. Tidak ada bab dalam Piagam PBB yang menjelaskan definisi *peacekeeping* secara jelas, sehingga Sekjen PBB ke-2 Dag Hammarskjöld merujuk *peacekeeping* sebagai ‘*Chapter Six and a Half*’, sebab posisinya dipandang berada di antara Bab VI dari piagam PBB, yang merupakan metode tradisional PBB dalam menyelesaikan konflik melalui cara-cara damai (*peaceful settlement of dispute*), antara lain melalui negosiasi dan mediasi, dengan metode penggunaan kekuatan secara paksa (*force enforcement*) sesuai mandat yang diberikan oleh Bab VII dari piagam PBB.²

Misi perdamaian telah terbukti menjadi salah satu alat paling efektif yang tersedia di dunia untuk membantu negara tuan rumah mengarahkan jalan yang sulit dari konflik ke perdamaian. Misi perdamaian memiliki kekuatan unik termasuk legitimasi, berbagi beban, dan kemampuan untuk menyebarkan dan mempertahankan tentara dan polisi dari seluruh dunia, mengintegrasikan mereka dengan pasukan penjaga perdamaian sipil untuk memajukan mandat multidimensi. Misi perdamaian PBB memberikan keamanan dan dukungan politik serta

² Osmançavuşoğlu, Emel. *Journal Of International Affairs*. December 1999 – February 2000. Volume IV - Number 4. <http://Sam.Gov.Tr/Wp-Content/Uploads/2012/02/Emelosmancavusoglu.Pdf> di akses tanggal 19 Oktober 2014

perdamaian untuk membantu negara-negara membuat transisi, membantu kesulitan awal dari konflik menuju perdamaian.

Ketika pertama kali dibentuk, PKO melaksanakan tugas yang relatif standar seperti melakukan proses bina damai yang berkelanjutan dan mengembalikan kondisi kondusif bagi pelaksanaan perdamaian.³ PKO melaksanakan tugas ini melalui patroli perbatasan, memisahkan pihak yang berkonflik dan melakukan fungsi militer. Peran dan tanggung jawab ini mulai bergeser selama dua puluh tahun terakhir setelah perang antar negara mulai berkurang dan digantikan oleh konflik intra-negara dan antar-etnis yang lebih kompleks. Hasilnya adalah tantangan baru bagi masyarakat internasional pada umumnya, termasuk komunitas penjaga perdamaian.

Dalam menghadapi tantangan baru tersebut, diperlukan berbagai pendekatan yang bersifat multidimensional. Pendekatan multidimensional membahas masalah-masalah yang relevan dengan perdamaian antara lain melindungi populasi lokal melalui peningkatan pemahaman budaya lokal, agama, adat istiadat dan cara hidup. Pendekatan humanis seperti memfasilitasi pelaksanaan kebijakan keamanan baru yang responsif sangat dibutuhkan guna mengakomodir kebutuhan dan masalah yang berbeda. Dalam kerangka baru operasi penjaga perdamaian, telah ada pengakuan bahwa pendekatan gender yang memadai sangat penting untuk menanggapi kebutuhan wanita, pria, anak laki-laki dan perempuan yang hidupnya telah dipengaruhi oleh konflik.

Salah satu cara memastikan dimensi gender dari operasi perdamaian yang multidimensi adalah integrasi efektif bagi wanita lainnya dalam operasi perdamaian. Departemen Operasi Penjaga Perdamaian (DPKO) telah mengeluarkan sejumlah kebijakan yang menekankan pentingnya wanita untuk memiliki mandat dari operasi penjaga perdamaian meliputi akses untuk bekerja

³ Misalnya, mandat operasi penjaga perdamaian pertama di Kongo adalah untuk "memastikan penarikan pasukan Belgia dari Republik Kongo, untuk membantu pemerintah setempat dalam menjaga hukum dan ketertiban serta menyediakan bantuan teknis.

dengan kelompok rentan, terutama para korban kekerasan seksual dan kekerasan berbasis gender (SGBV).⁴

Kathleen M. Jennings dalam tulisannya yang berjudul “Women’s Participation in UN Peacekeeping Operations: Agents of Change or Stranded Symbols?” menggambarkan eksistensi pasukan penjaga perdamaian wanita dan perannya dalam menentukan kesuksesan operasi perdamaian. Jennings mengangkat isu dan pendapat yang mengatakan bahwa semakin banyak anggota pasukan perdamaian wanita maka perdamaian semakin mudah dicapai. Lebih jauh, Jennings menyoroti apakah peningkatan keterlibatan pasukan penjaga perdamaian wanita lebih karena isu gender yang ‘dijual’ atau memang semata demi pencapaian perdamaian yang hakiki.

Tulisan Jennings menunjukkan bahwa keterlibatan wanita dalam operasi perdamaian tidak serta-merta memastikan perdamaian lebih mudah tercapai. Bagaimanapun juga, perlu ada standar khusus mengenai bagaimana seharusnya pasukan penjaga perdamaian wanita bertindak dan parameter apa saja yang harus dicapai. Eksistensi pasukan penjaga perdamaian juga dikritik terlalu meremehkan faktor gender dalam perdamaian, karena seolah hanya dengan menambah jumlah personel wanita dalam operasi perdamaian maka faktor gender telah terpenuhi. Oleh karena itu, penulis menyoroti bagaimana seharusnya wanita dilibatkan dalam operasi perdamaian. Tulisan Jennings menginspirasi penulis dalam menilai sejauh mana pelaksanaan operasi perdamaian dalam melibatkan wanita melalui studi kasus operasi perdamaian di Kongo yaitu MONUSCO.

Operasi Perdamaian

PBB membentuk sebuah pasukan lewat Dewan Keamanan PBB untuk mengambil tindakan kolektif dalam menjaga perdamaian dan keamanan internasional. Pasukan penjaga perdamaian (*Peacekeeping Operation/PKO*) memantau dan mengamati proses perdamaian di daerah pasca konflik serta membantu eks kombatan dalam melaksanakan kesepakatan damai. Bantuan

⁴ Pada tanggal 19 Juni 2008, PBB menyetujui Resolusi SC 1820. Resolusi ini merupakan pengakuan bahwa kekerasan dan pelecehan seksual terhadap perempuan dan anak-anak dapat menjadi taktik perang.

tersebut datang dalam berbagai bentuk termasuk langkah-langkah membangun rasa percaya diri, pengaturan pembagian kekuasaan, dukungan pemilu, penguatan supremasi hukum, dan pembangunan ekonomi sosial. Pasukan PBB ini mendapat julukan “*Blue Baret*” yang di setiap pengiriman pasukannya memiliki nama masing-masing sesuai dengan misi dan negara mana yang akan dibantu.

Peacekeeping bersifat sangat fleksibel di mana Dewan Keamanan PBB membentuk dan mengirim pasukan perdamaian ke banyak negara yang dirundung konflik. Saat ini, terdapat 16 operasi pasukan perdamaian aktif yang ditempatkan di 4 benua yang berbeda. Pasukan perdamaian bersifat sangat multidimensional yang tidak hanya dibentuk dengan tujuan menjalin perdamaian dan keamanan, namun juga untuk melakukan fasilitasi proses politik, melindungi warga negara, asistensi gencata senjata, demobilisasi dan reintegrasi mantan pemberontak, mendukung organisasi pemilihan umum, melindungi dan mempromosikan hak asasi manusia, serta mengembalikan hukum sebagai aturan yang mengikat dalam negara.⁵

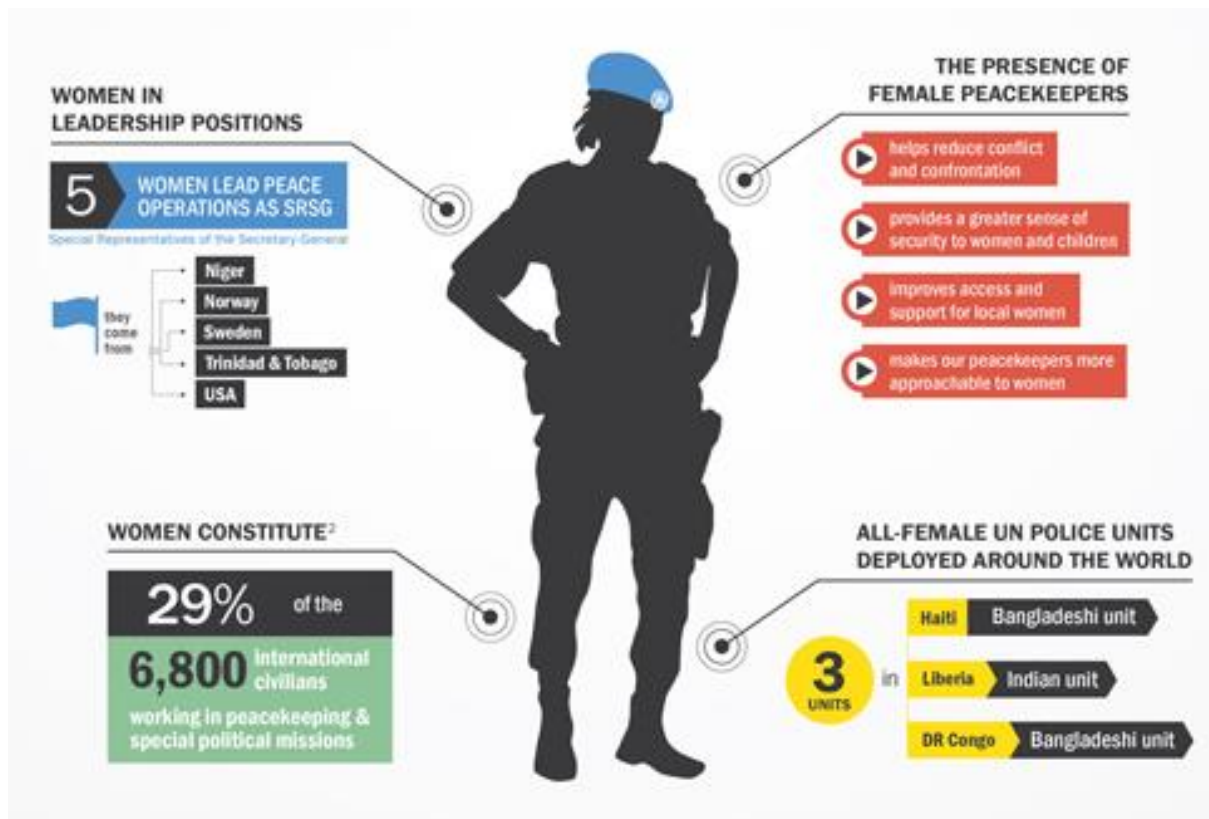
Peran Wanita dalam Operasi Perdamaian

Wanita semakin memiliki peran yang signifikan dalam bidang-bidang operasi perdamaian dan telah membuat dampak positif pada operasi perdamaian, baik dalam rangka meningkatkan peran perempuan dalam proses bina damai serta melindungi hak-hak wanita sendiri. Dalam semua bidang operasi perdamaian, pasukan penjaga perdamaian wanita telah membuktikan bahwa mereka dapat melakukan peran yang sama, dengan standar yang sama dan di bawah kondisi sulit yang sama, seperti halnya pria. Sudah menjadi suatu keharusan operasional bagi operasi perdamaian untuk merekrut dan mempertahankan pasukan penjaga perdamaian wanita.

Pada tahun 1993, jumlah wanita yang tergabung dalam operasi perdamaian baru 1% dari seluruh jumlah personel yang diturunkan. Pada 2012, dari sekitar 125.000 pasukan operasi perdamaian, jumlah anggota wanita mencapai 3% dari

⁵ Ramesh Thakur dan Albrecht Schnabel, *United Nations PeaceKeeping Operations; Ad Hoc Missions, Permanent Engagements*, United Nations Press, USA, 2001, hal. 48.

seluruh jumlah personil militer dan 10% dari jumlah personil polisi dalam misi perdamaian PBB. PBB telah mendorong dan mendukung penyebaran wanita dalam operasi perdamaian, tanggung jawab penyebaran perempuan di kepolisian dan militer terletak pada komitmen negara-negara anggota. Divisi Polisi PBB sendiri telah meluncurkan ‘Global Effort’ untuk merekrut lebih banyak petugas polisi wanita ke dalam operasi polisi PBB di seluruh dunia. Target yang dicanangkan adalah 20% polisi wanita di seluruh operasi perdamaian pada tahun 2014.⁶



Sumber: Woman in Peacekeeping

<http://www.un.org/en/peacekeeping/issues/women/womeninpk.shtml>

Pada Oktober 2000, Dewan Keamanan PBB dengan suara bulat menyetujui Resolusi Nomor 1325 tentang Wanita, Perdamaian dan Keamanan. Resolusi 1325 adalah pertama kalinya Dewan Keamanan mengakui bahwa wanita dan anak perempuan dipengaruhi oleh konflik dengan cara yang berbeda dari laki-laki dan

⁶ Woman in Peacekeeping.

<http://www.un.org/en/peacekeeping/issues/women/womeninpk.shtml> diakses pada 19 Oktober 2014

anak laki-laki sehingga penting bagi wanita untuk terlibat dalam proses perdamaian partisipatif. Resolusi yang dibangun atas dasar mekanisme hukum internasional sebelumnya seperti Deklarasi Windhoek atau Rencana Aksi Namibia mengamanatkan pentingnya pengutamaan komponen gender dalam misi penjaga perdamaian. Sejak pengesahan UU tersebut, Resolusi 1325 menjadi tonggak menuju integrasi yang lebih baik bagi perspektif wanita dalam proses perdamaian. Resolusi 1325 menekankan pentingnya partisipasi perempuan dalam semua langkah dari proses perdamaian, mulai dari negosiasi penandatanganan kesepakatan damai, pelatihan kesadaran gender dan kekerasan seksual dan eksploitasi (SEA) untuk semua anggota militer, polisi dan staf sipil yang dikerahkan untuk misi.

Dalam banyak misi penjaga perdamaian, Unit Gender, Penasehat Gender, dan Gender Focal Points diciptakan untuk memastikan bahwa mekanisme program pengutamaan gender secara teratur dilaksanakan dan dikoordinasikan dengan kegiatan misi. Resolusi 1325 dan Rencana Aksi Namibia telah terintegrasi dengan pedoman yang disiapkan oleh DPKO PBB ditujukan untuk membantu upaya pelaksanaan misi berbasis gender.⁷

Unit Gender sendiri telah memulai dan mendukung dimasukkannya perspektif gender ke dalam program-program seperti perlucutan senjata, inisiatif demobilisasi dan reintegrasi (DDR); mengorganisir pelatihan gender dan menyusun kebijakan yang peka gender; menyebarluaskan informasi Resolusi 1325; menanggapi eksploitasi dan kejahatan seksual; serta keadilan dan hak asasi manusia. Semua kegiatan ini dapat dilakukan hanya jika semua komponen dari misi penjaga perdamaian, termasuk militer, polisi dan sipil, berkolaborasi secara lintas sektoral.

Kerangka Kebijakan dan Pengutamaan Gender dalam Operasi Perdamaian

⁷ Pelaksanaan Resolusi Dewan Keamanan 1325 (2000) tentang Perempuan, Perdamaian dan Keamanan dalam Konteks Penjaga Perdamaian: Sebuah Lokakarya Strategi Women "s Konstituen Dari Pasukan dan polisi Berkontribusi Negara", Pretoria, 07-09 Februari 2007.

Pada tahun 2006, DPKO (Department Peace Keeping Operation) di bawah PBB mengeluarkan *Policy Directive* tentang "Kesetaraan Gender dalam Operasi Penjaga Perdamaian". Kebijakan tersebut mengamanatkan perlunya perspektif gender dalam semua kebijakan, program dan kegiatan dalam misi operasi penjaga perdamaian dan meminta agar gender diperhitungkan dalam struktur, sumber daya dan anggaran misi. *Policy Directive* dipraktekkan melalui *DPKO Action Plan SCR 1325* (2006) dan satu set pedoman gender yang dikembangkan untuk isu substantif yang berbeda seperti Urusan Politik, Polisi, Militer, dan Penasehat Gender. Sebanyak 10 pedoman telah dikembangkan oleh DPKO antara tahun 2006-2010 berdasarkan masukan dan partisipasi aktif dari staf misi lapangan.

Pengutamaan gender tidak semata-mata tentang advokasi untuk hak perempuan, tetapi juga mengenai menganalisis semua tantangan dan peluang bagi reformasi dan rekonstruksi terhadap peran dan ketidaksetaraan gender yang ada.

Perjanjian perdamaian yang buta gender hanya menjamin sebagian rasa damai dalam masyarakat yang dilanda perang dan program yang dijalankan berdasarkan perjanjian (seperti DDRR) dianggap tidak inklusif. Resiko dari absennya perspektif gender mengakibatkan misi akan mengabaikan isu-isu keamanan inklusif yang penting dan akan membahayakan perjanjian damai sehingga perdamaian menjadi rapuh. Dengan menerapkan pengutamaan gender di tingkat misi, konsensus yang lebih luas dapat tercapai dengan mengakomodir berbagai pendekatan dan sudut pandang baru.

Pengutamaan gender menggunakan pendekatan holistik dan luas untuk mengatasi tugas-tugas dan tantangan yang dihadapi oleh operasi perdamaian di lingkungan pasca-konflik. Mengidentifikasi cara untuk mengatasi kekerasan berbasis gender seringkali bermanfaat sebagai bagian dari dukungan perdamaian mandat misi operasi karena masalah gender termasuk salah satu bagian penting dari hak asasi manusia. Memajukan isu-isu gender dapat berkontribusi positif pada reformasi kebijakan diskriminatif. Dengan mengikuti dan menerapkan kebijakan dan prosedur yang peka gender, operasi penjaga perdamaian dapat memberikan contoh yang baik kepada lembaga-lembaga nasional dan lokal.

Operasi Perdamaian di Kongo

Sejarah kelam Republik Demokratik Kongo sangat panjang, terjadi dua perang yang menimbulkan dampak sampai dengan saat ini yakni Perang Kongo I (1996-1997) dan Perang Kongo II (1998-2003), pada tahun 1997-1998 terdapat periode damai sementara. Dimulainya peperangan tanggal 4 Oktober 1996, kelompok pemberontak dari etnis Banyamulenge (etnis lokal yang masih memiliki hubungan dekat dengan etnis Tutsi) melakukan serangan ke desa Lamera, Kongo timur.⁸ Kelompok gabungan pemberontak anti-Mobutu dan tentara nasional Rwanda melakukan serangan ke wilayah Kongo timur melalui Burundi. Sumber daya alam menjadi faktor utama pemicu terjadinya konflik di Kongo. Republik Demokratik Kongo adalah negara dengan kandungan mineral paaling kaya di muka bumi. Mineral yang dikandung bumi Kongo sangat dibutuhkan bagi industri strategis. Pada masa Perang Dingin, Amerika-CIA menyokong digulingkannya rezim populis pimpinan tokoh kemerdekaan Kongo, Patrice Lumumba pada tahun 1965. Latar belakang perang yang mempengaruhi konflik di DRC adalah Perang Sipil Rwanda (1990 – 1993), Perang Sipil Angola dan terbentuknya Aliansi Pemberontak di Kongo.⁹

Perjanjian Perdamaian Lusaka/*Lusaka Ceasefire Agreement* pada 10 Juli 1999 yang ditandatangani negara-negara DRC, Angola, Namibia, Rwanda, Uganda dan Zimbabwe menandakan adanya usaha untuk menyelesaikan konflik yang terjadi di DRC¹⁰. Perjanjian yang dilaksanakan di Lusaka, Zambia tersebut menjadi awal terbentuknya suatu organisasi perdamaian PBB (*Peacekeeping Operation*) untuk memonitor implementasi atau pelaksanaan dari isi perjanjian tersebut yang pada intinya adalah upaya penghentian permusuhan antara kelompok yang bertikai di Republik Demokratik Kongo (DRC) serta daerah, wilayah bahkan negara di sekitar yang sedang berkonflik dan menciptakan perdamaian di wilayah DRC.

⁸ Dora V Purba. Kongo. <http://prezi.com/is602u1rjcln/kongo/> diakses tanggal 13 Oktober 2014

⁹ Rizki Monti. 2011. Peran United Nations Mission In The Democratic Republic Of Congo (Monuc) Dalam Resolusi Konflik Di Kongo (1999-2009). <http://publikasi.ums.ac.id/index.php/hi/article/view/3754> diakses tanggal 12 Oktober 2014.

¹⁰ Institute for Security Studies. *The Peace Process in the DRC*. <http://www.iss.org.za/AF/profiles/drcongo/cdreader/bin/fulldoc.pdf> di akses tanggal 20 Oktober 2014.

Peacekeeping Operation yang diberi nama pasukan *United Nations Organization Mission in the Democratic Republic of the Congo* (MONUC) mulai melaksanakan misinya sejak DRC berada dalam pimpinan Joseph Kabila, putra dari Laurent-Desire Kabila, Presiden Zaire hasil dari Perang Kongo I yang merupakan pemimpin AFDL (*Alliance of Democratic Forces for the Liberation of Congo-Zaire*).

Misi MONUC dibagi menjadi dua bidang yaitu bidang militer dan bidang sipil. Bidang militer mempunyai tugas untuk berfokus pada pelaksanaan perjanjian gencatan senjata, memantau dan melaporkan pelanggaran perjanjian gencatan senjata serta pelaksanaan DDRRR / *disarmament, demobilisation, repatriation, reintegration and resettlement* (perlucutan senjata, demobilisasi, repatriasi, reintegrasi dan pemukiman kembali). Sedangkan bidang sipil berfokus membantu penyiapan terselenggaranya pemilihan umum yang bebas dan adil, melaksanakan tugas fasilitasi pelaksanaan dialog-dialog politik antara faksi-faksi Kongo yang bertikai, membantu pembentukan institusi pemerintahan yang demokratis, serta memfasilitasi pelaksanaan rekonsiliasi nasional.¹¹

Upaya pelaksanaan mandat tersebut dapat dilihat dari program fasilitasi bantuan kemanusiaan dan pemantauan hak asasi manusia, memantau kepatuhan pada ketentuan Perjanjian Gencatan Senjata di bidang pasokan amunisi, persenjataan dan perlengkapan perang lain yang terkait dengan lapangan, termasuk untuk semua kelompok bersenjata, memantau pelaksanaan Perjanjian Gencatan Senjata, menyelidiki pelanggaran gencatan senjata, dan kepedulian terhadap kesehatan masyarakat DRC. Selama kurun waktu 12 tahun MONUC melaksanakan tugasnya untuk mengupayakan perdamaian di Republik Demokratik Kongo dan saat ini tugas tersebut beralih ke pasukan MONUSCO (*United Nations Organizations Stabilization Mission in DRC*) pada tahun 2010.

Kondisi Wanita di Kongo

Republik Demokratik Kongo memiliki perkiraan populasi 60 juta orang dan meski memiliki sumber daya alam yang beranekaragam (kayu, kobalt, emas,

¹¹ UN MONUC.org, "Mandat MONUC", diunduh dari <http://www.un.org/en/peacekeeping/missions/monuc>. diakses pada tanggal 20 Oktober 2014.

berlian, dll), menduduki peringkat kesembilan terendah di dunia dalam hal pendapatan riil, harapan hidup dan pencapaian pendidikan. Kemiskinan di Kongo ditandai tidak hanya oleh kesenjangan geografis dan sosial yang kuat tetapi juga oleh ketidaksetaraan gender. Posisi wanita Kongo dalam beberapa aspek kehidupan nasional masih rendah dibandingkan dengan laki-laki. Pada tahun 2002 diperkirakan bahwa 61,2% wanita hidup di bawah garis kemiskinan, sementara hanya 51,3% pria yang berada dalam kondisi sama.¹²

Sejak merdeka dari Belgia pada tahun 1960 negara ini didominasi oleh serangkaian konflik kekerasan yang ditandai dengan perebutan wilayah terutama di daerah kaya sumber daya alam. Meskipun penandatanganan perjanjian perdamaian pertama telah dilakukan pada tahun 2002, tindak kekerasan terus berlangsung dan sangat berdampak pada wanita dan anak perempuan dalam bentuk kekerasan seksual dan berbasis gender yang sistematis (SGBV).¹³ Tidak ada statistik resmi yang secara sistematis mengumpulkan data tentang skala pemerkosaan di Kongo, tetapi diperkirakan beberapa ratus ribu wanita telah diperkosa sejak awal perang. Statistik itu sendiri belum cukup menggambarkan besarnya masalah, mengingat banyak kasus yang tidak dilaporkan.¹⁴

Pemerintah Kongo sebenarnya telah mendirikan Kementerian untuk Kemajuan Wanita pada tahun 1980 dan telah meratifikasi berbagai hak-hak wanita dalam kerangka hukum regional dan internasional, seperti Konvensi Penghapusan Segala Bentuk Diskriminasi terhadap Wanita (CEDAW) pada tahun 1986. Konstitusi Kongo tahun 2006 pada dasarnya mengakomodir kesetaraan gender, namun pada pelaksanaannya wanita tetap diperlakukan diskriminatif dalam berbagai aspek, sebagai contoh penolakan pensiun dan hak waris untuk bagi wanita.

¹² SCR 1325 Civil Society Monitoring Report for DRC (Global Network of Women Peace builders) (2011)

¹³ National report of the Congo on Gender Equality and the Empowerment of Women submitted to UN ECOSOC (E/2010/78)

¹⁴ Op cit

Dalam bidang partisipasi politik, tingkat keterwakilan wanita di pemerintahan mencapai 13% sejak awal tahun 2000.¹⁵

Keseimbangan Gender dalam Operasi Perdamaian di Kongo

Pada Desember 2011, 18% dari total staf sipil di MONUSCO adalah wanita. Berbagai upaya telah dilakukan untuk mengembangkan dan menerapkan strategi untuk mencapai keseimbangan gender 50/50 bagi staf sipil. Departemen Sumber Daya Manusia MONUSCO telah melakukan upaya untuk memperbanyak personel wanita yang berkualitas.

Persentase jumlah wanita dalam militer sejak tahun 2004 telah terus-menerus berada di tingkat 2% dan 3%.¹⁶ Terdapat perbedaan mencolok dalam kontingen militer. RSA misalnya memiliki keterwakilan perempuan 16%, Ghana memiliki 10% serta Uruguay dan China memiliki 6% . Rasio gender dalam kepolisian PBB tidak menunjukkan tren yang konsisten melainkan bervariasi antara 3% (2004), 6% (2009) dan 4% (2011). Keterwakilan wanita menunjukkan bahwa peningkatan yang signifikan akan diperlukan untuk mencapai target UNPOL pada tahun 2014 sebesar 20%.¹⁷ Pada tingkat sipil, perempuan masih sangat kurang terwakili di posisi manajemen yang lebih tinggi di MONUC. Posisi tertinggi yang dipegang oleh seorang wanita adalah pos D-1, yang merupakan posisi terendah dari posisi Manajemen Senior PBB.

Pelaksanaan Capstone Doctrine pada PKO di Kongo

Masa tugas MONUSCO dimulai dari tanggal 1 Juli 2010, adapun kerangka kerja yang menjadi acuan bagi pelaksanaan operasi perdamaian tersebut adalah

¹⁵ National report of the Congo on Gender Equality and the Empowerment of Women submitted to UN ECOSOC (E/2010/78)

¹⁶ Gender Statistics. UN Peacekeeping.

<http://www.un.org/en/peacekeeping/resources/statistics/gender.shtml> diakses pada 22 Oktober 2014

¹⁷ Ten-year Impact Study on Implementation of UN Security Council Resolution 1325 (2000) on Women, Peace and Security in Peacekeeping (2010)

Resolusi Dewan Keamanan No 1925 yang dirilis tahun 2010¹⁸ dan Resolusi Dewan Keamanan No 2053 yang dirilis tahun 2012¹⁹. Resolusi ini menegaskan bahwa pelaksanaan PKO MONUSCO di Republik Demokratik Kongo berlandaskan pada Chapter VII Piagam PBB: *Action with respect to threats of peace, breaches of the peace, and acts of aggression*. Resolusi Dewan Keamanan menjelaskan mandat utama dari MONUSCO dalam menjalankan operasinya yaitu melindungi masyarakat sipil dan melakukan stabilitasi serta konsolidasi perdamaian. Upaya untuk menjalankan mandat tersebut dilakukan oleh 19.815 personil militer, 760 pengamat militer, 391 personel polisi dan 1.050 personel dari unit-unit kepolisian.²⁰

MONUSCO juga diterjunkan ke Republik Demokratik Kongo karena pelanggaran HAM berat yang terjadi. Pelanggaran HAM yang terjadi antara lain pelecehan seksual dan pemerkosaan, penculikan, serta kerja paksa. Penyelesaian pelanggaran HAM menjadi bagian dari salah satu mandat MONUSCO yakni melindungi masyarakat sipil. Sebagai penandatanganan Kovenan Internasional tentang Hak Sipil dan Politik²¹ dan konvensi lainnya, seperti Konvensi tentang Penghapusan Segala Bentuk Diskriminasi terhadap Perempuan²², DRC tetap tidak bisa menyelesaikan permasalahan pelanggaran HAM tersebut. DRC sendiri merupakan salah satu negara di Benua Afrika dengan tingkat pemerkosaan tertinggi di Dunia. Hampir setiap hari selalu ada kasus kekerasan yang terjadi di negara ini.

Prinsip dasar dalam pelaksanaan PKO antara lain imparialitas, izin dari negara yang bersangkutan, serta penggunaan cara nirkekerasan kecuali dalam mempertahankan diri. Imparsialitas tidak berarti bahwa semua pihak harus menerima jumlah yang sama dari bantuan. Sebaliknya, bantuan diberikan atas dasar kriteria obyektif kebutuhan dan karena itu berusaha untuk meringankan penderitaan individu. Konsep izin dari negara yang bersangkutan dapat dilihat dari terbentuknya

¹⁸ MONUSCO Mandate. <http://www.un.org/en/peacekeeping/missions/monusco/mandate.shtml> diakses tanggal 12 Oktober 2014

¹⁹ ibid

²⁰ Resolusi Dewan Keamanan PBB nomor 1925 tahun 2010.
<http://daccessddsny.un.org/doc/UNDOC/GEN/N10/380/13/PDF/N1038013.pdf?OpenElement>
diakses tanggal 12 Oktober 2014

²¹ Zaire meratifikasi Kovenan pada 1 November 1976.

²² Zaire meratifikasi Kovenan pada 17 Oktober 1986.

MONUC (*United Nations Organization Mission in the Democratic Republic of the Congo*) pada tanggal 10 Juli 1999 dalam Perjanjian Perdamaian Lusaka/*Lusaka Ceasefire Agreement* yang ditandatangani negara-negara DRC, Angola, Namibia, Rwanda, Uganda dan Zimbabwe.²³ Perjanjian yang dilaksanakan di Lusaka, Zambia tersebut menjadi awal terbentuknya suatu organisasi perdamaian PBB (*Peacekeeping Operation*) untuk memonitor implementasi atau pelaksanaan dari isi perjanjian tersebut yang pada intinya adalah upaya penghentian permusuhan antara kelompok yang bertikai di Republik Demokratik Kongo (DRC) serta daerah, wilayah bahkan negara di sekitar yang sedang berkonflik dan menciptakan perdamaian di wilayah DRC.

PBB berhak ikut campur tangan dalam konflik DRC karena sebagai masyarakat internasional terdapat kewajiban moral tertentu yang diterapkan melalui intervensi kepada suatu negara apabila negara tersebut tidak mampu melindungi masyarakatnya. Perjanjian Lusaka membuat MONUC mendapatkan izin dari DRC untuk menjalankan misi sesuai dengan mandat yang dijelaskan dalam Resolusi Dewan Keamanan. Setelah MONUC bertugas selama kurun waktu 11 tahun dan telah melaksanakan misinya menyelesaikan beberapa konflik, PBB memutuskan untuk mengganti misi PKO ke arah stabilitas dengan MONUSCO. Misi yang dijalankan oleh MONUSCO pun dilakukan dengan cara-cara *non-violence* yang komprehensif. Program kerja MONUSCO lebih difokuskan pada langkah-langkah membangun kembali Republik Demokratik Kongo yang berdaulat adil dan makmur. Penggunaan militer atau senjata dilakukan untuk mempertahankan keamanan dan melindungi diri maupun masyarakat sipil.

Pelaksanaan DDR pada PKO di Kongo

DDR (*Disarmament, Demobilization, Reintegration*) merupakan salah satu komponen krusial dalam PKO yang menjelaskan proses *peacebuilding* pasca resolusi konflik. Ketiga hal yang dicakup oleh DDR antara lain pelucutan senjata,

²³ Institute for Security Studies. *The Peace Process in the DRC*.
<http://www.iss.org.za/AF/profiles/drcongo/cdreader/bin/fulldoc.pdf>. diakses tanggal 20 Oktober 2014

demobilisasi serta reintegrasi. Ketiga komponen dimaksudkan sebagai langkah mencapai stabilitas dalam masyarakat yang terlanjur hancur karena konflik. DDR harus diintegrasikan dalam keseluruhan proses perdamaian sejak negosiasi dimulai melalui *peacekeeping* yang berujung pada *peacebuilding*.

Proses *Disarmament* terdiri dari pelucutan senjata serta pencatatan dan kontrol atas senjata yang beredar di kalangan kombatan, bahkan warga sipil. Proses ini dimaksudkan untuk mencegah munculnya kemungkinan kontak senjata kembali di antara pihak yang bersengketa. Proses demobilisasi berkaitan dengan *disarmament*, di mana para kombatan ditarik kembali dari medan pertempuran untuk membantu proses rekonsiliasi serta secara perlahan para eks kombatan dikembalikan ke dalam masyarakat. Proses reintegrasi melengkapi kedua proses sebelumnya dengan mengembalikan status sipil kepada para eks kombatan dan memastikan eks kombatan mendapatkan penghidupan yang layak.

MONUC sendiri sedari awal menjadikan isu SSR isu utama yang diangkat. SSR (*Security Sector Reform*) merupakan permasalahan mendasar bagi DRC di mana banyak sektor keamanan bagi masyarakat yang tidak terjamin akibat konflik berkepanjangan. Untuk mengatasi permasalahan tersebut, MONUC berusaha memenuhi aspek DDR terlebih dahulu yang kemudian dikembangkan menjadi DDRRR (*disarmament, demobilisation, repatriation, reintegration dan resettlement*)²⁴.

Tantangan dan hambatan utama dalam pelaksanaan DDR di DRC antara lain konflik yang terus berlanjut akibat keterlibatan negara tetangga seperti Rwandan dan Uganda. Konflik selalu terjadi di Kongo bagian timur karena sumber daya alam yang melimpah. Meski gencatan senjata telah dicapai melalui Perjanjian Lusaka dan pemerintahan bergerak ke arah demokratis, konflik selalu muncul kembali. Begitu suatu konflik selesai, selalu berlanjut dengan skala lebih besar. Selain itu terdapat pula permasalahan klasik dalam pelaksanaan DDR sebagaimana

²⁴ MONUC and the Relevance of Coherent Mandates: The Case of the DRC, hal 8

terjadi di negara konflik lain yaitu kurangnya kapasitas, inefisiensi, manajemen yang kacau, persaingan antar institusi dan korupsi²⁵.

Masalah-masalah tersebut mengakibatkan proses DDR menjadi rumit dan berlarut-larut. Beberapa program yang dijalankan dalam DDR antara lain pelucutan senjata dan ekstradisi bagi kombatan asing, pemenuhan kebutuhan kelompok khusus seperti wanita, anak-anak dan eks kombatan yang cacat serta pelucutan senjata bagi eks kombatan dan mengintegrasikan kembali mereka ke dalam masyarakat²⁶.

MONUC memegang peranan penting dalam pelaksanaan DDR dengan mendirikan unit khusus yang bertugas mengurus proses DDRRR di Kongo pada Juni 2006²⁷. Kemudian dua bulan berikutnya unit ini dibagi lagi menjadi dua yaitu unit DDRRR dan unit SSR. MONUC juga secara eksklusif memfokuskan diri pada implementasi program nasional dan pelucutan senjata. MONUC juga memastikan eks kombatan asing diamankan melalui program DDRRR yang telah disepakati sebelumnya karena banyak di antara mereka yang terancam hidupnya akibat dianggap sebagai pengkhianat. Setelah diberikan penyuluhan serta disediakan pakaian dan makanan, para eks kombatan asing dikirimkan kembali ke negara asal masing-masing di mana mereka akan mendapatkan proses reintegrasi lanjutan²⁸. Langkah-langkah tersebut dianggap sukses karena pada tahun 2009 sebanyak 102.014 eks kombatan telah berhasil menjalani proses demobilisasi dan reintegrasi²⁹.

MONUC mengidentifikasi kekurangan dalam program DDR di South Kivu yang dimulai pada tahun 2004. Wanita dan anak perempuan yang terlibat dalam kekuatan tempur telah terpisah dari suami mereka dan tidak merasakan manfaat dari dua fase pertama dari DDR. Misi yang melibatkan pasukan penjaga perdamaian

²⁵ Assessing the Reintegration of Ex-Combatants in the Context of Instability and Informal Economies: The cases of the Central African Republic, the Democratic Republic of Congo and South Sudan. Part II Ch 5 Page 43

²⁶ Ibid Part II Ch 5 hal 44

²⁷ MONUC and the Relevance of Coherent Mandates: The Case of the DRC, page 9

²⁸ MONUSCO, Collaboration and DDRRR process, <http://monusco.unmissions.org> diakses pada 10 Oktober 2014

²⁹ Op cit

wanita memastikan bahwa perempuan dan anak perempuan yang terlibat dalam kekuatan tempur harus diikuti dalam fase reintegrasi.³⁰ Sejak saat itu aspek gender mulai dipertimbangkan selama berbagai tahap proses DDR. Proses penjemputan dan transportasi ke kamp transit DDR memberikan prioritas kepada perempuan dan anak-anak. Selama proses kedatangan, disediakan akomodasi terpisah untuk perempuan dan laki-laki, dan diadakan pula pelatihan orientasi yang mencakup modul gender dan proses reintegrasi selama 1-2 jam. Langkah-langkah tersebut memastikan isu gender secara efektif telah diintegrasikan ke dalam langkah-langkah yang berbeda dari proses DDR pada umumnya.

Pelaksanaan CIMIC dan SSR pada PKO di Kongo

CIMIC (*Civil-Military Cooperation*) adalah wujud kerjasama yang dilakukan oleh penjaga perdamaian dari kaum sipil dan militer. Dalam kasus Kongo, peran utama CIMIC adalah memperkuat dan mendukung operasi militer dengan cara meraih dan mempertahankan situasi stabil yang berkelanjutan di daerah konflik melalui koordinasi, fasilitasi, pembagian informasi dan kerjasama di antara komponen sipil dan militer dalam operasi perdamaian di Kongo³¹. CIMIC juga menjadi media bagi pelaksanaan DDRRR yang diarahkan kepada pemenuhan SSR.

MONUSCO menerapkan dua prinsip kerjasama dalam menjelaskan relasi sipil-militer yaitu prinsip melindungi (*in protection*) dan prinsip mendampingi (*in assistance*)³². Prinsip kerjasama melindungi menekankan peran militer dalam melindungi wilayah konflik, mencegah kekerasan serta mengawal masyarakat menuju area yang aman. Sementara itu peran sipil adalah mengawasi proses perlindungan masyarakat, mengembalikan pengungsi ke daerah asal serta mengadvokasi kaum lemah seperti wanita dan anak-anak dalam mediasi dengan pihak bersenjata.

³⁰ Ten-year Impact Study on Implementation of UN Security Council Resolution 1325 (2000) on Women, Peace and Security in Peacekeeping (2010)

³¹ Guidelines for Interaction Between MONUC Military and Humanitarian Organizations, Ch 7 hal 10

³² *ibid*, Ch 2 page 6

Prinsip kerjasama di antara sipil dan militer dapat dilihat dari peran militer dalam mengamankan situasi dan kondisi agar kondusif bagi perlindungan masyarakat. Militer memiliki kemampuan dan logistik yang memadai dalam menjangkau wilayah rawan yang umumnya sulit dijangkau oleh sipil. Dengan kata lain, militer bertugas mengamankan keadaan agar sipil bisa melakukan tugas perlindungan terhadap masyarakat korban konflik dengan baik.

Pada pelaksanaannya, MONUSCO mengorganisir pelatihan khusus bagi pelaksanaan CIMIC sebagaimana diminta oleh perwira angkatan darat Kongo (FARDC)³³. Selama sesi latihan, pasukan *Blue Helmet* MONUC mengadakan sesi khusus yang membahas koordinasi dalam aktivitas CIMIC serta membangun kepercayaan di antara pihak sipil dan militer. Para perwira FARDC dilatih untuk menggunakan metode khusus dalam menciptakan dan mempertahankan iklim yang konstruktif dalam rangka membangun hubungan baik dengan masyarakat sipil. Para perwira dilatih untuk mendengarkan dan menunjukkan solidaritas serta menghargai hak asasi manusia selama mereka menjalankan tugas.

Pelaksanaan pelatihan menunjukkan kerjasama yang berlandaskan pada asas *interdependence* di mana kedua institusi baik militer maupun sipil sama-sama menyadari pentingnya koordinasi dan kerjasama. Pelatihan menjadi bukti bahwa kaum sipil maupun militer mampu bersinergi memberikan pelatihan bagi perwira FARDC sebagai kombatan dalam konflik Kongo untuk menjadi aktor utama dalam menjalankan proses *peacebuilding* di negaranya sendiri. Pelatihan juga menjadi bukti bahwa tugas yang dijalankan oleh sipil dan militer tidak tumpang tindih karena terdapat koordinasi yang jelas sehingga program rekonsiliasi yang telah disepakati dapat berjalan dengan baik tanpa ada kegiatan yang saling bersinggungan sehingga program dapat berjalan dengan efektif. Prinsip *leverage* sebagai bentuk kesadaran akan pentingnya kerjasama dapat dilihat dari pemenuhan dua prinsip sebelumnya. Baik kaum sipil maupun militer dalam operasi perdamaian di Kongo menyadari bahwa mereka berada dalam suatu bingkai besar

³³ DR Congo/North Kivu: MONUC trains the FARDC in community relations
<http://reliefweb.int/report/democratic-republic-congo/dr-congonorth-kivu-monuc-trains-fardc-community-relations> diakses pada 10 Oktober 2014

peacebuilding yang membutuhkan komitmen dalam pelaksanaannya agar proses perdamaian dapat berjalan dengan lancar.

Selain CIMIC, sejak tahun 2005 MONUC juga melakukan pelatihan gender yang komprehensif kepada Kepolisian Kongo (PNC) di ibukota Kinshasa.³⁴ Pelatihan ini dilakukan untuk memenuhi misi SSR (Security Sector Reform). Pelatihan mencakup pembuatan modul kesadaran gender, hak asasi manusia dan perlindungan anak. *Capacity building* juga dilakukan untuk Angkatan Bersenjata Kongo (Angkatan Armees de la RDC, FARDC) yang dimulai sejak tahun 2007 dan secara rutin membahas penyebab dan akibat dari kekerasan seksual dan mencakup pengenalan hukum hak asasi manusia internasional, termasuk hak-hak perempuan. Misi juga melakukan penelitian tentang rekrutmen wanita di PNC, memberikan dukungan kepada review undang-undang PNC dan FARDC baru dari perspektif gender, dan menganjurkan kuota perempuan 30% dalam perekrutan baru anggota PNC dan FARDC.

Kekerasan seksual juga telah menjadi topik yang saat ini secara teratur dibahas dalam pelatihan PNC.³⁵ Pada tahun 2009 Presiden Kabila mengumumkan kebijakan *zero tolerance* untuk FARDC dan PNC sehubungan dengan disiplin dan pelanggaran hak asasi manusia, termasuk kekerasan seksual berbasis gender.³⁶

Kesimpulan

Resolusi Dewan Keamanan tentang perempuan, perdamaian dan keamanan sejak tahun 2003 secara bertahap dimasukkan ke dalam mandat misi-misi perdamaian. Perspektif gender dalam perencanaan misi mulai nampak pada tahun 2004 dengan hasil yang menonjol berupa pelaksanaan DDR dan reformasi sektor hukum dan peradilan.

³⁴ Laporan Kinerja MONUC 1 Juli 2005-30 Juni 2006. Sebagai contoh antara Desember 2009 dan Januari 2010 1500 staf PNC diberi pelatihan Gender yang bekerjasama dengan Kepolisian PBB dan JICA

³⁵ SG Report MONUC Nov 2007

³⁶ Performance Report for MONUC 1 July 2009 to 30 June 2010

Dalam hal struktur fungsional, baik Unit Gender (GU) dan Unit Kekerasan Seksual (SVU) memainkan peran kunci dalam misi pengutamaan gender dan mengkoordinasikan pengusutan kekerasan seksual. Namun, terdapat kendala kapasitas dalam melaksanakan mandat. Misi telah berupaya meningkatkan keseimbangan gender di antara staf namun gagal memenuhi target baik di sisi sipil maupun sisi militer. Efektivitas modul gender yang disusun secara singkat selama pelatihan staf sangat minimum.

Misi juga telah berkontribusi terhadap pelaksanaan berbagai dimensi Resolusi Dewan Keamanan 1325, namun prestasi tersebut perlu dipahami secara lebih dalam. Misalnya, partisipasi perempuan dalam proses politik masih lemah karena berbagai faktor seperti rendahnya status perempuan dalam masyarakat Kongo. Sedangkan evaluasi bisa mengkonfirmasi bahwa isu gender secara efektif telah terintegrasi dalam langkah-langkah yang berbeda dari proses DDR yang sama tidak dapat ditentukan untuk wilayah SSR. Misi juga berhasil melakukan pelatihan tentang gender dan kekerasan seksual untuk FARDC dan PNC.

Misi juga telah memberikan kontribusi terhadap perbaikan dalam kerangka legislatif yang ada seperti penerapan undang-undang tentang kekerasan seksual, dan peningkatan penuntutan pelaku pelanggaran hak asasi manusia. Namun, impunitas masih berlaku karena masalah struktural mendasar seperti lemahnya supremasi hukum, kurangnya sumber daya dan korupsi. Inisiatif Misi di bidang kekerasan seksual dan berbasis gender sejak 2009 telah membantu untuk menyadarkan dan meningkatkan kesadaran gender pada masyarakat. Potensi dampak jangka panjang mungkin terbatas mengingat impunitas dan konteks rapuh khususnya dari sektor keamanan yang berlaku di Kongo.

Lebih jauh, Misi harus memastikan kesadaran gender yang lebih sistematis dalam perencanaan Misi dan pelaporan proses indikator kinerja Misi. Kinerja Misi harus memperhitungkan kesetaraan gender dan setiap staf harus bertanggung jawab untuk memastikan pengutamaan gender di daerah kerja masing-masing. Eksistensi dan kapasitas Unit Gender dan Satuan Kekerasan Seksual harus ditingkatkan untuk memungkinkan jangkauan yang lebih efektif kepada rekan kerja MONUSCO

misalnya melalui kegiatan pelatihan dan saran teknis, serta partisipasi yang lebih aktif dalam inisiatif Misi di tingkat komunitas.

Dalam hal pelatihan kesadaran gender, Misi harus mempertimbangkan pelatihan substantif wajib mengenai gender bagi semua staf Misi dan pembentukan sistem *focal point* gender yang efektif. Sistem *focal point* gender harus memfasilitasi penyediaan saran teknis tentang cara untuk mengintegrasikan perspektif gender ke dalam operasi sehari-hari staf Misi. Upaya-upaya advokasi bagi negara-negara pengirim pasukan harus dilanjutkan untuk meningkatkan jumlah staf militer wanita dalam kontingen Misi masing-masing.

Proses pelaksanaan operasi perdamaian di Republik Demokratik Kongo tidaklah selalu berjalan dengan lancar sebagaimana diperkirakan. Terlalu banyak tantangan dan hambatan yang silih berganti menghalangi *peacekeeping* dan *peacebuilding*. Tantangan dan hambatan tersebut hanya bisa diatasi jika keterlibatan wanita dalam operasi perdamaian semakin ditingkatkan. Bagaimanapun juga, wanita sering menjadi korban yang lebih dirugikan dalam konflik sehingga diharapkan wanita lebih mampu membawa semangat perdamaian agar konflik teratasi. Peningkatan peran aktif wanita dalam operasi perdamaian dipercaya dapat membawa operasi perdamaian memenuhi misi dan mandat yang mereka emban, yaitu melaksanakan proses bina damai yang hakiki.

DAFTAR PUSTAKA

Buku

Ramesh Thakur dan Albrecht Schnabel, *United Nations PeaceKeeping Operations; Ad Hoc Missions, Permanent Engagements*, United Nations Press, USA, 2001

UN Women Evaluation Office. *Evaluation of Gender Mainstreaming in United Nations Peacekeeping Activities (MONUC/MONUSCO) in the Democratic Republic of the Congo*. New York

Jurnal

Francesco Bertolazzi . *Women with a Blue Helmet: The Integration of Women and Gender Issues in UN Peacekeeping Missions..* UN-INSTRAW Paper Series

Kathleen M. Jennings . *Women's Participation in UN Peacekeeping Operations: Agents of Change or Stranded Symbols?* Norwegian Peacebuilding Resource Centre

Osmançavuşoğlu, Emel. Journal Of International Affairs. December 1999 – February 2000. Volume IV - Number 4

Skripsi

Rizki Monti. 2011. Peran United Nations Mission In The Democratic Republic Of Congo (Monuc) Dalam Resolusi Konflik Di Kongo (1999-2009).

Artikel Internet

Gender Statistics. UN Peacekeeping.

<http://www.un.org/en/peacekeeping/resources/statistics/gender.shtml>

Institute for Security Studies. The Peace Process in the DRC.

<http://www.iss.org.za/AF/profiles/drcongo/cdreader/bin/fulldoc.pdf>.

MONUSCO Mandate.

<http://www.un.org/en/peacekeeping/missions/monusco/mandate.shtml>

The Peace Process in the DRC. Institute for Security Studies..

<http://www.iss.org.za/AF/profiles/drcongo/cdreader/bin/fulldoc.pdf>.

Woman in Peacekeeping.

<http://www.un.org/en/peacekeeping/issues/women/womeninpk.shtml>

Peace unwanted? – The frozen conflict of Nagorno-Karabakh revisited

by Pia Ferner¹

“The Armenian-Azerbaijani conflict may not have been the worst of modern wars, but it has produced one of the worst peaces.” (de Waal, 2003: 270)

Official end of the Nagorno-Karabakh war was marked in 1994, when a ceasefire agreement has been signed by representatives of Armenia, Azerbaijan and Nagorno-Karabakh. Twenty years later 600.000 people are still living as IDP's in Azerbaijan as a result of this territorial conflict. While internationally being recognized as de jure part of the Republic of Azerbaijan and its right to territorial sovereignty, Nagorno-Karabakh is de facto independent, leaving the issue of IDP's, which is among the highest IDP numbers per capita on a global scale, largely unresolved. (IDMC, 2014; Moser, 2012; Özkan, 2008)

Peace negotiations did not yet come to an agreement, leaving people in the area in a state of “no war, no peace”. Geopolitical interests seem to contribute to a stalemate and de-facto non-interference. The “freezing” of the conflict leaves the two main conflicting parties without necessary will for compromise. Changing economic power, which is reflected in growing military expenditures of Azerbaijan, raises concern that a solution of the conflict will be of violent nature. Renewed shootings and casualties on the frontline in August 2014 alarmingly show the fragility of the ceasefire in place. “Several dozen” victims reportedly die each year as a consequence of ceasefire violations along the borders and the established buffer zone or due to landmine incidents. (de Waal, 2003, 2010) This gives reason to bring this humanitarian concern back to the international agenda to actively seek a peaceful settlement of the conflict.

¹ Pia is a MSc student of International Development at Wageningen University, the Netherlands. During her diploma program of Cultural Anthropology and European Ethnology (University Graz, Austria) she developed an interest in global issues, particularly humanitarian concerns which led her to specialize in the field of Disaster Studies.

What can lead to peace when international incentives are low for a conflict being resolved? What role can civil society play when official political attempts seem to remain unsuccessful?

This paper seeks to bring a conflict back into discussion which receives low international attention. Analysis is primarily based on desk research. However, insights gained through a 2-months field visit, investigating local perceptions on the presence and impact of landmines in Nagorno-Karabakh Republic contributed to a wider understanding of the regional conflict. A review of recent literature is intended to shed light on current stances of parties involved in the peace process as an attempt to provide indications for reasons of the “frozen” character of the conflict. Furthermore, an analysis of these reasons should be basis for designing adequate responses to the current stalemate in order to foster positive development in the peace process. Aim of this paper is to explore geopolitical factors posing obstacles to international peace efforts, hindering political actors from going beyond mere lip service. Therefore, a brief description of geopolitical actors involved in peace and conflict dynamics in the South Caucasus forms a basis for analysis. This is supplemented by an exploration of the role of international organizations and contributions from the civil society to current peace efforts. These aspects form an integral part for the discussion of the current deadlock in the peace process and a critical analysis, in whose interest it is to peacefully resolve the conflict over Karabakh.

The Nagorno-Karabakh peace process from the geographical neighbors’ perspective²

The geopolitical situation in the South Caucasus is in large part influenced by the Karabakh conflict, dividing geographical neighbors. In this complex political

² Georgia does not find distinct mentioning, since it seldom appears in detail in any geopolitical analysis on Nagorno-Karabakh and is often dealt with separately in relation to conflicts over the breakaway regions of Abkhazia and South-Ossetia.

environment it is of interest to look at relevant parties shaping the conflict, unraveling underlying motives for a settlement (or upholding) of the dispute in order to evaluate possibilities for successful peace efforts. Instead of a shared regional identity and cooperation the countries of the South Caucasus seek national security through bilateral agreements with external actors, which leads to a certain extent to a “great powers game” as will be discussed in more detail. (Gahramanova, 2007: 21)

Continued presence of Russia

Historically, Russia or the former Soviet Union, established a relatively strong presence in the region for the past century. In addition, it was one of the first countries attempting to render peace negotiations possible, acting as a mediating force between opposing parties of the conflict. Russia was shaping the course of the strife greatly by ultimately succeeding in the agreement on the armistice of 1994, which often is thought to be the result of efforts taken by the Minsk Group. (de Waal, 2010; Harutunian, 2010) The Russian involvement in the peace process is particularly marked by its 2008 attempt to act as a peace broker, resulting in Armenia, Azerbaijan and Russia signing the Moscow Declaration, based on the Madrid principles³. (Kasim, 2012)

Russia acquires a double role in ongoing negotiations. Firstly Russian representatives exert influence through the co-chairmanship of the Minsk Group. Secondly Russia still represents a dominant regional power, following its own political agenda. (Harutunian, 2010) Russian influence in the region is in part linked to Armenian dependency on Russia economically, politically as well as in terms of military support. (Kasim, 2012) Russia provides safety guarantees for Armenia, assuring direct Russian involvement in the conflict in case of a military strike of Azerbaijan against its neighbor. (Moser, 2012) Furthermore, Armenia is a member of the Collective Security Treaty Organization (CSTO), which is led by Russia and

³ According to the agreement Armenia and Azerbaijan, as the two direct opposing countries without taking into account NKR, will attempt to solve the conflict adhering to norms and principles of international law

can be seen as a counterpart to the NATO. (Huseynov, 2010) Russia's relations with Azerbaijan are often reported to be disrupted. However, it has to be noted that there is some form of exchange at least in terms of military trade.⁴

Uzer (2012) identifies Russia as one of the most critical actors in the current "no peace-no war" situation in the South Caucasus, which seemed in part responsible for Armenian military success during the Karabakh war in the 1990s. Moreover, after the ceasefire agreement, the country took up the role as a mediator of the conflict, being among the driving forces of the current peace negotiations. Nevertheless, there is a strong perception of Russia, together with other actors in the region, favoring the status quo of the conflict being in a "frozen" state. Russia's political agenda can be summarized as an attempt to remain an influential political power in the region, partly due to national security implications. (Gahramanova, 2007)

Turkey's "brotherly" ties to Azerbaijan

Armenia's closed border in the West, expresses Turkey's strong support for Azerbaijan. The country conditions its border blockage on the Armenian occupation of Azerbaijani territory. Turkey's support for Azerbaijan is primarily based on ethnic and linguistic ties. (Abushov, 2009: 202)

Despite approaches being made between Armenia and Turkey in the past, recent failures give evidence that the two countries have differing interests in relation to the settlement of the Nagorno-Karabakh conflict and its impact on diplomatic as well as economic relations. Similar to Russia, Gahramanova identifies an interest of Turkey in upholding the current situation of "no war, no peace" in the South Caucasus. (Gahramanova, 2007) While officially showing strong support for Azerbaijan, Cheterian points out, that secret meetings between Armenian and Turkish diplomats have been taking place in order to ease tensions between the two respective countries as part of Turkey's new approach in its foreign policy towards the east since 2007. In spite of more recent advances of the two geographic

⁴ In mid 2013, e.g. a \$4 billion arms trade between Russia and Azerbaijan was reported. See i.a. Agayev (2013).

neighbors, approaches failed again due to remaining conflicts of interest. While Turkey's attempts were described as only short-term efforts, trying to deflect from other ongoing political issues, Armenia's approach in normalizing relations was completely detached from the conflict with Azerbaijan. (Cheterian, 2012: 708ff; Ambrosio, 2011)

Iran's secondary role in the conflict

Due to Armenia's tense relations to half of its' neighboring countries, Iran forms an integral part in Armenia's foreign relations and cooperation. Iran provides essential trading opportunities for Armenia and supported its neighbor in the north economically during the war. A balance in power between Azerbaijan and Armenia is in the interest of Iran. (Gahramanova, 2007)

Overall Iran is taking up a minor role in the current conflict dynamics, seeking a balance in powers with commercial ties to Armenia and cultural similarities with Azerbaijan. Russia's approach of counteracting the US presence in the region seems beneficial to Iran. (Abushov, 2009: 2003)

Omnipresence of the US - Balance of power in place?

The US position in the peace negotiations is twofold. On the one hand importance is given to Azerbaijan's energy resources, being rich in oil and natural gas resources that require the US to respect the territorial integrity of the country in the South Caucasus due to own political and economical interests. On the other hand domestic concerns, linked to the Armenian Diaspora, complicate the US position in the process of conflict resolution and hinder the country to act as reliable broker with different interests driving its efforts and actions in the region. (Kasim, 2012) Despite these differing motifs the US is widely perceived as a neutral part in the negotiation process with the oil lobby as well as the Armenian lobby keeping an equilibrium in interests and motivations. (Gamaghelyan, 2010)

American involvement in a settlement of the conflict dates back as far as 1989 when the US Senate approved a resolution stressing the countries support for the fundamental rights of the people of Nagorno-Karabakh, campaigning for a non-violent settlement of the regional dispute. (NKRUSA, n.d.) To elaborate further on the role of the USA, attention needs to be given to the Freedom Support Act of 1992, also known as “Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act”⁵ which enables the provision of US foreign assistance to the newly established states. Through the policy framework of the Freedom Act with special reference to section 907, the Armenian lobby in the USA successfully prevented US American humanitarian assistance being delivered to Azerbaijan, further complicating US-Azerbaijan relations. For the USA, the Armenian Diaspora resembles the biggest hindrance for cooperation with Azerbaijan. One turning point in US policies regarding issues in the Caucasus was set by 9/11 terrorist attacks in 2001. Higher attention to security issues and important coalition troop support through Azerbaijani supply routes to Afghanistan gave way to the revocation of US aid sanctions towards Azerbaijan. Furthermore the US presence and military involvement in the Caucasus led to a decrease of Russian influence as the dominant power in the region. (Kasim, 2012; NKRUSA, n.d.) Aside from an “internal balance” of interests, the US involvement in the South Caucasus also acts as a balance of Russia’s continued presence and exertion of power in the region. (Gahramanova, 2007)

Several authors identify the US potential to positively influence a final settlement of the protracted conflict. However, there seems to be a lack of incentives for greater involvement of the US, not showing a particular interest in the region of Nagorno-Karabakh or gaining sufficient benefits from successfully brokering peace between the conflicting parties. (i.a. Kasim, 2012; U. Uzer, 2012) Furthermore, Ambrosio indicates that other foreign policy issues of the US rank much higher in priority than Nagorno-Karabakh with a considerably low level of tension and violence. Whilst the Obama administration officially identifies Nagorno-Karabakh as one of

⁵ For detailed information see Tarnoff (2004).

their policy priorities, it did not receive much attention in recent years. (Ambrosio, 2011: 94, 107)

What role do international organizations play in this?

Nagorno-Karabakh is the only conflict zone in the South Caucasus that did not receive any kind of support through a deployment of peacekeeping forces. Therefore, the current ceasefire agreement in place remains self-sustained. (Gahramanova, 2007) However, a dispute, impossible to be resolved by the conflicting parties, requires active involvement from external parties. In many cases the UN can act as intervening body in humanitarian crises and conflict. However, in the case of Karabakh the UN holds only a minor role, following a track-sharing approach, giving way to regional organizations to take up mediating roles in the peace process. The UN Security Council does call for a ‘withdrawal of all occupying forces’, but does not actively get engaged in peace efforts, giving responsibility to the CSCE, which later became the Organization for Security and Cooperation in Europe (OSCE). (Gahramanova, 2007: 23)

OSCE as peace broker

The OSCE Minsk Group has to be seen as the most prominent actor in the attempt of solving the Karabakh conflict permanently. The group, which came into being in 1992, consists of 11 permanent member countries⁶ led by the co-chair of Russia, the USA and France, as the main actors in the peace negotiations. (Gamaghelyan, 2010; Moser, 2012) The Minsk Group elaborated on several proposals for a peaceful settlement of the conflict in the South Caucasus with the Madrid Principles being of main interest to the parties involved, as negotiations are considered so far. (NKRUSA, 2002)

⁶ The Minsk Group comprises of the following member states: Belarus, Germany, Italy, Sweden, Finland, Turkey, Armenia, Azerbaijan as well as the three co-chairs.

The Madrid Principles or Madrid Proposals refer to a proposal from November 2007, which representatives of the United States, France and Russia presented to the foreign ministers of Azerbaijan and Armenia in order to settle the conflict durably. According to these principles, both conflicting parties need to show willingness for compromises as is expressed in six defined steps to be fulfilled for a peaceful settlement. (Moser, 2012; Potier, 2012) The two conflicting parties refer in this case to Armenia and Azerbaijan and their respective political representatives. However, the process does not provide the possibility of a representation of Karabakh itself. The current and former population of Karabakh is left out of the direct negotiation process, although representing the core concern of the peace talks. (de Waal, 2010)

The six principles are as follows:

- 1) Territories surrounding Nagorno-Karabakh need to be returned to Azerbaijan
- 2) Provision of guaranteed security and self-governance through an interim status for NK
- 3) Establishment of a linkage corridor between the Republic of Armenia and NK
- 4) Determination of the final legal status of NK
- 5) Granting the right to all IDP's and refugees in/from the region to return to their former places of residence
- 6) Establishing international security measures such as a peacekeeping operation

Even though Armenia and Azerbaijan agreed on the importance of addressing these steps for a resolution of the conflict, the countries lack willingness for compromise. Moreover, the three co-chairs of the Minsk Group appear to lack a united and concerted effort for a peaceful settlement of the conflict. (Moser, 2012) While Russia and the US represent influential powers in the region, the role of France seems to be of lower significance, joining the Minsk group primarily because it is host to a significant share of Diaspora Armenians, trying to cater for peoples' claims in their "homelands". However, France does not find much mentioning in past and current literature concerning the Nagorno-Karabakh peace process.

The collective peace approach of the Minsk group is difficult to be separated from particular national interests of the countries involved in the peace negotiations. Driving forces within the Minsk group can be linked to domestic interests. In part the involved parties have to be seen as biased entities and it is difficult to determine in whose interest representatives act.

According to Gahramanova (2007), in the case of biased mediators, conflicts are often settled according to self-interests of the mediators rather than truly considering the conflicting parties directly affected by the conflict. A biased mediator can contribute to a halt in peace negotiations while successfully retaining post-war conditions. As has been shown in the country profiles above, all involved countries, also represented in the Minsk Group, ultimately serve their own governments interest, which seems to be one of the weakest points of the peace brokers in the process.

Limited involvement of international humanitarian organizations

While efforts for a positive contribution to the peace process seem in stagnation on a political level, few organizations on ground are working on diminishing the negative outcomes the status quo has on local populations. During a field visit related to research on the perceived impact on landmines in Nagorno-Karabakh only two international humanitarian organizations⁷ were identified namely the ICRC and the Halo Trust. The ICRC in NKR is mainly working on issues related to missing persons and prisoners of war as well as providing economic assistance to mine victims. In addition it follows its general mandate to promote International Humanitarian Law and offer protection and assistance to civilians in need, in the case of NKR mainly communities living close to the line of contact. (ICRC, n.d.-a & b)

The second organization, UK-based HALO Trust, focuses on the field of humanitarian demining. Even though their work is of high humanitarian value, the

⁷ Gahramanova states Medicins Sans Frontiers and Diaspora groups as main actors in the humanitarian sector, with a permanent presence in the field – this could not be verified during a field stay in 2013.

current political situation is making it difficult to operate. In the particular case of the HALO Trust it is difficult to convince donors of the importance of demining when the risk of renewed war and the likelihood of renewed mining going along with open conflict, is of high concern.

The lack of international involvement and presence locally can be seen as part of an upholding of diplomatic relations in respect of Azerbaijan's territorial integrity over Nagorno-Karabakh. However, vice versa, Azerbaijan's approach can be interpreted as rather restrictive in terms of access to the occupied territories, even on humanitarian matters, supporting their claims by referring to international law.⁸ Both aspects represent plausible arguments for the limited presence of international actors in the conflict zone creating additional barriers for attempts to ease tension in the region.

Civil Society as a last resort?

In recent years growing attention and recognition has been given to the potential and transformative power of civil society. Renowned institutions such as the Worldbank (2013) describe today's active role of civil society organizations as crucial in the social and developmental sector, particularly in circumstances of weak state governance as is often the case in post-conflict environments. In a situation, where lack of state interest in a peaceful resolution of the conflict is visible, the question whether the power lies within the people to achieve durable change, is raised.

These observations paired with the apparent lack of success of the political elites' in their attempt to move peace negotiations forward, make it almost inevitable to investigate the role of civil society in the effort of peacefully resolving the several decades' long conflict over the region. What stance does the broad public, the

⁸ The list of *personae non gratae* in Azerbaijan includes i.a. the names of members of the European Parliament, MP's of France, Russia, the UK as well as a number of journalists and academics.

residents of Nagorno-Karabakh and the respective countries directly involved in the dynamics of the conflict take and what influence does and can civil society exert? According to Victor Chirila (2013), executive director of the Foreign Policy Association of the Republic of Moldova, *„future settlement needs a complex approach that would involve not only political negotiation but also civil society dialogues, confidence and partnership building and reconciliation“*.

In 2009 the “Civil Society Forum”⁹ was launched, which is intended to take the lead in promoting non-political dialogues and alternative routes for a settlement of the conflict in Nagorno-Karabakh through promoting eastern partnerships. This development can be seen as a promising move in the right direction, but recent developments in the region show that much work needs to be done, especially when it comes to changing peoples’ minds and perception on a more than 20 year long lasting conflict. (Chirila, 2013)

Opposite tendencies on local peoples motivation for a peaceful settlement of the conflict can also be observed. When recent clashes along the frontline occurred in August this year, the way social media was used by local residents of Nagorno-Karabakh suggests only limited effectiveness of CS efforts. The recent military clashes seemed to stir up anger rather than condemning outbreaks of violence. This was reflected i.a. in pictures of the frontline being posted depicting men in military outfits, ready to fight in solidarity with their troops, raising their guns and other posts blaming the enemy for being responsible for escalations.¹⁰

Furthermore, some local CSOs¹¹ are taking on a strongly biased view, repeating their governments’ claims for a resolution of the conflict, following the lead for “national justice” instead of a settlement based on mutual compromise and constructive peace negotiations.

This attitude of the general public has to be linked with the political framing of the conflict. As Gahramanova (2007) points out, possible causes of the conflict are

⁹ The Forum brings together National Platforms of Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. More information to be found on: <http://eap-csf.eu/>

¹⁰ It has to be stated that these observations can only be seen as “snapshots” based on personal connections to former respondents and friends residing in NKR. No general claims can be made.

¹¹ See e.g. „All for Karabakh – Virtual Campaign“ (Az.)

linked to a particular political environment in the Nagorno-Karabakh region in which identity based on ethno-territoriality provides a basis for mass mobilization. The author further suggests the urgent need of transforming this “ethnic hatred discourse” into a “peace discourse”.

On the one hand a main concern lies in the lack of participation of the peoples of Armenia and Azerbaijan, as well as Karabakhis respectively, due to a lack of information on, and transparency of the peace process. The attempts of resolving the conflict are quite elitist, handled on a political level by few diplomats and politicians. On the other hand there seems to be no social demand for peace. No considerable efforts are made by the general public to pressure politicians for a sustainable solution of the long-lasting conflict. (Cheterian, 2012: 714-717)

The current deadlock in the peace process

Ever since the official cessation of hostilities, only little progress has been made towards a durable solution to secure peace in the region. Hopmann and Zartman describe the current situation in Nagorno-Karabakh as “an S⁵ Situation – a soft, stable, self-serving stalemate”. (Hopmann, 2010: 2) Moser criticizes the efforts of the peace process, calling attention to the lack of well respected mediators without superior motifs. Actors seem to be driven by economical or political self-interest in the region rather than acting as neutral negotiators. (Moser, 2012) Similarly, Harutunian argues that peace brokers involved in solving the conflict are not entirely impartial. Nevertheless, they play an influential role in preventing further violence, keeping the conflict in a “frozen” state. (Harutunian, 2010) Furthermore, Babbitt states that despite their regional and global influence and power, mediators did not exert sufficient pressure and leverage for conflicting parties to come to an agreement. In addition, differing interests among the mediating parties reduce their impact on finding a durable solution to the ongoing conflict. (Babbitt, 2006) Bilateral agreements on energy, security and trade between mediators and

conflicting countries further contribute to the intractability of the conflict with the lack of impartial peace brokers. (de Waal, 2010)

One line of argumentation for the prolonged state of conflict offered by Özkan, states that parties involved in the negotiation processes gain from the current deadlock, which ultimately leads to a delayed or stalemated peace process. On an international scale, the security threat is considered to be rather low, putting issues of the South Caucasus off the priority agendas of the international community. The ones bearing the costs of the frozen conflict situation are the societies of the respective countries suffering from restricted movement and blockades. (Özkan, 2008)

Several scholars (i.a. Babbitt, 2006; Huseynov, 2010; Milanova, 2003; Özkan, 2008) criticize the current peace process for being restricted to Track 1 efforts rather than involving the greater public and civil society. De Waal even refers to the Nagorno-Karabakh peace negotiations as “some of the most secretive and least inclusive peace talks in the world”. (de Waal, 2010: 168) A lack of participation and marginalization of civil society in efforts of conflict resolution is being observed in a number of states formerly being part of the Soviet Union. In these ex-Soviet countries mostly a gap between state-rule and society exists that yet needs to be overcome, especially in areas where conflicts need to be redressed. (Ghaplanyan, 2010)

Besides the political complexity of the peace negotiations, another result of the unresolved conflict is the amount of IDP's and refugees created by the conflict, which remains an issue up until today. The social costs of the current stalemate are high for the population of Nagorno-Karabakh regardless of peoples' ethnic origins, totaling in more than a million refugees and IDP's. (Özkan, 2008) Roughly half a million of Azeris remain in camps waiting for a permanent solution of their situation. A total number of 750.000 displaced Azeris and around 350.000 Armenians were forced to leave their homes throughout the course of war, expelling people from the countries of Azerbaijan and Armenia. Even after a successful peace

agreement would be signed, estimates state that it could take 5-10 years until returnees, especially in border regions, could live in a habitable environment again. (de Waal, 2003; Gamaghelyan, 2010)

Another development Geybullayeva observes since the 1994 ceasefire agreement is the negative rhetoric and nationalist propaganda used and spread especially by domestic media in Armenia as well as Azerbaijan. The region of Karabakh is laden with different meanings and interpretations of e.g. culture, values and historic roots for both countries and ethnic groups. (Geybullayeva, 2012) As Özkan puts it, “the most significant barrier for peace in Nagorno-Karabakh is the constructed image of ‘the other’ as a source of threat in the eyes of the people”. (Özkan, 2008: 594) Through means of mass media and its utilization by political elites the opposing parties in the conflict are framed in particular ways hindering lasting peace. (Özkan, 2008)

Summarized it could be said that conflict resolution efforts concerning Karabakh suffer structural problems. The central problem in negotiations seems to be the final political status of the province. Furthermore, the status quo of various regions apart from traditional Karabakh which are currently under occupation, conflicts with the differing parties interests. An urgent matter in determining the future of Karabakh is addressing the possible return of IDP’s and refugees. Furthermore, other humanitarian concerns such as landmine contamination need to be adequately dealt with to enable a safe return of people. Gahramanova makes a valid point, stating that international efforts are limiting themselves to concerns of reconstruction once an agreement will be reached rather than actively engaging in the process of peaceful settlement. The past and recent years suggest the assumption that the status quo of the region pleases all involved political forces. (Gahramanova, 2007: 30)

Conclusion

Absence of international media attention contributes to Nagorno-Karabakh earning the label of a forgotten conflict. A lack of international pressure leaves the two main

parties of the conflict, Armenia and Azerbaijan, without any incentives to open up for real compromise between the conflicting parties. As the winner of the war, Armenia shows little interest in changing the status quo. There is certain leverage exerted on Armenia through the closed borders with its neighbors in the east and west. However, that does not seem enough reason to give up occupied regions won in combat. At the same time Azerbaijan sees time as an important indicator for their eventual success on solving the Karabakh conflict in their interest. Oil revenues contribute to growing military power, preparing for a possible future war.

Time has to be seen as a critical factor when looking at the “frozen conflict” over Nagorno-Karabakh. The current short-term approaches of external actors in keeping Armenia and Azerbaijan from falling back to war are linked to a high level of uncertainty and insecurity in the region. With a lack of commitment to peace negotiations Karabakh remains a ticking time bomb. This becomes particularly evident when looking at Azerbaijan's military expenditures.

Most negotiations, agreements and efforts undertaken so far in the peace process can unfortunately only be interpreted as lip service, lacking serious commitment and visible results in creating positive change for the conflict region. This seems particularly evident when looking at national and individual interests of various parties involved in the peace negotiations. The current deadlock seems to be profitable for all geopolitical powers at play, keeping a balance between the forces while profiteering through bilateral cooperation. Exerting pressure on one or both sides of the conflict might jeopardize diplomatic relations of the peace brokers with the conflicting parties, which no one seems to be willing to risk.

No external power shows interest in a violent settlement of the conflict, but neither do they intend to change the status quo, seeking for viable peaceful long-term solutions.

The potential of civil society in moving the peace talks forward has to be seen critical as well. So far no real will and motivation has been visible from the people

directly affected by the conflict to get actively involved in peace negotiations. There is little to no indication for peoples dissatisfaction with the current peace talks and their respective governments, which could lead to growing political pressure for a final peaceful settlement of the conflict. More transparency and increased communication between governmental representatives and the public as well as across national borders is needed to move the peace negotiations forward. In addition, international efforts should be better concerted, with the OSCE Minsk Group acting as unified body, reducing the chance of member countries to act out of self-interest.

The current positions of stakeholders in the peace process raise the cynical seeming view that peace seems to be in no one's interest. However, what cannot be forgotten is the remaining unresolved issue of IDP's and a pressing uncertainty in the region that seemingly can change any time for the worse, causing great human suffering. Even though the dispute over Nagorno-Karabakh is of low intensity and therefore receives less international attention, serious peace efforts need to be made in order to ease human suffering and to create an environment conducive for social and economic development in the region and of its people.

Annex 1



Nagorno Karabakh: 20 years later (Markedonov, 2014) (modified)

Bibliography

Abushov, K. (2009) Policing the near abroad: Russian foreign policy in the South Caucasus.

Australian Journal of International Affairs, 63(2), pp. 187-212.

Agayev, Z. (2013) Azeri-Russian Arms Trade \$4 Billion Amid Tension with Armenia

[Online]. Bloomberg , August 14. Available from:
<http://www.bloomberg.com/news/2013-08-13/azeri-russian-arms-trade-4-billion-amid-tension-with-armenia.html> [accessed 15 October 2014].

Ambrosio, T. (2011) Unfreezing the Nagorno-Karabakh Conflict? Evaluating Peacemaking

Efforts under the Obama Administration. *Ethnopolitics*, 10(1), pp. 93-114.

Babbitt, E. F. (2006) Mediating Rights-Based Conflicts: Making Self-Determination

Negotiable. *International Negotiation*, 11(1), pp. 185-208.

Cheterian, V. (2012) Karabakh conflict after Kosovo: no way out? *Nationalities Papers*,

40(5), pp. 703-720.

Chirila, V. (2013) How Civil Society is working to thaw “frozen conflicts” in Eurasia

[online]. Open Society Foundations, January 21. Available from:
<http://www.opensocietyfoundations.org/voices/how-civil-society-working-thaw-frozen-conflicts-eurasia> [accessed 13 October 2014].

Gahramanova, A. (2007) Peace strategies in “frozen” ethno-territorial conflicts: integrating

reconciliation into conflict management. The case of Nagorno-Karabakh. Mannheim: Arbeitspapiere Mannheimer Zentrum für Europäische Sozialforschung; 103.

Gamaghelyan, P. (2010) Rethinking the Nagorno-Karabakh Conflict: Identity, Politics, Scholarship. *International Negotiation*, 15, pp. 33-56.

Geybullayeva, A. (2012) Nagorno Karabakh 2.0: How New Media and Track Two Diplomacy Initiatives are Fostering Change. *Journal of Muslim Minority Affairs*, 32(2), pp. 176-185.

Ghaplanyan, I. (2010) Empowering and Engaging Civil Society in Conflict Resolution: The Case of Nagorno-Karabakh. *International Negotiation*, 15(1), pp. 81-106.

Harutunian, R. (2010) The Nagorno-Karabakh Conflict: Moving from Power Brokerage to Relationship Restructuring. *International Negotiation*, 15(1), pp. 57-80.

Hopmann, P. T. Z., Willam, I. (2010) Overcoming the Nagorno-Karabakh Stalemate. *International Negotiation*, 15(1), pp. 1-6.

Huseynov, T. (2010) Mountainous Karabakh: New Paradigms for Peace and Development in the 21st century. *International Negotiation*, 15(1), pp. 7-31.

ICRC (n.d.-a) Armenia [online]. Geneva: International Committee of the Red Cross. Available in: <https://www.icrc.org/en/where-we-work/europe-central-asia/armenia> [accessed 12 October 2014].

ICRC (n.d.-b) Azerbaijan [online]. Geneva: International Committee of the Red Cross. Available in: <https://www.icrc.org/en/where-we-work/europe-central-asia/azerbaijan> [accessed 12 October 2014].

IDMC – Internal Displacement Monitoring Centre (2014) Azerbaijan: After more than 20 years, IDPs still urgently need policies to support full integration[online]. Available in: <http://www.internal-displacement.org/europe-the-caucasus-and-central-asia/azerbaijan/2014/azerbaijan-after-more-than-20-years-idps-still-urgently-need-policies-to-support-full-integration> [accessed 22 October 2014].

Kasim, K. (2012) American Policy toward the Nagorno-Karabakh Conflict and Implications for its Resolution. *Journal of Muslim Minority Affairs*, 32(2), pp. 230-244.

Markedonov, S. (2014) Nagorno-Karabakh, 20 years later [online]. *Russia Direct*, May 12.

Available from: <http://www.russia-direct.org/analysis/nagorno-karabakh-20-years-later> [accessed 22 October 2014].

Milanova, N. (2003) The Territory-Identity Nexus in the Conflict over Nagorno Karabakh: Implications for OSCE Peace Efforts. *Journal on Ethnopolitics and Minority Issues in Europe*, 4(2), pp. 1-25.

Moser, M. (2012) Der Konflikt um Bergkarabach. In P. M. Riener, Moritz; Roithner, Thomas (Ed.), "Vergessene Kriege" Konflikte abseits der öffentlichen Aufmerksamkeit. Analysen und Perspektiven einer jungen ForscherInnengeneration. *SAFRAN Schlaininger Arbeitspapiere für Friedensforschung, Abrüstung und nachhaltige Entwicklung* (Vol. Paper 08,

pp. 163-172). Wien/Stadtschlaining: Österreichisches Studienzentrum für Frieden und Konfliktlösung (ÖSFK).

NKRUSA (2002) Nagorno Karabakh Peace Process. (Position Paper) [Online]. Washington: Office of the Nagorno-Karabakh Republic. Available in: http://www.nkrusa.org/nk_conflict/nkr_position.shtml [accessed 8 May 2013]

NKRUSA. (n.d.) US Response and Involvement [Online]. Washington: Office of the Nagorno-Karabakh Republic. Available in: http://www.nkrusa.org/nk_conflict/us_response.shtml [accessed 8 May 2013].

Özkan, B. (2008) Who gains from the "No War No Peace" Situation? A Critical Analysis of the Nagorno-Karabakh Conflict. *Geopolitics*, 13(3), pp. 572-599.

Potier, T. (2012) Referendum to Determine Nagorno-Karabakh's Final Status: A Critical Appraisal. *Journal of Muslim Minority Affairs*, 32(2), pp. 269-276.

Riener, P.M., Roithner, T. eds. (2012) *Vergessene Kriege" Konflikte abseits der öffentlichen Aufmerksamkeit. Analysen und Perspektiven einer jungen ForscherInnengeneration. SAFRAN Schlaininger Arbeitspapiere für Friedensforschung, Abrüstung und nachhaltige Entwicklung.* Wien/Stadtschlaining: Österreichisches Studienzentrum für Frieden und Konfliktlösung (ÖSFK).

Tarnoff, C. (2004) *The Former Soviet Union and U.S. Foreign Assistance in 1992: The Role of Congress.* (Vol. 2013).

Uzer, U. (2012) Nagorno-Karabakh in Regional and World Politics: A Case Study for Nationalism, Realism and Ethnic Conflict. *Journal of Muslim Minority Affairs*, 32(2), pp. 245-252.

de Waal, T. (2003) *Black Garden. Armenia and Azerbaijan through Peace and War*. New York and London: New York University Press.

de Waal, T. (2010) Remaking the Nagorno-Karabakh Peace Process. *Survival*, 52(4), pp. 159-176.

Worldbank (2013) *Defining Civil Society* [Online]. Washington: The World Bank Group.

Available in:
<http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/CSO/0,,contentMDK:20101499~menuPK:244752~pagePK:220503~piPK:220476~theSitePK:228717,00.html> [accessed 12 October 2014].

Mewaspadaai Pembajakan Operasi Perdamaian: Telaah Kritis Intervensi Asing dalam Konflik Libya

Nuruddin Al Akbar¹

Abstrak

Studi ini berupaya mengeksplorasi tantangan terselubung terhadap konsepsi misi/operasi perdamaian (peace operation/mission) berupa pembajakan konsepsi tersebut. Secara ideal, operasi perdamaian yang merupakan salah satu bentuk dari misi kemanusiaan (humanitarian mission) dibangun di atas asas penting yakni independensi. Dimana misi kemanusiaan dilaksanakan murni atas dasar nilai humanisme guna mengatasi fenomena krisis kemanusiaan. Misi kemanusiaan haruslah otonom dari berbagai kepentingan politik, ekonomi, dan militer dari negara yang terlibat dalam misi. Akan tetapi konsepsi ideal ini mendapat tantangan serius, dimana operasi perdamaian hanyalah kedok bagi terlaksananya kepentingan terselubung dari aktor yang terlibat dalam misi tersebut.

Pembajakan operasi perdamaian tersebut pada hakekatnya merupakan bentuk baru dari “civilizing mission”, yakni strategi yang dipakai sejumlah negara kolonialis yang berupaya memberikan legitimasi misi kolonialismenya kepada dunia maupun pada negara jajahannya, bahwa apa yang mereka lakukan pada hakikatnya merupakan misi luhur untuk “memberadabkan” bangsa jajahan.

Studi ini ingin menelusuri bagaimana pembajakan terhadap operasi perdamaian ini terjadi dalam konteks Libya (2011). Kasus Libya ditandai dengan krisis kemanusiaan akibat perang saudara yang terjadi di negara tersebut. Konflik di negara tersebut memicu intervensi asing dengan payung operasi perdamaian guna mengatasi krisis yang terjadi. Telaah pada studi ini meliputi pembahasan tentang kepentingan terselubung para aktor yang terlibat, strategi pewacauan aktor untuk membungkus kepentingan terselubung seolah murni operasi perdamaian, dan dampak operasi perdamaian pada dua negara tersebut yang hakikatnya dilandasi kepentingan terselubung aktor yang terlibat.

Kata Kunci: *Pembajakan, Operasi Perdamaian, Kuasa, Pengetahuan, Libya*

¹ Nuruddin is undergraduate student of Politic and Government Department, Faculty of Social and Political Sciencesmenempuh pendidikan (S-1) di Universitas Gadjah Mada (UGM) pada Jurusan Politik dan Pemerintahan (JPP).

Istilah operasi/misi perdamaian mungkin masih terasa asing pada sebagian besar benak masyarakat Indonesia. Namun berbeda ketika menyebut kontingen garuda atau KONGA mungkin istilah tersebut cukup dikenal pada sebagian masyarakat. Istilah itu sendiri merujuk pada nama pasukan khusus Indonesia yang diterjunkan dalam operasi pemeliharaan perdamaian (peacekeeping operation) di luar negeri. Nama garuda sendiri diambil dari lambang negara Indonesia yang berlambangkan burung garuda.

Tercatat kontingen garuda ini telah dikirim ke berbagai negara sejak pertama kali diersmikan di tahun 1957 di Mesir. Saat itu kontingen garuda, bersama dengan pasukan dari negara lain bertugas menjadi penengah dalam konflik yang melibatkan negara Mesir di satu sisi dan negara Israel, Inggris, dan Perancis di sisi yang lain. Dimana konflik kedua belak pihak tersebut dipicu kebijakan Mesir untuk melakukan nasionalisasi terusan Suez (Headquarters of the Armed Forces of the Republic of Indonesia, 1995: 286). Sebuah langkah yang dipandang membahayakan kepentingan Inggris, Perancis, dan Israel.

Paska menunaikan tugasnya di Mesir, tercatat Indonesia kembali mengirimkan tentaranya ke berbagai wilayah lain yang mengalami konflik, seperti Somalia, Bosnia, Sudan, dan Lebanon. Indonesia sendiri terbilang aktif dimana sejak tahun 1957 (Mesir) hingga tahun 2009, Indonesia telah mengirimkan pasukannya ke luar negeri dalam payung operasi pemeliharaan perdamaian sebanyak 65 kali (Warta Akrab, 2009: 74).

Sepak terjang tentara Indonesia dalam operasi pemeliharaan perdamaian menunjukkan makna penting dari operasi perdamaian. Berbeda dengan tugas militer konvensional pada umumnya yang terkait dengan perang/operasi militer, tugas tentara dalam misi perdamaian justru mengakhiri konflik dan menciptakan perdamaian dunia. Visi humanis inilah yang tergambar dengan jelas dari pernyataan Javier Perez de Cuellar di tahun 1988 saat ia menduduki jabatan Sekjen PBB. Dimana menurut Cuellar, operasi perdamaian merupakan tonggak baru sejarah manusia dimana meskipun menempatkan militer sebagai kunci operasi, namun dengan tujuan yang berbeda dengan maksud konvensional didirikannya militer,

yakni bukan untuk mendominasi, bukan memulai perang, dan bukan melayani kepentingan kelompok tertentu (Renner, 1995: 327)

Pernyataan Ceullar tersebut memberikan penegasan tentang bayangan ideal sebuah misi perdamaian. Bahwasanya militer yang datang ke sebuah negara yang sedang mengalami masalah konflik, baik internal (seperti perang saudara) atau eksternal (perang dengan negara lain), bertujuan mulia untuk menghentikan konflik tersebut agar tercipta kedamaian.

Bayangan tersebut salah satunya tergambar dari cara tentara Indonesia menengahi konflik saat mereka bertugas di Lebanon. Dalam sebuah kesempatan terjadi riak-riak konflik antara anak-anak Lebanon dengan tentara Israel. Anak-anak Lebanon yang marah dengan invasi militer Israel secara spontan melempari tentara Israel dengan batu. Tentara Indonesia yang melihat peristiwa tersebut segera menghampiri sang anak, berusaha memberikan nasehat pada mereka secara halus agar menghentikan aksinya (Yulianto, 2010: 18-19).

Aksi yang dilakukan tentara Indonesia berhasil mencegah aksi spontan tersebut berubah menjadi konflik berdarah, karena tentara Israel yang mereka lempari tersebut bersenjata lengkap dan mengedairai kendaraan tempur. Bisa dibayangkan jika tentara Israel membalas serangan mereka dengan senjata lengkap yang mereka punyai. Dengan sekejap anak-anak tersebut tewas seketika, dan memicu serangan balasan dari penduduk Lebanon. Terlihat jelas bagaimana gambaran ideal tentara yang melakukan misi perdamaian yang berkarakter santun, tidak berpihak, tidak menggunakan kekerasan, dan bertindak dengan dasar untuk mencegah konflik dan mempertahankan perdamaian.

Bayangan ideal tersebut semakin nampak ketika mencermati sepak terjang militer dalam sejumlah kegiatan non perang seperti keterlibatannya dalam membantu penanganan bencana alam. Indonesia sendiri pernah mengalami sejarah mendapatkan bantuan militer asing untuk penanggulangan bencana alam tsunami di Aceh pada tahun 2004. Diperkirakan dalam operasi humanitarian tersebut AS menerjunkan sekitar 14 ribu tentaranya termasuk mengerahkan 57 helikopternya. Selain AS tercatat negara lain yang mengirimkan pasukannya seperti Jepang, Pakistan, Australia, dan Singapura (BBC Indonesia, 2005).

Selama melakukan tugasnya, berbagai tentara asing di Aceh tercatat melakukan berbagai aksi kemanusiaan. Tentara AS misalnya, melakukan penyelamatan pada korban Tsunami untuk dibawa ke tempat yang aman. Selain penyelamatan mereka juga memberikan bantuan makanan dan minuman yang dibutuhkan oleh para korban, sekaligus melakukan pengobatan pada para korban yang memerlukannya (US Department of Defence, no date). Sebuah bayangan yang mungkin bertolak belakang dengan gambaran AS selama ini dimana militernya sibuk menginvasi berbagai negara di dunia.

Bayangan ideal tentang keterlibatan militer dalam operasi perdamaian atau misi lain yang sifatnya humaniter tersebut tentunya tidak keliru, namun yang menjadi pertanyaan apakah hal tersebut berlaku untuk setiap keadaan? Pertanyaan kritis inilah yang seharusnya diajukan agar tidak mudah menerima asumsi normatif akan operasi perdamaian. Terlebih lagi jika mencermati ruang lingkup operasi perdamaian. Sebagaimana ditegaskan di awal, misi tentara Indonesia merupakan misi pemeliharaan perdamaian (*peacekeeping mission/operation*). Padahal operasi perdamaian tidak hanya mencakup pemeliharaan perdamaian saja, tetapi lebih luas.

Luasnya ruang lingkup misi perdamaian karena sebagaimana ditegaskan Alex J. Bellamy dan Paul Williams (2010:14) hingga saat ini tidak ada kesepakatan mengenai apa definisi operasi perdamaian. Bahkan dalam level organisasi internasional PBB yang seringkali disonimkan sebagai lembaga yang bertanggung jawab membentuk misi/operasi perdamaian, faktanya tidak ada keterangan yang jelas dalam piagam PBB mengenai definisi operasi perdamaian (Bellarmy & Williams, 2010:14).

Meskipun tidak ada definisi yang jelas tentang operasi perdamaian, akan tetapi berdasar telaah pada dokumen yang dikeluarkan UN Department for Peacekeeping Operations (DPKO), setidaknya ada beberapa kategori penting kegiatan yang dapat dimasukkan ke dalam ruang lingkup operasi perdamaian. Kegiatan tersebut ialah: 1) *Conflict prevention*, yakni terkait dengan pencegahan konflik. Lingkup strategi mencakup cara struktural atau diplomatik, 2) *peacemaking*, yakni upaya mendudukkan pihak yang bertikai agar mencapai sebuah kesepakatan melalui strategi diplomasi, 3) *peacekeeping*, yakni terkait penggunaan

kekuatan militer, dan non militer (polisi dan sipil) guna membangun fondasi perdamaian yang berkelanjutan di sebuah negara 4) *peace enforcement*, terkait penggunaan kekuatan militer dan langkah lain yang diperlukan untuk memberlakukan keinginan Dewan Keamanan PBB, dan 5) *peacebuilding*, terkait penggunaan berbagai kekuatan dan strategi yang dibutuhkan untuk mengurangi resiko terjadinya konflik di kemudian hari pasca terwujudnya perdamaian (Bellarmy & Williams, 2010:15).

Merujuk pada telaah dokumen UN-DPKO diatas sejatinya semakin menguatkan perlunya cara pandang yang normatif dalam memahami operasi perdamaian. Karena sangat jelas bagaimana luasnya operasi tersebut memungkinkan adanya campur tangan asing yang sangat besar dalam mengatasi problem dalam suatu negara.

Namun tidak dapat dipungkiri bahwa luput atau kurangnya kritisme terhadap operasi perdamaian ini juga dipengaruhi oleh perspektif yang banyak tersebar di kalangan akademisi yakni *liberal peace* (Bellarmy & Williams, 2010:23). Perspektif *liberal peace* sendiri membayangkan adanya nalar kebaikan, kebajikan, atau suka menolong di balik eksistensi sebuah operasi perdamaian. Menurut perspektif ini negara-negara di dunia menginginkan adanya kedamaian dan stabilitas pada tatanan global. Ketika terjadi konflik atau kekerasan pada sebuah negara, maka dengan segera menimbulkan reaksi dari negara-negara lain, terkhusus negara demokrasi. Negara tersebut terpanggil karena ada “teriakan” penderitaan dari negara yang terkena konflik tersebut termasuk . Dengan segera negara-negara tersebut akan mengambil langkah “tanggap darurat” untuk mengatasi agar konflik atau kekerasan itu berakhir dan yang terpenting untuk menolong kalangan tak berdaya yang terjebak dalam konflik. Pada akhirnya dengan selesainya konflik maka tatanan global yang damai dan stabil dapat kembali terjaga (Urlacher, no date: 2-3).

Berdasar penjelasan Urlacher tersebut jelas tergambar bagaimana adopsi perspektif *liberal peace* jelas tidak akan menyiratkan kritisme terhadap misi perdamaian karena sudah memandangnya sebagai hal yang normatif. Negara yang melakukan atau terlibat dalam operasi perdamaian karena tidak tega mendengar

rintihan penderitaan kalangan yang tidak berdaya dalam sebuah negara yang terkena konflik. Negara tersebut juga tidak tahan menyaksikan penderitaan kalangan tak berdaya tersebut, sehingga otomatis “nuraninya tergerak” untuk menghentikan konflik dan mengembalikan kedamaian di negara tersebut.

Tentu tidak dapat dipungkiri akan potensi ketulusan, humanisme, dan perikemanusiaan yang melatarbelakangi sebuah misi perdamaian sebagaimana dibayangkan perspektif *liberal peace*. Namun yang menjadi masalah apakah hal itu selalu terjadi dalam setiap keadaan? Temuan Tania Gosh (2010) membantah asumsi tersebut, dimana dalam penelitiannya mengenai negara Afrika yang berpartisipasi dalam misi perdamaian ternyata didorong persoalan material.

Material yang dimaksud ialah *reward* yang diperoleh ketika mengirimkan tentaranya ke dalam operasi perdamaian. Sebagai contoh, setiap tentara yang terlibat dalam misi perdamaian mendapatkan jatah gaji perbulan sebesar 1.000 dollar AS. Dana tersebut tidak diberikan kepada prajurit secara individual, tetapi pada negara yang mengirimkan pasukannya. Tentunya bagi negara Afrika yang banyak diantaranya tergolong miskin menjadi daya tarik tersendiri.

Temuan Gosh tersebut dikuatkan dengan temuan Matthew Ross. Menurut Ross (2011, : 63-64), pengiriman pasukan Afrika menguntungkan bagi pemerintah yang mengirimkan prajuritnya. Pemerintah negara tersebut dapat memberikan gaji lebih kepada sang prajurit karena adanya suntikan dana asing sebagai kompensasi keterlibatan tentara negara tersebut dalam misi perdamaian.

Dalam konteks Afrika, peningkatan gaji tersebut amat penting untuk meneguhkan kesetiaan tentara pada pemerintah. Terlebih lagi dengan keterlibatan negara dalam sebuah misi perdamaian ternyata juga membawa keuntungan material lain, yakni dianggap sebagai negara yang “patuh” pada norma internasional, sehingga memudahkan negara tersebut mendapatkan bantuan keuangan internasional atau *Foreign Direct Investment* (FDI) (Ross, 2011: 63-64)

Temuan Gosh dan Ross menunjukkan jelas adanya kepentingan di balik misi perdamaian. Bukan karena tangisan penderitaan rakyat yang terkena konflik atau sikap suka menolong yang menjadi motivasi sebagian negara Afrika yang

mengirim pasukan perdamaiannya tetapi materi dan kepentingan nasional negara tersebut.

Temuan Gosh dan Ross menunjukkan bahwa dalam konteks negara Afrika saja ternyata bisa memiliki niat terselubung di balik operasi perdamaian, lalu bagaimana dengan negara-negara maju yang notabene lebih memiliki kepentingan terhadap negara dunia ketiga yang serigkali dilanda konflik dan kekerasan? Apakah mereka melakukan misi kemanusiaan hanya karena dorongan humanisme? Sangat sulit untuk mengatakan dorongan humanisme yang mendasari misi perdamaian mereka dalam setiap kesempatan.

Paper ini berupaya untuk menyibak upaya pembajakan misi kemanusiaan, terkhusus yang dilakukan oleh negara-negara maju guna merealisasikan kepentingan mereka sendiri. Fokus pada paper ini sendiri ialah pada konflik Libya yang sempat menyita perhatian dunia Internasional. Telaah pada paper ini sendiri mencakup kepentingan di balik keterlibatan negara maju tersebut, bagaimana strategi yang dilakukan negara tersebut lakukan agar tindakan yang dilakukan seolah murni misi perdamaian, dan dampak dari kepentingan terselubung terhadap berjalannya misi perdamaian semu tersebut.

Framework Memahami Pembajakan Operasi Perdamaian

Guna memahami nalar dibalik keterlibatan negara maju di dalam sebuah konflik dan kekerasan yang terjadi di sebuah negara (terkhusus negara dunia ketiga) dapat merujuk pada tesis Edward Said mengenai kolonialisme dan imperialisme. Menurut Said (1994: 9) ada perbedaan mendasar antara kolonialisme dan imperialisme. Kolonialisme terkait dengan persoalan pendirian pemukiman (settlement) di wilayah yang jauh, seperti yang dilakukan Belanda ketika menduduki Indonesia. Sementara Imperialisme terkait dengan praktek yang dilakukan untuk mendirikan atau menjaga kelangsungan sebuah imperium (empire).

Imperium sendiri didefinisikan Said (1994: 9) sebagai sebuah relasi yang memastikan penguasaan kedaulatan politik sebuah entitas politik (political society) oleh sebuah negara. Relasi ini dipertahankan dengan berbagai cara, baik dengan

penggunaan kekuatan (force) ataupun strategi lain yang efektif, mencakup bidang ekonomi, politik, sosial, budaya.

Pemaparan Said tersebut menunjukkan bahwa imperialisme cakupannya lebih luas dari kolonialisme, bahkan Said sendiri (1994: 9) memasukkan kolonialisme sebagai sebuah konsekuensi dari imperialisme. Sehingga jelas dari pemaparan Said bahwa negara kolonialis yang telah mengakhiri pendudukannya secara fisik pada negara jajahannya sebenarnya masih berupaya membangun relasi yang memungkinkan cengkramannya atas negara yang pernah dijajahnya tersebut.

Said (1993:2-3) memberi contoh menarik ketika menjelaskan bekerjanya imperialisme di India pada saat Inggris secara fisik masih menduduki wilayah tersebut. Selain berbekal kekuatan militer (kolonialisme), Inggris juga melakukan penyebaran wacana bahwa India tidak hadir atau tidak memiliki eksistensi jika tidak dikuasai Inggris. Wacana ini bahkan termanifestasi dalam novel. Penjelasan Said tersebut memberikan penegasan bahwa cara-cara non fisik juga digunakan untuk memastikan India tetap berada di bawah kontrol Inggris. Tentunya strategi non fisik tersebut masih potensial digunakan oleh Inggris atau negara kolonialis lain untuk terus menancapkan pengaruhnya di negara bekas jajahan karena cenderung terselubung.

Strategi semacam itulah yang secara umum dapat dipakai oleh negara-negara maju di dunia secara umum untuk mengokohkan pengaruhnya di berbagai negara lain di tengah struktur internasional yang sudah berbeda dengan zaman kolonial dahulu. Dimana penggunaan kekuatan fisik secara murni, sebagaimana yang dilakukan di era kolonial dengan segera akan membuat citra negara maju tersebut tercoreng di dalam pergaulan internasional. Bahkan tidak menutup kemungkinan akan mendapatkan resistensi keras dari berbagai pihak sehingga sulit untuk merealisasikannya.

Jika Said memberikan contoh strategi kuasa dengan penyebaran wacana yang salah satunya termanifestasi dalam novel, maka kuasa terselubung sejatinya juga dapat menyebar melalui ilmu pengetahuan. Poin penting dari ilmu pengetahuan ialah adanya kepercayaan meluas bahwa ilmu pengetahuan pasti netral dan bebas nilai, sehingga ketika kuasa dapat merasuk, menunggangi, atau

membajak ilmu pengetahuan, maka kuasa tersebut akan mendapat jaminan stempel “ilmiah”. Stempel “ilmiah” tersebut akan memudahkan penerimaan publik terhadap wacana tertentu yang sejatinya berisikan kuasa terselubung.

Contoh penting dari keberadaan kuasa yang menunggangi pengetahuan dapat ditemukan pada konsep *governance*. *Governance* secara singkat merujuk pada proses pengambilan keputusan (decision making) (UN ESCAP, no date: 1). Akan tetapi istilah ini kemudian seringkali dipakai untuk melabeli bagaimana pengambilan keputusan terkait kepentingan publik dalam lingkup sebuah negara. *Governance* sendiri biasanya dibagi berdasarkan karakteristiknya. Dimana dua bentuk *governance* yang saling bertolak belakang yakni *bad governance* dan *good governance*. Penggunaan kata *bad* dan *good* memberikan konsekuensi penting bagi sebuah negara, karena ketika mendapatkan label *bad*, mana jangan berharap untuk mendapatkan berbagai bantuan internasional (UNESCAP, no date: 1).

Adanya implikasi yang diberikan kepada *bad governance* tentunya memicu sebuah negara untuk berlomba menerapkan *good governance*. Poin penting dari *good governance* sendiri ialah adanya sinergi antar aktor dalam proses pembuatan sebuah kebijakan publik. Secara garis besar ada dua aktor tambahan selain negara -yang secara tradisional berwenang membuat suatu kebijakan-, yakni pasar dan *civil society*.

Tidak bisa dipungkiri *good governance* membuka peluang bagi masyarakat untuk turut serta dalam menentukan kebijakan, sehingga dapat mendesak agenda yang dianggap penting oleh mereka. Akan tetapi konsepsi *good governance* juga menyimpan peluang untuk “dibajak”, sehingga bukannya menguntungkan rakyat dalam sebuah negara justru merugikannya.

Fenomena inilah yang terjadi di Zambia, sebuah negara berkembang yang terletak di benua Afrika. *Governance* menjadi alat bagi IMF dan World Bank untuk memaksa Zambia melakukan perubahan dramatis terkait dengan kebijakan publiknya. Sebagaimana dibahas di awal bahwa pasar menjadi aktor penting non negara yang harus dilibatkan. Disinilah IMF dan World Bank menemukan celah untuk mengintervensi Zambia dengan mengatakan bahwa dibutuhkan lingkungan yang kondusif agar pasar dapat tumbuh di Zambia. Lingkungan kondusif yang

dimaksud ialah penghapusan pembatasan impor, penghapusan subsidi negara terhadap makanan pokok, pupuk, dan komoditas lainnya (Abrahamsen, 2000: 143).

Dampak dari perubahan yang dilakukan pemerintah Zambia ternyata menghasilkan kekacauan di level masyarakat. Harga makanan yang melambung menyebabkan merebaknya penjarahan di wilayah perkotaan yang dilakukan orang-orang miskin (Abrahamsen, 2000: 143). Naiknya harga juga mengakibatkan efek domino negatif lain seperti terjadinya PHK massal pada berbagai industri yang ada di Zambia. Tercatat di Industri petambangan saja lebih dari 4 ribu orang terkena PHK. Kebijakan PHK tersebut akhirnya merembet kepada terjadinya berbagai kerusuhan industrial di Zambia pada tahun 1980an (Abrahamsen, 2000: 144).

Kisah Zambia diatas menyiratkan bahwa dengan memanfaatkan celah ilmu pengetahuan (dalam hal ini konsepsi governance), intervensi IMF dan World Bank dapat dilaksanakan pada Zambia. Tentu saja IMF dan World Bank tidak menggunakan senjata atau kekuatan militer pada Zambia, namun berbekal pilar penting dalam *governance* yang mensyaratkan hadirnya pasar sebagai aktor penting aktor non negara, maka IMF dan World Bank memberikan “panduan” bagaimana menumbuhkan pasar yang kuat di negara tersebut dengan melakukan liberalisasi ekonomi. Tentunya dominasi ide *governance* dalam dunia internasional membuat Zambia secara sukarela harus menyesuaikan diri dengan ide tersebut yang dianggap netral, nirkekuasaan, bahkan justru berguna untuk membenahi negara semacam Zambia untuk keluar dari jerat “*bad governance*”.

Penggunaan pengetahuan sebagaimana terjadi dalam kasus *governance* itulah yang sejatinya juga terjadi pada kasus operasi perdamaian. Sebagaimana ditegaskan oleh Bellamy dan Williams (2010:14) hingga saat ini tidak ada kesepakatan mengenai apa definisi operasi perdamaian. Ketidakjelasan definisi operasi perdamaian salah satunya berbuah pada tiadanya kesepakatan siapa pihak yang berhak melakukan operasi perdamaian. Walaupun hingga saat ini PBB masih dianggap sebagai pihak yang paling kredibel dalam menyelenggarakan operasi perdamaian, faktanya sejumlah negara atau kelompok negara hingga saat ini memiliki fungsi menyelenggarakan operasi perdamaian pula.

Contoh nyata dari kelompok negara yang memiliki fungsi ini ialah North Atlantic Treaty Organization (NATO). NATO merupakan warisan perang dingin dimana terjadi konflik antara AS dan Uni Soviet. Saat itu AS membentuk NATO yang merupakan pakta pertahanan negara-negara sekutu AS di wilayah atlantik utara (eropa) untuk menghadapi ancaman Uni Soviet yang dianggap ekspansif dan mengancam keselamatan negara-negara eropa pro AS tersebut. Terlebih lagi ketika Uni Soviet membentuk pakta warsawa, yang sejatinya memiliki fungsi sama dengan NATO. Pakwa Warsawa sendiri beranggotakan Uni Soviet plus negara-negara satelit soviet di wilayah Eropa.

Runtuhnya Uni Soviet yang menandai berakhirnya perang dingin membuat NATO berbenah dalam menyikapi perubahan geopolitik global. Salah satu pembenahan diri NATO ialah keterlibatannya dalam operasi perdamaian. NATO sendiri biasanya sering menggunakan istilah *Peace support operation*. NATO sendiri tercatat melakukan operasi perdamaian pertama di wilayah Yugasolavia untuk menghentikan perang saudara yang terjadi antara negara pecahan Yugoslavia tersebut.

Perang di wilayah Yugoslavia sendiri dapat ditelusuri di tahun 1990an dimana terjadi pemilihan umum di wilayah negara bagian Bosnia Herzegovina. Pemilihan umum di Bosnia Herzegovina sendiri menghasilkan keputusan membentuk pemerintahan koalisi Muslim, Serbia, dan Kroasia di bawah kepemimpinan presiden Izetbegovic. Bosnia-Herzegovina juga menyatakan keluar dari Yugoslavia dan memproklamasikan kemerdekaannya sebagai negara berdaulat. Deklarasi tersebut ditanggapi keras oleh minoritas Serbia dan Kroasia (di Bosnia) menginginkan mereka bergabung ke negara Serbia dan Kroasia, bukan mendirikan negara sendiri. Rekasi keras tersebut akhirnya menghasilkan perang saudara. Minoritas Serbia dan Kroasia dibantu oleh negara Serbia dan Kroasia melawan Muslim Bosnia. PBB sendiri menerjunkan pasukan perdamaian yang disebut UN Protection Force (UNPROFOR) (Jackson, 1997: 13).

NATO menunjukkan eksistensinya sebagai kekuatan baru yang berbeda dengan masa perang dingin, dengan turut serta masuk dalam misi perdamaian di Bosnia. Tercatat NATO membentuk misi khusus bernama *NATO-led*

Implementation Force (IFOR) di tahun 1995, dan satu tahun berikutnya mengganti dengan misi khusus bernama *NATO-led Stabilisation Force* (SFOR) (NATO, 2012). NATO memiliki keleluasaan bertindak karena dilegitimasi dengan *UN Security Council Resolution* (UNSCR) 1031 yang disahkan 15 December 1995. UNSCR memberikan mandat bagi NATO untuk memelihara perdamaian (*peacekeeping*) dan kalau diperlukan, memastikan terjadinya perdamaian (NATO, 2012).

Apabila digolongkan dalam kategori UN Department for Peacekeeping Operations (DPKO), maka misi NATO termasuk dalam kategori *peace enforcement*. Misi NATO sebagai *peace enforcement* memungkinkan ia untuk melakukan segala langkah yang diperlukan, termasuk militer untuk memastikan perdamaian di Bosnia.

Misi NATO di Bosnia menunjukkan bahwa aktor non PBB ternyata memiliki keleluasaan untuk bertindak dalam sebuah negara yang berdaulat ketika terjadi konflik. Aksi NATO semakin terlegitimasi dengan munculnya resolusi PBB yang memberikan keleluasaan gerak NATO di Bosnia.

Kasus NATO memang tidak menunjukkan NATO membajak operasi perdamaian di Bosnia, karena sebagaimana ditegaskan di awal, Bosnia adalah misi pertama NATO sebagai tentara perdamaian. Sehingga jikalau ada kepentingan di balik misi NATO yang dapat diidentifikasi lebih kepada pengakuan sebagai kekuatan perdamaian, bukan lagi perang seperti di zaman Perang dingin.

Kasus NATO memberikan penegasan penting bahwa aktor non PBB juga dapat secara independen melakukan operasi perdamaian. Keterlibatan NATO sendiri tidak dapat dilepaskan untuk mengubah citra dirinya menjadi lebih positif di era paska perang dingin. Tentu menjadi sangat potensial bagi negara maju lain untuk memanfaatkan peluang independensi pembentukan misi perdamaian tersebut untuk merealisasikan berbagai kepentingan terselubungnya sebagaimana terjadi dalam konteks Libya.

Pembajakan Operasi Perdamaian di Libya

Membicarakan pembajakan operasi perdamaian di Libya tidaklah lengkap tanpa meemhami bagaimana konfli di Libya terjadi. Konflik di Libya sendiri tidak bisa dilepaskan dari perkembangan yang terjadi di wilayah Timur Tengah. Saat itu terjadi fenomena yang disebut sebagai Arab Spring (Musim Semi Arab) yang memiliki konotasi pergantian rezim otoriter menuju demokrasi. Peristiwa pertama yang menandai munculnya Arab Sping ialah aksi demonstrasi yang terjadi di Tunisia di tahun 2010.

Aksi demonstrasi yang merebak dari masyarakat pada awalnya menuntut perbaikan ekonomi masyarakat yang buruk di masa pemerintahan Presiden Ben Ali. Akan tetapi sebuah peristiwa mengejutkan menjadi titik balik demonstrasi di Tuniasia, dimana seorang bernama Buazizi melakukan aksi bakar diri di depan gedung pemerintahan. Buzaizi sendiri merupakan seorang pedagang sayuran yang mengalami perlakuan buruk oleh aparat keamanan. Dagangannya diambil paksa, ia dipukuli, dan dagangannya tersebut tidak mau dikembalikan oleh aparat keamanan pada dirinya (The New York Times, 2011a). Putus asa dengan kondisinya, ia memilih melakukan protes dengan cara membakar dirinya. Masyarakat yang simpatik dengan aksi Buazizi mengintensifkan demontsrasi dengan slogan baru yang menuntut mundurnya Ben Ali. Akhirnya pada Januari 2014, Ben Ali memilih meinggalkan negara tersebut membawa serta sejumlah anggota keluarganya (BBC, 2011).

Jatuhnya Ben Ali yang telah memerintah Tunisia selama lebih dari 20 tahun menyebarkan eforia ke berbagai warga Timur Tengah. Tercatat warga di Mesir, Yaman, Suriah, dan bahrain melakukan hal serupa, termasuk Libya. Kasus Libya menjadi menarik karena pemimpin negara tersebut Muammar Qaddafi bersikeras tidak akan mundur dari kekuasaannya. Qaddafi memilih menggunakan kekerasan untuk melawan tuntutan para demonstiran. Tercatat pada demonstrasi anti pemerintah yang diselenggarakan di Benghazi dan Tripoli pada bulan Februari 2011 memakan korban jiwa dari pihak demonstiran (CNN, 2014).

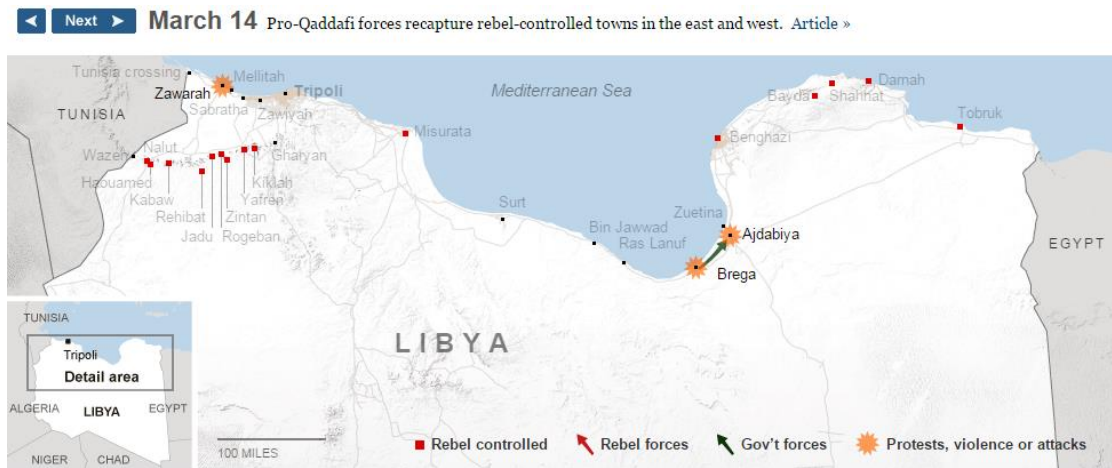
Sikap keras Qaddafi pada demonstiran tidak menyurutkan tuntutan mereka. Berbekal dukungan dari sejumlah aparat militer dan pejabat yang membelot, sebagian warga memilih mengubah aksi mereka ke dalam bentuk perlawanan

bersenjata. Secara formal kekuatan anti Qaddafi ini diresmikan dengan membentuk National Transitional Council (NTC) di Benghazi yang merupakan basis massa anti Qaddafi. NTC sendiri dipimpin oleh Mahmoud Jibril, seorang lulusan Barat yang sempat menjabat sebagai kepala *National Economic Development Board* (NEDB) di era Qaddafi. Tugas lembaga yang dikepalainya sendiri terkait dengan upaya mengundang investasi asing di Libya (BBC, 2012).

Pendirian NTC menandai era baru aksi anti pemerintah di Libya yang berubah menjadi perang saudara antara pemberontak anti Qaddafi dan pasukan pro Qaddafi. Pertempuran yang terjadi antara pasukan pro Qaddafi dan anti Qaddafi berlangsung di sejumlah wilayah. Akan tetapi pada bulan Maret 2011, semakin menjadi titik balik perang saudara, dimana pasukan Qaddafi berhasil memperoleh sejumlah kemenangan di kota-kota yang sebelumnya dikuasai oleh pasukan anti Qaddafi.

Dua kota yang seiring disebut sebagai titik balik pertempuran ialah kota Zuwarah dan Ajdabiya yang merupakan kota penting yang sebelumnya berada di bawah kendali pasukan anti Qaddafi. Disebutkan dalam merebut kota Zuwarah tidak memakan waktu lama, sekitar beberapa jam saja. Kemenangan gemilang pasukan pro Qaddafi tidak dapat dilepaskan dari strategi pengepungan kota dan persenjataan yang memadai (Al Jazeera, 2011). Kota Ajdabiya sendiri membutuhkan tenaga ekstra untuk menguasainya. Menurut saksi mata di kota tersebut, pasukan Qaddafi melakukan serangan udara setiap 20 menit (Al Jazeera, 2011a). Gerak ofensif pasukan Qaddafi sendiri dapat disaksikan dalam gambar 1.

Gambar 1
Serangan Ofensif Pasukan Pro Qaddafi ke Wilayah pemberontak



Sumber: *The New York Times*, 2011b

Kemenangan tersebut membuat Qaddafi membuat keputusan menawarkan amnesti pada pasukan anti Qaddafi. Bahwa siapa saja yang meletakkan senjatanya akan diampuni (The Guardian, 2011). Pernyataan Qaddafi tersebut secara tidak langsung menyiratkan terdesaknya pertahanan pasukan anti Qaddafi di berbagai wilayah. Terlebih lagi dengan penguasaan Ajdabiya memuluskan jalan pasukan pro Qaddafi ke Benghazi yang menjadi pusat pemberontakan dan merupakan markas NTC. Rob Crilly, kontributor The Telegraph (2011) menggambarkan situasi di Benghazi sangat mencekam paska jatuhnya Ajdabiya. Menurut Crilly, Benghazi hanya bisa berharap pada bantuan asing untuk menolong mereka. Crilly sendiri meyakini kejatuhan Benghazi tanpa pertolongan hanya menunggu waktu.

Merebaknya demonstrasi anti pemerintah yang kemudian bertransformasi menjadi perang saudara di Libya inilah yang menarik perhatian sebuah negara maju yakni AS. AS sendiri memiliki sejarah panjang kebencian terhadap pemerintahan Qaddafi. Semenjak Qaddafi memegang tampuk kekuasaan di Libya di tahun 1969 AS sudah menunjukkan kebencian terhadapnya, dikarenakan rezim yang memerintah Libya sebelumnya dikenal dekat dengan AS. Berbeda dengan pendahulunya Qaddafi dikenal dengan sikapnya yang anti barat. Pertentangan dengan AS dan sejumlah negara barat lain memuncak setelah terjadinya sejumlah aksi terorisme yang diatributkan pada Qaddafi. Semisal serangan Lockerbie di tahun 1988 yang menewaskan 189 warga AS. Selain Lockerbie, Qaddafi juga

dituduh mendanai Irish Republican Army (IRA) yang dinyatakan sebagai organisasi teroris oleh pemerintah Inggris. Qaddafi juga dituduh bertanggung jawab atas pemboman klub malam di Berlin, Jerman yang menewaskan 3 orang dan melukai 200 orang lainnya (Lansford, 2007: 115-116).

Sebagai balasan dari aksi yang dituduhkan pada Qaddafi tersebut, AS tercatat telah melakukan serangan bom pada Bneghazi dan Tripoli, dan diperkirakan salah satu targetnya adalah kediaman Qaddafi (Esterhuysen, 2013: 241). Jelas dari sejarah permusuhan AS-Qaddafi menjadikan AS memandang terjadinya konflik saudara di Libya sebagai peluang emas menyingkirkan Qaddafi. Sehingga keterlibatan AS dalam konflik Libya jelas tidak bisa dipahami semata-mata karena jeritan rakyat Libya, penderitaan rakyat Libya, atau sikap humanis AS. Tetapi ada kepentingan penyingkiran Qaddafi di balik keterlibatan AS.

Strategi AS untuk menjalankan kepentingan politik melalui misi perdamaian tidaklah sulit. Sebelumnya dunia internasional sudah mencermati konflik di Libya dan menghimbau agar konflik yang terjadi dapat segera diselesaikan. PBB sendiri sebagai lembaga yang memiliki legitimasi kuat membentuk misi perdamaian sudah memberikan lampu kuning pada Qaddafi. Tercatat pada tanggal 26 Februari 2011, Dewan Keamanan PBB mengeluarkan resolusi yang isinya memberlakukan embargo senjata atas Libya karena pelanggaran HAM yang dilakukan pemerintahan Qaddafi pada demonstran di negara tersebut (Sipri, 2014).

Keluarnya resolusi dewan keamanan tidaklah sulit sebab posisi AS dan sekutunya dalam Dewan Keamanan PBB terbilang kuat. Namun resolusi tersebut tidaklah cukup karena tujuan AS ialah penggulingan rezim Qaddafi. Tercatat pada tanggal 10 Maret 2011 AS mengumpulkan negara sekutunya dalam NATO untuk menciptakan *no fly zone* (zona larangan terbang) di wilayah Libya dengan alasan melindungi warga dari serangan udara tentara Qaddafi (CNN, 2014).

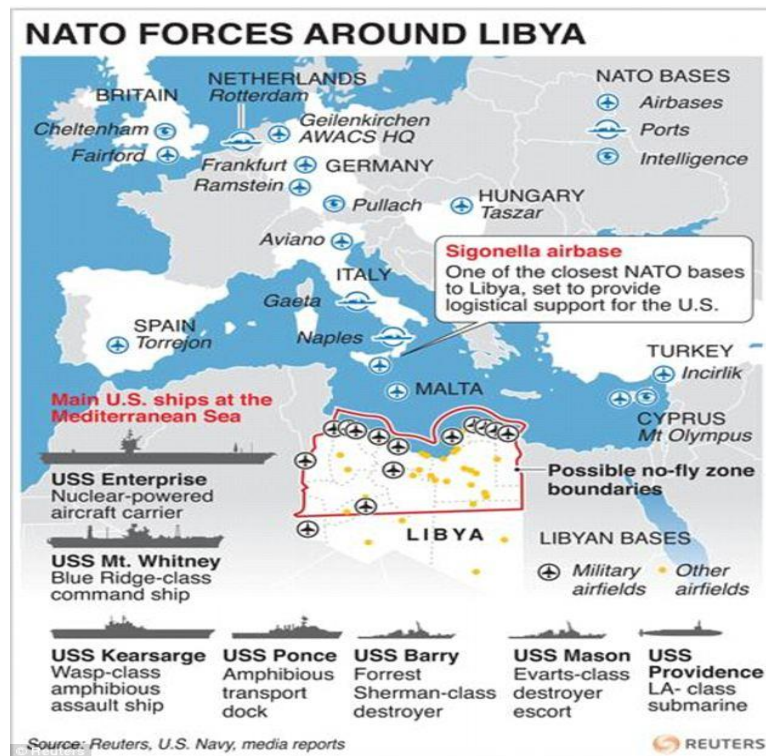
Terdesaknya pasukan pemberontak dari tentara pro Qaddafi di sejumlah kota, dan terjadinya pengepungan ibukota kaum anti Qaddafi di Benghazi menjadi lampu hijau bagi AS untuk membawa ide *no fly zone* ke dalam sidang Dewan Keamanan PBB. Tanpa diduga sidang tersebut berjalan lancar dengan menyisakan

sejumlah negara yang notabene dekat dengan Qaddafi seperti Russia dan China abstain (International Business Times, 2011). Abstainnya Russia dan China tidak dapat dilepaskan dari kepiawaian pendukung *no fly zone* yang dikomandoi AS untuk menyusun kata-kata.

Ditegaskan bahwa resolusi memberikan mandat untuk membuat *no fly zone*, termasuk melaksanakan segala upaya yang diperlukan untuk melindungi rakyat Libya, termasuk Benghazi. Akan tetapi tidak diperkenankan untuk mendirikan tentara pendudukan (International Business Times, 2011). Klausul tiada tentara pendudukan inilah yang nampaknya meluluhkan hati China dan Russia untuk tidak bersikap menolak resolusi tersebut.

Permainan kata-kata tersebut sudah tercemin dari penegasan Clinton yang menyatakan pendirian *no fly zone* tidak dapat dilepaskan dari perlunya melakukan serangan udara pada instalasi pertahanan udara Libya agar dapat melindungi pilot dan pesawat yang melakukan tugasnya mempertahankan *no fly zone* (International Business Times, 2011). Ucapan Clinton sejatinya menyiratkan makna bahwa *no fly zone* yang dimaksud AS ialah *no fly zone* “plus”, dimana memungkinkan serangan terhadap instalasi militer yang dianggap ancaman bagi keberadaan *no fly zone*. Untuk mencermati ucapan Clinton secara lebih jelas dapat dicermati pada gambar 2:

Gambar 2
Kebijakan *No Fly zone* di Libya



Sumber: Daily Mail, 2011

Dari gambar 2 terlihat secara jelas bahwa pada hakikatnya *no fly zone* mencakup hampir seluruh Libya. Padahal wilayah yang dikuasai pemberontak atau merupakan basis bagi kalangan anti Qaddafi relatif hanya di wilayah laut mediterania saja (wilayah utara Libya di gambar 2). Sehingga ruang lingkup *no fly zone* yang sangat besar menjadi pertanyaan tersendiri. Benarkah itu hanya untuk melindungi rakyat yang terzalimi atau spaya tentara Asing leluasa menerobos masuk wilayah kedaulatan Libya guna menyingkirkan Qaddafi?. Terlebih lagi dengan klausul memperbolehkan segala tindakan untuk “melindungi warga Libya”, yang dapat diarikan sebagai lampu hijau untuk menghancurkan rezim Qaddafi.

Segera setelah mendapatkan lampu hijau lewat resolusi Dewan Keamanan tersebut AS dapat meluncurkan aksi militer ke Libya di bawah payung misis perdamaian. Dengan payung aksi perdamaian, AS juga mendapatkan bantuan militer dari sejumlah negara sekutu AS seperti Perancis dan Inggris. Tercatat dalam upaya wala penerapan *no fly zone* dan perlindungan terhadap warga Libya, Pernacis meluncurkan serangan udaranya untuk mengancurkan kendaraan militer pasukan

pro Qaddafi yang mengelilingi Benghazi. Serangan tersebut disusul dengan serangan misil Tomawawk AS yang diperkirakan berjumlah 110 buah untuk mengantam pertahanan udara Qaddafi di Tripoli dan Misrata (NBCnews, 2011)

Aksi yang nampaknya menegakkan misi kemanusiaan tersebut semakin terlihat keanehannya di kemudian hari. Jika alasannya ialah mencegah serangan Qaddafi pada penduduk sipil memastikan berjalannya *no fly zone*, namun mengapa pasukan perdamaian tersebut menutup mata terhadap sinyal yang diberikan Qaddafi untuk melakukan gencatan senjata? Qaddafi sendiri mengumumkan gencatan senjata melalui televisi nasional Libya pada tanggal 30 April 2011 (BBC, 2014). Akan tetapi tidak terlihat inisiatif dari tentara perdamaian di bawah pimpinan AS untuk merespon positif seruan Qaddafi tersebut dan berupaya mempertemukan kedua belah pihak yang bertikai.

Lebih jauh ternyata usulan yang ditawarkan oleh Uni Afrika pada bulan yang sama mengenai peta jalan damai kepada NTC, juga ditolak mentah-mentah oleh NTC. NTC beralasan peta jalan damai tersebut sudah usang, dan tidak layak diterapkan dalam keadaan Libya terkini (Al Jazeera, 2011b). Padahal peta jalan damai tersebut memuat poin-poin menarik seperti gencatan senjata kedua belah pihak, pengiriman bantuan kemanusiaan untuk warga sipil, dialog kedua belah pihak agar tercapai kesepakatan tertentu yang dapat diterima semua kalangan (Al Jazeera, 2011b).

Penolakan NTC mungkin dapat dipahami karena sebagai kubu yang bertikai, akan tetapi tidak ada upaya dari pasukan perdamaian untuk “memaksa” NTC agar menerima proposal tersebut, terlebih sinyal positif dari rezim Qaddafi sudah diberikan yakni menyetujui usulan Uni Afrika tersebut. Sikap diam pasukan perdamaian AS yang enggan mendudukkan dua belah pihak yang bertikai, ditambah tiada sinyal penghentian serangan pasukan perdamaian ke kubu Qaddafi menunjukkan bahwa tujuan utama pasukan perdamaian bukanlah soal penciptaan kondisi agar masyarakat Libya bebas dari konflik, tetapi penyingkiran Qaddafi, apapun resikonya.

Dampak dari misi perdamaian yang pada hakikatnya hanya dilaksanakan untuk memenuhi kepentingan AS guna menjatuhkan Qaddafi terlihat nyata ketika

pada akhirnya Qaddafi berhasil terbunuh. Kondisi Libya paska rezim Qaddafi dapat dikatakan tidaklah lebih baik, dan carut marut. Hal ini tidak dilepaskan dari vakumnya kekuasaan Libya paska Qaddafi dan terjadinya perebutan pengaruh antar kelompok yang dahulu bersatu ketika melawan Qaddafi.

Sejatinya jika solusi yang ditawarkan Uni Afrika dijalankan, maka transisi kekuasaan akan lebih mulus didahului oleh upaya dialog pihak-pihak yang bertikai terkhusus pihak pro Qaddafi dan pihak anti Qaddafi. Pada masa dialog itulah warga dapat bernafas dengan lega, dan dapat memperoleh bantuan kemanusiaan yang layak untuk memulai kehidupannya kembali. Akan tetapi dengan adanya perebutan kekuasaan yang terjadi hingga saat ini, ditambah lepas tangannya AS yang dulu “terdepan” dalam melakukan “misi kemanusiaan” di Libya menjadikan kondisi Libya tidak menentu. Sehingga dapat dikatakan misi perdamaian AS dalam konflik Libya bukan menghapus konflik tapi menciptakan konflik baru.

Kesimpulan

Berdasarkan pemaparan diatas dapat ditarik kesimpulan bahwa misi perdamaian tidaklah seindah yang dibayangkan. Hal ini dapat terjadi dikarenakan merasuknya kepentingan-kepentingan lain yang dapat mengganggu terwujudnya idealisme dari misi perdamaian itu sendiri yang berbasis pada nilai kemanusiaan, imparisialitas, netralitas, dan mengutamakan dialog.

Poin penting yang dapat ditarik dari pemaparan diatas ialah perlunya sikap kritis dalam menilai sebuah operasi perdamaian. Sehingga seorang akan lebih jeli dalam mencermati sebuah misi perdamaian, apakah ia sudah melenceng dari “khittahnya” atau tidak. Sebagaimana seseorang akademisi yang tidak tertipu pada label yang dipakai sebuah negara yang mengklaim demokrasi seperti Korea Utara, yang memiliki nama resmi *Democratic People's Republic of Korea* namun pada hakikatnya tidak demokratis, maka seyogyanya ia lebih jeli untuk mencermati fenomena lain yang memakai label yang seakan terlihat indah, seperti misi perdamaian ini.

Poin lain yang dapat dipetik dari pembahasan diatas ialah pentingnya memandang misi perdamaian dalam tataran konsep dalam dunia ilmiah sebagai

sesuatu yang tidak netral kuasa. Bahkan dapat dikatakan konsep misi perdamaian merupakan strategi baru intervensi negara maju kepada negara berkembang berkedok kemanusiaan dan perdamaian. Sehingga tidak salah jika dikatakan konsep tersebut jika dibiarkan tanpa kritisme dapat disebut sebagai strategi *neo civilizing mission* dari negara-negara maju. Dimana mereka dapat melakukan intervensi kepada negara dunia demi kepentingan mereka, namun negara dunia ketiga atau masyarakat dunia secara umum malah memandang intervensi tersebut adalah kebaikan guna menciptakan kedamaian dan mengakhiri konflik yang terjadi di sebuah negara.

Maka langkah yang harus diambil, terkhusus pada akademisi dan pengambil kebijakan di negara dunia ketiga ialah aktif dalam memberi makna pada konsep misi perdamaian tersebut. Karena jika konsep tersebut dibiarkan tanpa adanya kritisme lebih lanjut dapat menjadi celah yang dapat digunakan negara-negara maju seperti AS dalam konteks Libya, untuk menggunakannya demi kepentingannya sendiri. Diharapkan dengan sikap kritis dan upaya aktif untuk ikut mendefinisikan konsep misi kemanusiaan tersebut maka tatanan dunia damai yang dibayangkan konsepsi tersebut secara ideal dapat tercapai, tanpa ditunggangi atau dibajak oleh kepentingan negara-negara tertentu terkhusus negara maju.

Referensi

- Abrahamsen, R. (2000) *Sudut Gelap Kemajuan*, Yogyakarta: Lafadl Pustaka.
- Alex J. Bellamy, P.W. (2010) *Understanding Peacekeeping*, 2nd edition, Cambridge: Polity Press.
- AlJazeera (2011a) *Gaddafi forces make gains*, [Online], Available: <http://www.aljazeera.com/news/africa/2011/03/201131420334113181.html> [20 Oktober 2014].
- AlJazeera (2011b) *Libyan rebels reject African Union road map*, [Online], Available: <http://www.aljazeera.com/news/africa/2011/04/201141116356323979.html> [20 Oktober 2014].
- BBC (2011) *Tunisia: President Zine al-Abidine Ben Ali forced out*, [Online], Available: <http://www.bbc.co.uk/news/world-africa-12195025> [20 Oktober 2014].
- BBC (2012) *Profile: Mahmoud Jibril*, [Online], Available: <http://www.bbc.com/news/world-africa-18838990> [20 Oktober 2014].
- BBC Indonesia (2005) *Indonesia: tentara asing harus dibatasi*, [Online], Available: http://www.bbc.co.uk/indonesian/news/story/2005/01/050114_aceh.shtml [19 Oktober 2014].
- CNN (2014) *Libya Civil War Fast Facts*, [Online], Available: <http://edition.cnn.com/2013/09/20/world/libya-civil-war-fast-facts/> [20 Oktober 2014].
- Daily Mail (2011) *'Terms are not negotiable': Obama stands firm against Gaddafi as U.S. sends extra ships to police no-fly zone*, [Online], Available: <http://www.dailymail.co.uk/news/article-1367357/Libya-protests-World-backs-air-strikes-Gadaffi-UN-votes-protect-rebels.html> [20 Oktober 2014].
- Esterhuysen, P. (ed.) (2013) *Africa A to Z: Continental and Country Profiles*, 3rd edition, Pretoria: Africa Institute of South Africa.
- Gosh, T. (2010) *The motivations behind African peacekeeping contributions*, [Online], Available: <http://panos.org.uk/features/the-motivations-behind-african-peacekeeping-contributions/> [19 Oktober 2014].

- Headquarters of the Armed Forces of the Republic of Indonesia. (1995) *ABRI: Patriot & Soldier*, Jakarta: PT Wikson Perkasa
- International Business Times (2011) *UN Vote Approves Libya No-Fly Zone; China, Russia Abstain*, [Online], Available: <http://www.ibtimes.com/un-vote-approves-libya-no-fly-zone-china-russia-abstain-276107> [20 Oktober 2014].
- Jackson, R.J. (1997) *NATO AND PEACEKEEPING*, [Online], Available: <http://www.nato.int/acad/fellow/95-97/jackson.pdf>.
- Lansford, T. (2007) *Historical Dictionary of U.S. Diplomacy since the Cold War*, Plymouth: Scarecrow Press.
- NATO (2012) *Peace support operations in Bosnia and Herzegovina*, [Online], Available: http://www.nato.int/cps/en/natolive/topics_52122.htm [19 Oktober 2014].
- NBC News (2011) *gadafi blast 'Crusader' aggression after strikes*, [Online], Available: http://www.nbcnews.com/id/42164455/ns/world_news-mideastn_africa#.VEnGRCKsVuA [20 Oktober 2014].
- Renner, M. (1995) 'Misi Perdamaian PBB Meningkatkan', in Lester R Brown, H.K.E.A. *Tanda Tanda Zaman Era 90-an*, Jakarta: Yayasan Obor Indonesia.
- Ross, M. (2011) *A Regime Legitimacy Explanation of African Peacekeeping*, Tesis, California: Naval Postgraduate School.
- Said, E. (1993) *Culture and Imperialism*, Toronto: York University, Available: [http://engres.ied.edu.hk/literature/E-lecture\(Mat\)/Week3\(RudyardKipling\)/Culture%20and%20Imperialism.pdf](http://engres.ied.edu.hk/literature/E-lecture(Mat)/Week3(RudyardKipling)/Culture%20and%20Imperialism.pdf).
- Said, E. (1994) *Culture and Imperialism*, New York: Vintage Books.
- Sipri (2014) *UN Arms embargo on Libya*, [Online], Available: http://www.sipri.org/databases/embargoes/un_arms_embargoes/libya/libya_2011/un-arms-embargo-on-libya-2011-pdf [20 Oktober 2014].
- The Guardian (2011) *Muammar Gaddafi offers rebels an amnesty*, [Online], Available: <http://www.theguardian.com/world/2011/mar/02/muammar-gaddafi-offers-rebels-amnesty> [20 Oktober 2014].
- The New York Times (2011a) *How a Single Match Can Ignite a Revolution*, [Online], Available: <http://www.nytimes.com/2011/01/23/weekinreview/23worth.html?src=twrhp&r=0> [20 Oktober 2014].

The New York Times (2011b) *Map of the Rebellion in Libya, Day by Day*, [Online], Available:

<http://www.nytimes.com/interactive/2011/02/25/world/middleeast/map-of-how-the-protests-unfolded-in-libya.html> [20 Oktober 2014].

The Telegraph (2011) *Libya: Benghazi about to fall. then came the planes*, [Online], Available:

<http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8393843/Libya-Benghazi-about-to-fall.-then-came-the-planes.html> [20 Oktober 2014].

UNESCAP (no date) *What is Good Governance?*, Bangkok: United Nations Economic and Social Commission for Asia and the Pasific.

Urlacher, B. (2008) *Answering the Call: A mid-range theory of major contributions to UN peacekeeping missions*, [Online], Available:

[http://www.academia.edu/2524036/Contributions to UN Peacekeeping Operations Who and Why](http://www.academia.edu/2524036/Contributions_to_UN_Peacekeeping_Operations_Who_and_Why) [15 Oktober 2014].

US Depatement of Defence *WALL OF WATER U.S. Troops Aid Tsunami Victims*, [Online], Available:

<http://www.defense.gov/home/features/2006/2005yearinreview/article2.html> [19 Oktober 2014].

Warta Akrab, 73rd edition (2009), Jakarta: Batanawarsa.

Yulianto, M.A. (2010) *Lebanon Pra- Dan Pasca-Perang 34 Hari Israel VS Hizbullah*, Jakarta: PT Gramedia Pustaka Utama.

REDEFINING THE ISSUE OF GENDER INEQUALITIES AND STRUCTURAL VIOLENCE: BEYOND 'DOWRY DEATHS' IN INDIA

Jusmalia Oktaviani and Teguh Puja¹

Abstract

This paper explores about the 'dowry deaths' and the practice of giving a dowry from the bride to the bridegroom in a tradition born of culture in favor of sons in South Asia, especially in India. In effort to bridegroom's family demanded increased dowry, they sometimes commit physical and emotional abuse towards the bride. This financial demands that come from the husband, or the dissatisfaction of the bride from the groom's family, often push the bride to commit suicide. In 2012, India's National Crime Records Bureau reveals that 8,233 young women were killed because of 'dowry death'. It is equal with a woman killed over dowry every hour in India (Nelson, 2013, The Telegraph).

As it goes on, to be able to see from the community within this practice is done, the increasing concern on the issues of gender equalities and the protection of human rights has made it into a humanitarian issue that cannot be ignored anymore. The dowry deaths also become national concerns of each state. Some states that have a tradition of giving the dowry has actually made progress in the protection of women, for example, ratify international treaties for women protection, and made the law that prohibits giving dowry. Despite of these efforts, the number of deaths due to dowry deaths are still high. This suggests the problem solving of 'dowry deaths' is not merely to forbid the 'dowry', because the issue beyond 'dowry deaths' is the violence against women that socially structured and constructed in society. Based on the explanation above, the purpose of this paper is, to probe about why the 'dowry deaths' is still happened until now in India through the gender inequalities and structural violence's concept. In addition, this paper examines what the government has been doing in the recent year towards the 'dowry deaths'.

Keyword: dowry death, culture, value, violence

¹ Jusmalia Oktaviani is listed as Master Student of Global Humanitarian Diplomacy, Department of International Relations, Faculty of Social and Political Sciences, Universitas Gadjah Mada. Teguh Puja Pramadya, is listed as Master Student of American Studies, Faculty of Cultural Sciences, Universitas Gadjah Mada.

INTRODUCTION

A tragic event occurred in the state of Jharkand, India, when a man set fire to his wife and baby to death because his wife's family failed to pay the dowry. Jharkand Police explained the victim named Annu Devi, aged 22 years, burnt to death while breastfeeding her baby. Police have arrested the husband, Gunjan Masat, who poured gasoline onto Devi and her baby, before burning them alive. According to Devi's father, Raghuni Rana, for more than a year her daughter had happy marriage. However, problems arose when Devi delivered a baby girl. To conceal Devi's murder as an accident, the husband placed Devi's body near a fireplace and put a bucket near the woman. On January 30th, 2014, local villagers saw Devi and her baby, were still alive in the yard even though 90 percent of her body burned. Residents then took the mother and child to the hospital, but they died on arrival at hospital (Hardoko).

Dowry and violence in the Indian context is only one part of a very complex phenomenon, because it involves a wide variety of viewpoints: economic, cultural, social, and so on (Rastogi and Therly 67). In order to understand the context of dowry in Indian culture, Rastogi and Therly explained that, dowry is, "the wealth a bride is supposed to bring with her for her husband and his family starting at the time of the wedding and continuing during marriage. It takes the form of cash, jewelry, household goods, and so on (67)." Referring to India's Dowry Prohibition Act of 1961 (Ministry of Women and Child Development 5) defines a 'dowry' 'as' any property or valuable security given or agreed to be given directly or indirectly by one party to a marriage to the other party, or by the parents of either party to a marriage" (quoted in Banerjee 34).

Regarding the issue of dowry, India has gradually undergone many social and cultural changes in how the practice of dowry was previously done and continues today. According to Rastogi and Therly, the higher the status, social class, and education of the groom, then the higher the dowry the man demanded. If the bride

cannot meet the desired dowry, then she could be returned to her parents. It is seen as embarrassing for bride's family, but not for the groom (68).

Based on data released by India's National Crime Records Bureau, the killing of women due to dowry problems occur almost every hour in the country. In 2012, a total of 8,233 women, most of them are newlyweds, become victim of dowry-related killings (Nelson, 2013, *The Telegraph*). The dowry system that recently took place and practiced in India has led the women in India as object of violence, either by suicide or murder. These murders are often committed by the husband and mother-in-law, although the homicide related-dowry is often disguised as a suicide. The perpetrators are not always able to be punished because it's difficult to find evidence whether the victim was actually killed or not. The trouble of this punishment was also strengthened by the fact that the issue of suicides by young girls in India so far has been taken for granted and no longer 'exceptional'.

On the other hand, the dowry system has made a considerable impact on the behavior and practice of discrimination against women, even before the delivery. In Indian culture, the boy has always been a wish of every family. There is a tendency to prefer boys, because the dowry to be paid by the girl is considered being an economic burden for the family. As a result, thousands of baby girls are aborted every year after the ultrasound make sure that a mother carrying a daughter, especially if the family has a daughter before. Discrimination also occurs in many fields, such as education and health, where parents choose to provide better education and health services in boys than daughters (Banerjee 36). Pandya (1998) revealed that the percentage of female infants toward abortion reach 970 by 1000, or around 97% (qtd. in Banerjee 36). As a result, statistically, the sex ratio in India shows that the number of women tends to decrease, which is 927 women to 1000 men (1991) to 882 women for 1000 men in the year 2002 to 2004 (Srinivas & Bedi, 2008; UNICEF, n.d ; qtd. in Banerjee 36).

Dowry system practiced lately has become very exploitative, especially to the women and their families. Unfortunately it seemed dowry and violence-related

dowry have been established and become a tradition that has been done for generations in the community, so the violence that still takes place in India and some countries in South Asia are often no longer seen as ‘wrong’ in the community.

CHANGES IN VALUE

Botticini and Siow mentioned that the dowry is one of the main components of marriage in many cultures and societies. The existence of dowry usually follow these two models: if the male is rare, women will pay for the men, and *vice versa*. The existence of marriage market is a logical economic model, where there is a wealth-matching between brides and grooms, even with or without dowries (1385). Based on this, it is not strange or surprising if in some parts of society, dowry is still positioned and regarded as one of the way of increasing welfare. The continuation of dowry tradition in a society more or less because of the influence of changes in the environment or the system itself has changed the society’s way in improving welfare.

In modern-industrial society, this dowry-payment tradition has vanished because the dowry is considered ineffective to divide the property between men and women. Botticini and Siow suggested, dowry exists in the virilocal monogamous society, where the daughters would leave home if she married and join into the husband's house. In this case, dowry is one of the method to distribute wealth. Parents gave their daughter a dowry, because she was given a small inheritance. Customarily the inheritance given to son as parties who work and feed their families. This tradition usually starts in agricultural economies, where children take care of the farm and inherit their parents’ properties. But the condition changed with the development of the community because the children have variety of other jobs, they do not have to inherit their parents’ job as a farmer. The increasing of children’s prosperity make the bequest does not really matter as before (1386).

When compared to the social and cultural context in the 18th and 19th century of Europe, industrialization in Europe gradually eliminating the form of feudalism and privileges that are usually attached by birth and derivatives. The decline of the aristocracy as a result of industrialization is creating a society with a new category in terms of social class, the society based on wealth. While in India, caste or status derived from birth and the derivative is not lost and the traditional social system is strong (Anderson 275). In India, the practice of giving money in marriage has been started since the 19th century, but giving money is not the main requirement for marriage. Giving money is actually more to a symbolic gesture, which no certain price that should be given in marriage (Lakshmi 190).

However, assumptions about the dowry system that is understood and practiced today arise because the men are considered already become well-educated, and the women will be living the happy life. Women pay the dowry as if they pay for the man's tuition fees. Even the dowry becomes the primary conditions to set the marriage. Additionally, for some reason, there are beliefs and practices carried out by the dowry-paying societies to establish only the same class or same caste marriage. If the class or caste is unequal, then the men should be in higher caste than the women. Marriage between women and lower-caste men is not acceptable. If the wedding is still held, then the community will punish them with social sanctions. The penalties are varied, such as, a child of the marriage has no caste members, or the mother and the child are given lower caste. In a society with this beliefs, social status can only be derived from the men, so that women are required to marry men with higher castes (Anderson 276-277). Anderson (285) revealed that the increasing of the dowry payment influence on competition from lower-caste bride to higher-caste grooms. At the individual level, people feel 'insecure' in the social hierarchy, resulting of the competition.

DOWRY AND THE DISTRIBUTION OF THE PROPERTY

At first, the dowry is the property of the woman, or so-called '*stridhan*' in India. Dowry belongs to the woman and she has total control over the dowry. Dowry initially serves to strengthen the financial position of women, mainly because she is the newcomer in the family of her husband. Besides the dowry serves as a life's insurance, in case of unwanted event occurred in her marriage. But over time, the dowry which was originally intended for the women, slowly shifted into the husband's property. Dowry, now is seen as the property that woman brought to the husband's family as compensation, because she will be the new financial burden for the husband and his family (Rastogi and Therly 68).

The presence of the dowry system as mentioned above, makes the birth of a boy is celebrated rather than girl (Rastogi and Therly 70; Oldenburg 3-5). At this point, the male is not only seen as an asset that can carry the dowry, but also there is religious factor in Indian society that believes only boys who could save their parents from hell (Rastogi and Therly 70). In addition, the social system in India does not support the existence of a divorce. The ideal picture is a woman who would never leave her husband under any circumstances. It is based on the description of Sita, the ideal woman in Hindu mythology, who is very loyal to her husband (Rastogi and Therly 70). Women with low access to education and economic power is also one of the factors that perpetuate this dowry system, as mentioned by Rastogi and Therly (71). Even if the woman is a worker, she has little control over her own money. When she married, usually she will be asked by the husband to stop working and be a housewife completely.

Family structure in India requires the young member to respect the older family members, especially men, who are considered as the one who maintain the family. When a wife join into the family of her husband, she was required to honor her husband and also his family. This respect attitude can be exploited by the mother-in-law and or sister-in-law to abuse the wife. The torture executed by husband, mother and brother or sister of husband against the wife in order to push the wife

give more dowry (Rastogi and Therly 71-2). The bullying between mother-in-law to the daughter-in-law turned into never-ending cycle.

The position of women in India, especially the mother, is in dilemma. The mother's life is totally dependent to her husband or her son, and in this case, she is actually insecure of her position. The mother is powerless, and she has nothing to do than serve her husband and son. The arrival of daughter-in-law as the new member in family who must respect the husband and his family, give mother the 'power' that she never had before. The presence of her son's wife triggers the abusive power and even violence inside the mother. Jethmalini and Prasad (1995) named it 'illusion of power'—the women only has power because of her relations with men (qtd. in Rastogi and Therly 71).

The problem arises when the shift of dowry values and distribution occurred, at first dowry belong to women but now it has turned to the man or husband (Lakshmi 189). Attempts to obtain the dowry that was originally owned by the wife, most women are trapped in the many forms of violence done by the husband. The dowry which is a cultural practice with virtuous intentions tend to be filled by violence. According to Banerjee (36), the homicide against wife because of dowry's dissatisfaction are usually executed by:

1. Burning. This is the common way to kill the bride because it's complicated to decide whether the death is homicide, suicide, or accident. The accident in the kitchen towards India's women is typical, because the kerosene stove can burn women's *sari* or clothes easily, make them burnt to death. It's also easy to executed, just pour the kerosene and like Oldenburg (xi) said, "...light match will do the rest."
2. Drowning the woman into the well. This homicide is also easily covered as an accident.
3. Poisoning with insecticide.

In addition, the bride who are driven to commit suicide because of the bullying (physically and mentally) also could be classified as dowry death. The issue of dowry death or dowry murder is an issue of humanity as it involves violence, in direct, cultural and structural.

"DOWRY DEATHS" AND THE USE OF VIOLENCE

Resen described that dowry murder cases increased rapidly up to 15-fold, which in the 1980s, there were 400 cases, and in the 1990s, to 6,000 cases per year (p. 4). The cause of its increase rate was partly because the India's economy are progressively open to global market. So the process of globalization is worsening the dowry system. Globalization and economic progress of India brought Indian society becomes more 'greedy' and consumptive. The natal family of man in need of money and goods to meet the desires of consumerism. Dowry is considered as instant and fast way to meet the demand for these items. As a result, the commodification of marriage is becoming obvious. Some of the murders were committed in order to escape from the regulation and the husband can remarry and gain new dowry. If he just divorces his wife, there is the possibility that the ex-wife and her family claim the dowry they have given (Niam). Besides the husband, the mother-in-laws is often imprisoned too, since she also tortured and kill her daughter-in-law, in order to help her son escape from the punishment and get a new dowry of a subsequent marriage (Oldenburg xi).

Through radical feminist assumptions, Resen revealed that changes in the economic system will not necessarily change the deep-rooted patriarchal values, because these patriarchal values absorbed in the various fields. Moreover the modernization in India became a new device for the exploitation against women. Within India's globalization and information, women begin to get education and employment. Yet, the improvement of education and employment of women do not really help for the

dowry deaths' problem because suicide and homicide also occurred among middle class and educated people (97-8).

Anderson (270) cited several researches that show the ranges of dowry payments in India. Paul (1985) estimated that the dowry was 3,998 rupees in 1920-1929, more or less, and increase to 71,173 rupees in 1980-1984. Ifeka (1989) mentioned that the highest-quality grooms receive about 2,000 dowry rupees in 1920, but in the 1980s he could ask for 500,000 to 1,000,000 rupees, an increase of as much as 14-fold. Deolalikar and Rao revealed in their study that the average dowry is 68 percent of total assets before marriage and dowry payments is approximately US \$ 60,000 to \$ 130,000 (see, eg, Billig 1992; Joshi 1992).

While the number of victims of dowry death itself is difficult to ascertain, Menski (1998) in Anderson (271) and the Asian Women's Human Rights Council (2009) in Banerjee (34) estimates there are 25,000 brides were harmed or killed each year. Meanwhile, The National Crime Records Bureau (NCRB, 2011a, 2011b) Report of India, recorded 8.618 women were killed for dowry in 2011, and 3.239 women suicide. Compared to previous years, there was an increase of 2.7% and 4.7% (qtd. in Banerjee 34).

This dowry escalation or dowry inflation has also occurred in other societies besides India. Dowry inflation ever recorded in the late middle ages and early *Renaissance* in Italian cities. At that time there was also enacted laws to restrict the dowry in the 15th century and early 16th century, but it was recorded that the public tend to ignore the laws (Chojnacki 1974; Molho 1994 qtd. in Anderson 272). Botticini and Siow (2002) in Anderson (272) confirmed that in the city of Florence in 1260-1299, there was an increase of dowry payments from 406.3 lire to be 1,643.0 lire in 1420-1435. China is also experiencing inflation of dowry among the upper classes during the period of the Sung dynasty in 960-1279 (Goody 1983; Lambiri-Dimaki 1985, qtd. in Anderson 272).

The question that arises then, why the dowry payments that once existed are now declining, even almost vanished in European tradition, whereas in India it is increasing? Anderson suggested that industrialization of the 18th and 19th century in Europe eliminating the feudalism and privileges that are usually attached because of the birth and its lineage. The decline of the aristocracy as a result of industrialization is creating a society with a new category in terms of social class, the society based on wealth. While in India, caste or status derived from birth and the lineage is not lost and maintained, so the modernization increases the value of the dowry, while the dowry remains to be paid based on the caste system (275). Anderson (273) argued that in a caste society, modernization will increase the dowry payments. In contrast, in the non-caste society, modernization will reduce or even eliminate the dowry payments.

Another question which also important is why the phenomenon of dowry death occurs massively and lasts until now? What actually lead the existence of this violence phenomenon deep-rooted in society?

Through the violence conceptualization, Johan Galtung suggested in “Violence, Peace, and Peace Research” that, “Violence is present when human beings are being influenced so that their actual somatic and mental realizations are below their potential realizations”(168). According to the definition, Galtung pointed out that violence as a concept has extended and has broad meaning. For example, the people who died by tuberculosis in the 18th century was a typical at that time, because the lack of knowledge and technology especially in medical treatment. However, if a person suffered and died in the present, with the advanced of modern medicine, the death can be categorized as violence. So, if the incident could have been avoided, but the incident still occurs, then it is included as violence (1969:170-71). Although it is invisible, the violence exists when the distribution of resources (income, education, medical services, etc.) is uneven or unfair and only a group of specific people in the society has power onto the resources. Even when the power who decide the distribution itself is not equal, then the structural violence is occurred (1969:171).

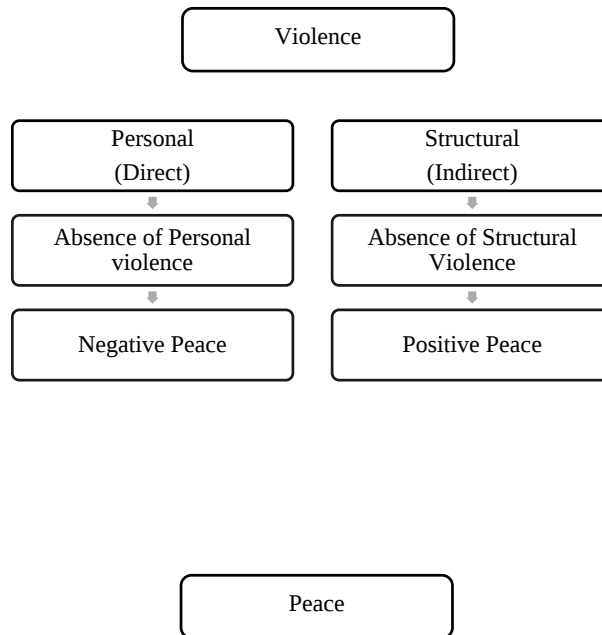


Figure 1.1. The Extended Concept of Violence and Peace (Galtung 1969:183)

Based on the figure above, peace has two parts, the absence of personal violence and the absence of structural violence or known as negative peace and positive peace. Absence of personal violence is referred to ‘negative peace’, as the absence of personal violence is not indicator of peace thoroughly.

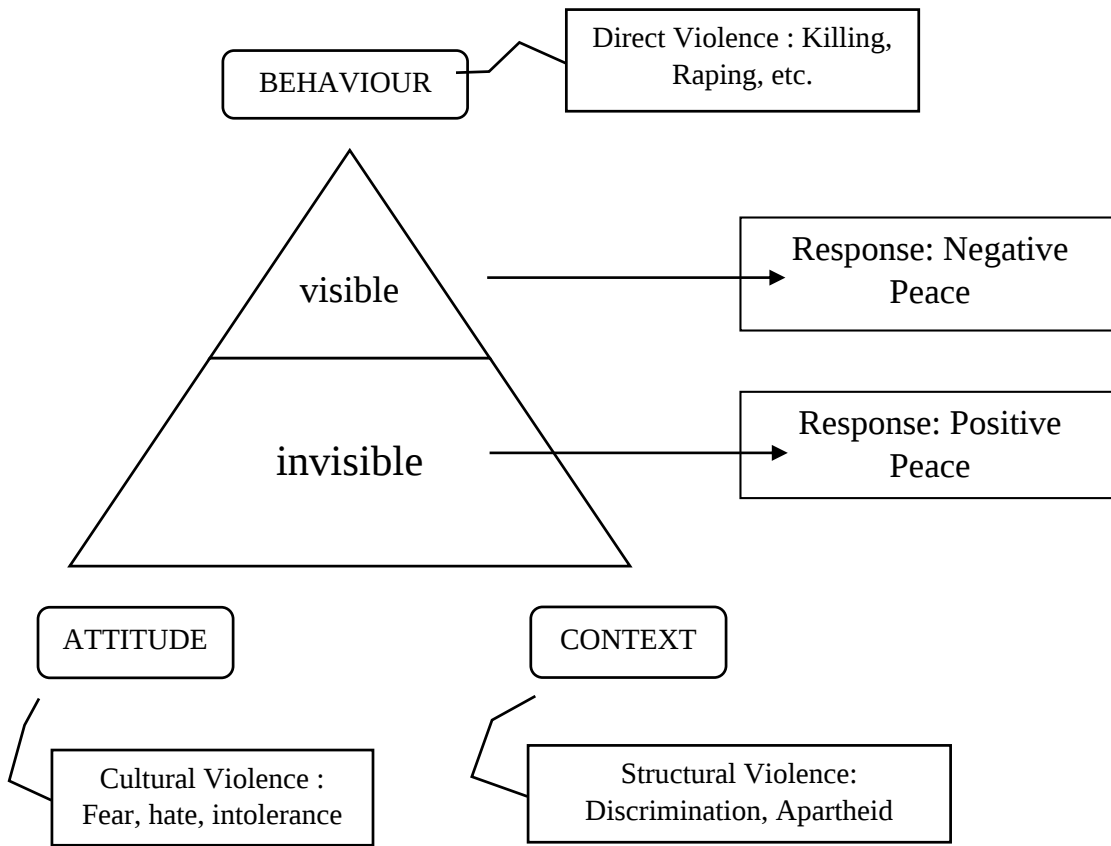


Figure 1.2. The ABC Triangle by Johan Galtung

Adapted from Fisher, Simon, et al (eds.) (10)

In “Cultural Violence” (291-92) Galtung stated that cultural violence is some aspects of culture (not entire culture), such as religion, culture, language and art, empirical science, and others which are used to justify or legitimate the direct violence and or structural violence. Cultural violence makes direct and structural violence feels or looks right. As a result, violence was acceptable and not considered as abuse in the society. In this reason, Galtung, as quoted in Jacoby (39), also emphasized that:

1. Violence may take the form of psychological as well as physics.
2. Violence can be concealed as 'rewards'.

3. Violence is present although there are no injuries to human, such as damage to property or forcible transfer.
4. Violence is occurred although no subject-to-object relations, such as racism, which the social structure inhibit someone to develop his or her potential.
5. Violence is emerged although there is no intention to do violence.
6. Violence is visible as well as invisible or latent.

In line with Galtung, Köhler and Alcock also described violence as direct violence and structural violence in the table below:

	Violent Input	Violent Output
Direct Violence	Deployment of armed men, bombing, etc.	People killed by war.
Structural Violence	Malnutrition, lack of shelter, health, care, etc.	People killed by a lack of necessities.

Table 1.1. Direct Violence and Structural Violence (Jacoby 45)

Violence can be started from the direct, structural, or cultural violence. Violence on one of the part of triangle will be easily disseminate to other areas. When the structural violence had been institutionalized, and cultural violence had also absorbed into a society, at that point the direct violence will also arise by more structured and repetitive form in society (Galtung, 1990: 302).

RESOLUTION OF THE PROBLEM

India's government has actually issued some laws that forbid the dowry, they are (Banerjee 37):

- a. The Dowry Prohibition Act of 1961.
- b. The Dowry Prohibition Amendment Act of 1984.
- c. The Criminal Law Act of 1983.
- d. The Protection of Women from Domestic Violence Act, 2005.

But these laws is less effective because there is still a space that allowing 'gift' in the marriage. So that the groom's family can argue that what they received from the bride's family is a gift, not dowry.

Although the government tried to organize a law that prohibits some Hindu traditions, but these efforts *vis-a-vis* the context of a society that still maintain some traditions. In fact, though there are 1955 and 1967 Acts on Marriage and Divorce, which already governing the rules of divorce, it is still problematic for widowed women to re-wed. The process of divorce through legal channels take the procedure, cost and time, thus after considering these various factors, most women finally choosing to remain faithful in their abuse-marriage (21).

In other words, although there are already laws that prohibit dowry, but in the last three decades, violence against women related to dowry is still increasing. With the high rate of mortality, either suicide or homicide because of this dowry, proving that the laws that have been issued by the Indian government is less effective. These laws are unsuccessful because the dowry-related violence has been rooted in three forms, specifically direct violence, cultural violence, and structural violence. By implementing the rules, the government only touch one part of the triangle, the direct violence. The government is only trying to suppress or reduce the number of deaths, but unable to prevent the violence itself because the violence is embedded in various fields. The government is indeed trying to make people no longer give a

dowry, but they are failed to make them able to change what Galtung explained previously as invisible violence, such as their attitude towards the dowry.

The phenomenon of dowry deaths, when it had been institutionalized, it is then, becoming a structural violence. And it is also considered as part of cultural violence, because it had absorbed into a society, at that point the direct violence also will arise by more structured and repetitive form in society. In this point, we can see that the violation of human right and also the violence towards women in India are increasing and finally considered as something 'normal' and socially acceptable. Similarly, the phenomenon of dowry deaths is also justified by the husband and his family.

The position of women in dowry deaths is unique because women are subject and object of violence. The woman has become the victim of this violence, but in many cases the fact that the mother-in-law is the abusers. Women are also become the perpetrators, like Oldenburg mentioned, Indian women as an agent of the crime or the victim. Jethmalini and Prasad argued mother-in-law just got the 'power' that she has not been earned before (qtd. in Rastogi and Therly 71). When she was daughter-in-law, she could be treated abusively by her mother-in-law. It is not strange if she also repeat this cycles.

Dowry cause in a preference of son in Indian society. Parents are so reluctant to raise daughters because of this dowry. As a result, the female infanticide in India is very high (Oldenburg 3), which means the women had been received the violence even they have not been born. In addition, there is a tendency to focus on the interests of boys than girls. Consequently, India's sex ratio is dominated by men. Oldenburg call this infanticide as a pre-emptive dowry murder (5). In other words, the inequality in terms of gender also influenced by this dowry system.

Although there are elements of Hindu culture which claimed by the West that contribute to dowry deaths, because the dowry itself has existed in India since a long time, but that does not mean the dowry deaths is merely a product of Hindu or

India. If there is a statement that Hindu culture supports violence against women, according Menski (1998), Ancient Hindu suggested to protect women (35). As the only creature that can give birth, women must be protected. Killing of women, especially in their childbearing age are considered as a terrible act. In addition, the wife should give the dowry to her husband voluntarily, and there is no evidence in Indian culture which suggests that the absence of dowry allow punishment or torture towards brides (Tripathi, 1995; Witzel, 1995 in Banerjee 35).

Oldenburg stated that Hindus cannot be blamed in the dowry deaths problem, because the British colonized India for a long time, so that the inheritance of modernization and consumerism also participated in the birth of this phenomenon. Especially if it is returned to the original purpose of the dowry that is actually virtuous, because it serves as a safety net for women.

It is important to emphasize that the dowry is not unique to India or Hindu culture, because it also has been practiced in various nations of the world. Badruddoja indicated that the practice of violence related-dowry against women also occurred in South Asia, such as Bangladesh, Pakistan, Sri Lanka, and others (403). Ashraf's research shows that dowry deaths happened in the Muslim community in Bihar, India, whereas Islam does not claim the dowry. Philips (2003) mentioned that dowry cases occurred in Kerala, India, to the Syrian Christians. He argued that the patriarchal system is one of the causes of dowry cases. In his research, Philips explained that the government had prohibited the dowry, but the government did not improve the laws of property rights of women, so women still rely on the dowry, though they know that dowry is illegal.

Resen stated that the problem of India's dowry deaths happened because the impact of the globalization that contributes to the increasing mortality rate. Supported by Anderson who also said that the modernization eliminated the dowry in various countries, but it does not happen in India because the existence of caste system and the tradition still remain strong. From these arguments we can conclude that we cannot blame one particular culture contribute to the violence. Moreover, as

mentioned by Galtung, cultural violence did not always involve a whole element of culture, but most likely only one of the elements of it.

So what should be done? Opinions on this matter vary. Anderson advised the government to reconsider the caste system, so that people who are low caste may have the opportunity in terms of access to education, health and other public services. By doing so, the welfare of each person will be distributed fairly, unhindered by their social status. And marriage within dowry is expected to disappear gradually. Because according to Anderson, endogamy will be vanished when the welfare of inter-caste or income is equivalent (293). One thing is for sure, in observing the phenomenon, we have to be able to distinguish which cultural practices, and which is not. Dowry is cultural practices, but not with the violence (Badrudoja 403; Almeida and Dolan-Delvecchio (1998) in Rastogi and Therly 75).

REFERENCES

- Anderson, Siwan. "Why Dowry Payments Declined with Modernization in Europe but Are Rising in India". *Journal of Political Economy* 111.2 (April 2003): 269-310. *The University of Chicago Press*. Web. 01 Sept. 2014. <http://www.jstor.org/stable/10.1086/367679>
- Ashraf, Nehal. "Dowry among Muslims in Bihar". *Economic and Political Weekly* 32.52 (Dec. 27, 1997 - Jan. 2, 1998):3310-3311. *Economic and Political Weekly*. Web. 01 Sept. 2014. <http://www.jstor.org/stable/4406225>
- Badrudoja, Roksana. "Book Review: Dowry: Bridging the Gap between Theory and Practice." *Gender & Society* 25 (2011) 402-404. Web. 12 Sept. 2014. DOI: 10.1177/0891243210391460

- Banerjee, Priya R. "Dowry in 21st-Century India: The Sociocultural Face of Exploitation." *Trauma Violence Abuse* 15.1 (29 July 2013):34-40. *Sage Publications*. Web. 12 Sept. 2014. DOI: 10.1177/1524838013496334
- Botticini, Maristella and Aloysius Siow. "Why Dowries?". *The American Economic Review* 93.4 (Sep., 2003):1385-1398. *American Economic Association*. Web. 01 Sept. 2014. <http://www.jstor.org/stable/3132295>
- Fisher, Simon, et al. *Mengelola Konflik: Ketrampilan dan Strategi untuk Bertindak*. Terj. S. N. Kartikasari, et al. Jakarta: The British Council, 2001.
- Galtung, Johan. "Cultural Violence". *Journal of Peace Research* 27.3 (Aug. 1990): 291-305. *Jstor*. Web. 12 Sept. 2014. <http://links.jstor.org/sici?sici=0022-3433%28199008%2927%3A3%3C291%3ACV%3E2.0.CO%3B2-6>
- . "Violence, Peace, and Peace Research". *Journal of Peace Research* 6.3 (1969): 167-191. *Sage Publications, Ltd*. Web. 18 Sept. 2013. <http://www.jstor.org/stable/42269>
- Hardoko, Ervan (ed.). "Akibat Masalah Mahar, Pria India Bakar Istri dan Bayinya hingga Tewas". 2 Februari 2014. Web. 01 Sept. 2014. *Kompas.com*. <http://internasional.kompas.com/read/2014/02/02/0145038/Akibat.Masalah.Mahar.Pria.India.Bakar.Istri.dan.Bayinya.hingga.Tewas>
- Jacoby, Tim. *Understanding Conflict and Violence, Theoretical and Interdisciplinary Approaches*. Routledge: London and New York, 2008.
- Katzenstein, Mary. "Organizing Against Violence: Strategies of the Indian Women's Movement" *Pacific Affairs* 62.1 (1989): 53-71. *Pacific Affairs, University of British Columbia*. Web. 1 Sept. 2014. <http://www.jstor.org/stable/2760264>

Lakshmi, C.S. "On Kidneys and Dowry". *Economic and Political Weekly* 24.4 (Jan. 28, 1989):189-190 *Economic and Political Weekly*. Web. 01 Sept. 2014. <http://www.jstor.org/stable/4394309>

Nelson, Dean. "Woman Killed Over Dowry Every Hour in India." *The Telegraph*. 02 Sep. 2013. Web. 01 Sept. 2014. <http://www.telegraph.co.uk/news/worldnews/asia/india/10280802/Woman-killed-over-dowry-every-hour-in-India.html>

Niam, Mukafi. "Mahar Jadi Masalah Serius dalam Pernikahan di India." *Nu Online*. 05 Sept. 2013. Web. 01 Sept. 2014. <http://www.nu.or.id/a,public-m,dinamic-s,detail-ids,45-id,46835-lang,id-c,internasional-t,Mahar+Jadi+Masalah+Serius+dalam+Pernikahan+di+India-.phpx>

Oldenburg, Veena Talwar. *Dowry Murder: The Imperial Origins of a Cultural Crime*. New York: Oxford University Press, 2002.

Philips, Amali. "Stridhanam: Rethinking Dowry, Inheritance and Women's Resistance among the Syrian Christians of Kerala". *Anthropologica* 45.2 (2003):245-263 *Canadian Anthropology Society*. Web. 01 Sept. 2014. <http://www.jstor.org/stable/25606144>

Rastogi, Mudita and Paul Therly. "Dowry and Its Link to Violence against Women in India: Feminist Psychological Perspectives". *Trauma Violence Abuse* 7.1 (Jan. 2006): 66-77. *Sage Publications*. Web. 12 Sept. 2014. DOI: 10.1177/1524838005283927

Resen, Putu Titah Kawitri. *Dowry Murder Sebagai Bentuk Kekerasan Terhadap Wanita di India*. Tesis. Tidak dipublikasikan. Yogyakarta: Universitas Gadjah Mada, 2011.

PANEL DISCUSSION 3

Moderator	: Ayu Dyah Setyawati
Tempat	: Ruang BA 312
Waktu	: 13.15-15.40 WIB
Tema besar	: Peacekeeping Operation dan Gender dalam Peacekeeping Operation
Notulen	: Afrizal Choiron Meydiantoro

1. Peran Penjaga Perdamaian Wanita dalam Studi Bina Damai

Studi Kasus: MONUSCO di Kongo

Satwika Paramasatya

Dalam operasi bina damai keterlibatan wanita masih sangat minim. Disisi lain, keterlibatan wanita dalam operasi bina damai seperti ini justru sangat penting. Wanita dianggap lebih faham akan situasi korban konflik karna dalam suatu konflik kaum wanita lebih sering menjadi korban dan menderita secara fisik maupun psikis. Kaum wanita tidak hanya menderita karena harus ditinggal suaminya ikut berperang namun juga terkadang mereka menjadi korban kejahatan ataupun harus terlibat secara langsung dalam konflik tersebut dengan menjadi kombatan. Disinilah kemudian peran wanita dalam operasi bina damai (*peacekeeping operation*) diperlukan. Lalu dimanakah wanita dalam proses bina damai tersebut?

Hanya sedikit dari negara anggota PBB yang menyertakan *peacekeeper* wanita dalam satu operasi bina damai, disisi lain PBB tidak bias memaksa negara-negara anggotanya untuk menyertakan wanita dalam operasi bina damai mereka. Sementara itu, saat ada wanita yang terlibat dalam satu operasi bina damai hanya bekerja dibalik layar sebagai tenaga administrasi atau semacamnya tidak turun langsung ke lapangan untuk terlibat dalam operasi secara langsung.

Mengacu pada kasus Kongo, wanita di Kongo tidak hanya berperan sebagai korban dana menderita karena ditinggal oleh suami mereka untuk berperang namun para wanita di Kongo juga terpaksa turun sebagai kombatan. Lalu seberapa jauhkah efektifitas *peacekeeper* wanita di Kongo ini? Untuk menjawab pertanyaan ini perlu dikaji bagaimana proses operasi bina damai di Kongo itu sendiri.

Dalam kasus Kongo, wanita yang terlibat dalam konflik di reintegrasikan kemabli dengan cara memisahkan kombatan pria dan wanita selama proses DDR (*disarmament, demobilization, reintegration*), hal ini dilakukan untuk menghindari perbuatan-perbuatan yang tidak diinginkan kepada kaum wanita. Selam dipisahkan para kaum wanita ini diberikan konseling. Konseling dilakukan untuk mengembalikan kesadaran wanita tentang tugas-tugasnya sebagaimana wanita pada umumnya seperti sebagai istri dan tugas wanita untuk mengurus rumah tangga. Proses ini diawali dengan proses penghilangan trauma dari konflik.

CIMIC adalah salah satu pihak yang berperan dalam memberikan perlindungan dan asistensi. *Peacekeeper* wanita disini memiliki tugas lebih kepada memberikan asistensi, yaitu memberikan konseling dan pendampingan kepada para korban wanita agar tidak menjadi kombatan. Selain itu, MONOSCO juga memberikan pelatihan mengenai gender kepada kepolisian domestik dengan tujuan untuk menciptakan kondisi yang *genderwise*. Sehingga dapat dilihat bahwa peran *peacekeeper* wanita dalam operasi bina damai di Kongo sudah cukup namun pemahaman domestik belum cukup disana sehingga perlu dikembangkan di Kongo.

Jumlah *peacekeeper* wanita yang masih sedikit tidak lepas dari latar belakang masing-masing negara pengirim. Sebagai contoh adalah Indonesia dengan budaya wanita di Indonesia masih sangat tradisional. Budaya di Indoensia masih melihat bahwa peran wanita seharusnya mengerjakan tugas rumah tangga daripada bekerja diluar rumah. Sehingga belum banyak *peacekeeper* wanita dari Indonesia yang diterlibat dalam operasi bina damai. Pola pikir *genderwise* juga diperlukan oleh negara-negara pengirim tidak hanya di negara penerima agar wanita lebih dilibatkan dalam operasi bina damai.

2. Peace unwanted? – The Frozen Conflict of Nagorno-Karabakh Revisited

Pia Ferner

Konflik Nagorno-Karabakh di Azerbaijan ini dapat dikatakan masih belum banyak disorot oleh media internasional, selain itu konflik ini dapat dikatakan ‘frozen’ karena belum ada kepastian tentang penyelesaian konflik ini yang ditunjukkan melalui proses perdamaian yaitu *peace agreement*. Paper ini kemudian akan membahas mengenai kenapa masih belum ada *peace agreement* dalam konflik ini?

Paper ini mengangkat dua rumusan masalah utama yaitu

What can lead to peace when international incentives are low for a conflict being resolved?

What role can civil society play when official political attempts seem to remain unsuccessful?

Konflik ini sendiri perlu mendapatkan sorotan lebih karena walaupun tidak banyak korban tapi merupakan proses perdamaian terburuk. Karabakh Armenian-Azerbaijan, proses negosiasi sudah terus berjalan namun tidak membuahkan hasil hingga saat ini. Kondisi hubungan dengan negara-negara tetangga juga berpengaruh mengapa konflik ini mengalami stagnansi karena tidak ada negara yang memihak salah satu untuk berusaha menyelesaikan konflik ini. Faktor geopolitik dikatakan juga berpengaruh karena negara-negara sekitar seperti Turki, Iran, dan Rusia sendiri memiliki kepentingan tersendiri untuk mempertahankan status quo dari konflik ini.

Selain itu, ada pengaruh-pengaruh negara besar seperti USA dan Prancis yang berpengaruh di kawasan ini. Prancis merupakan salah satu negara yang menginisiasi OSCE - organisasi yang berperan dalam proses perdamaian konflik ini. OSCE sendiri berusaha mempertemukan kedua negara Azerbaijan dan Armenia

untuk menyelesaikan permasalahan ini secara damai dengan mengajukan proposal Madrid, tapi dalam pertemuan ini justru tidak melibatkan perwakilan dari Karabakh sendiri. Disisi lain, konflik ini belum mendapatkan campurtangan lebih jauh dari pihak luar seperti organisasi internasional. PBB sendiri hanya memainkan sebagian peran kecil tidak ada operasi bina damai langsung. Begitu juga dengan organisasi kemanusiaan, dimana hanya ada ICRC dan Halo Trust sebagai organisasi kemanusiaan yang terlibat dalam usaha bina damai konflik ini.

Peran masyarakat sipil sebagai usaha terakhir?

Diperlukan pendekatan yang kompleks tidak hanya melibatkan negosiasi politik namun juga dialog dengan masyarakat sipil untuk membangun kerjasama dan rekonsiliasi. Masyarakat sendiri lebih terkadang justru berkonflik satu sama lain daripada membentuk satu kesepakatan perdamaian melalui media sosial.

Halangan perdamaian di sana adalah tidak adanya well respected antar negosiator, rendahnya dorongan keamanan internasional. Namun juga tidak adanya transparansi dari negosiasi perdamaian yang berlangsung sehingga banyak masyarakat sipil yang ingin perdamaian namun tidak tahu bagaimana menyuarakannya dan pada akhirnya sangat rendah partisipasi masyarakat sipil dari masing-masing pihak untuk terlibat dalam penyelesaian konflik ini. Di sisi lain, masyarakat sipil juga merasa tidak berkepentingan dengan proses perdamaian itu sendiri.

3. Pembajakan Operasi Perdamaian : Kritisal Analisis dalam Operasi Perdamaian Di Libya Dan Mali

Nurudin Al Akbar

Operasi Perdamaian yang seharusnya digunakan untuk misi kemanusiaan namun seringkali digunakan sebagai legitimasi tindakan politik negara-negara yang memiliki kepentingan tertentu dalam satu konflik tertentu. Pembajakan Operasi Perdamaian ini sangat rentan mengingat belum adanya definisi pasti mengenai

Operasi Perdamaian itu sendiri, hal tersebut juga didukung oleh paradigma dominan liberatis bahwa saat terjadi konflik maka negara wajib membantu dan pada akhirnya justru menggunakan nama misi perdamaian sebagai kedok.

PBB sering dijadikan alat untuk memenuhi kepentingan politik suatu negara melalui Operasi Perdamaian. Beberapa hal yang dikejar oleh negara dalam Operasi Perdamaian adalah intensifikasi uang dari PBB, dimana uang tersebut dapat digunakan untuk kepentingan negara sekaligus menaikkan citra negara. Berangkat dari hal tersebut Operasi Perdamaian tidak lagi bersifat humanis namun material. Selain itu, negara maju memiliki motif tertentu dengan latar belakang kolonial untuk kepentingan mereka.

Dalam kasus Libya dan Mali pihak asing masuk dalam satu konflik tertentu, yaitu intervensi Amerika Serikat di Libya dan Prancis di Mali, kedua negara tersebut masuk dengan payung Operasi Perdamaian PBB. Alasan Amerika Serikat masuk ke Libya adalah karena hubungan buruk Amerika Serikat dengan Khadafi, sedangkan Prancis didasari pada kepentingannya melemahkan Tuareg sebagai pemberontak di Mali. Perdamaian di kedua negara tersebut dapat dikatakan semu karena justru terjadi pembunuhan pihak-pihak yang berafiliasi, sedangkan tindakan Prancis justru dapat memicu konflik-konflik lain di Mali karena berusaha mendukung salah satu pihak yang berkonflik.

4. Ketidaksetaraan Gender dan Kekerasan Struktural di India

Studi Kasus: Dowry Death

Jusmalia Oktaviani & Teguh Puja

Isu ini penting untuk dibahas karena banyaknya perempuan muda India yang menjadi korban pembunuhan dengan latar belakang Dowry, berdasarkan data 2012 menyebutkan ada 8.333 orang wanita muda India yang mati, hal tersebut sama halnya dengan satu wanita mati setiap satu jam. Dowry sendiri merupakan mahar yang diberikan pihak wanita kepada pihak pria, sesuai dengan permintaan pihak pria. Permasalahannya adalah ketika seorang wanita memiliki pendidikan lebih

tinggi maka dowry yang diminta akan lebih tinggi, selain itu apabila pihak wanita tidak dapat membayar Dowry tersebut maka istri akan dikembalikan. Dengan kata lain, dowry ditentukan oleh pihak pria dan pihak perempuan wajib memenuhinya.

Permasalahan yang kemudian muncul dari Dowry salah satunya adalah maraknya praktik aborsi yang dilakukan apabila mengetahui mengandung anak wanita karena ketakutan terhadap tanggung jawab Dowry. Dowry sendiri pada awalnya digunakan untuk memperkuat posisi perempuan dalam suatu pernikahan namun pada perjalanannya kemudian berubah dimana properti yang dimiliki wanita diminta oleh pihak pria. Kekerasan kemudian muncul saat pihak pria tidak mampu mengembalikan dowry awal apabila akan bercerai. *Dowry death* terjadi saat pihak pria ingin menghindari tanggung jawabnya mengembalikan dowry kepada pihak wanita saat terjadi permasalahan tertentu. Disisi lain, pihak pria sering terus menerus meminta dowry kepada pihak wanita. Kekerasan yang dilakukan pada umumnya dilakukan dengan membakar istri (*Burning Bride*), menenggelamkan wanita, meracuni, dan bunuh diri. Kekerasan ini sering kali disembunyikan oleh pihak pria dan sering kali dibiarkan bebas walaupun sebagai pelaku pembunuhan, disisi lain budaya yang ada membuat pihak wanita ingin mempertahankan pernikahan.

Hal yang menyebabkan *Dowry Death* masih terus terjadi hingga saat ini dapat dikaji melalui konsep Galtung. Kekerasan juga dapat dikategorikan apabila saat ini seharusnya bisa diselesaikan namun masih terjadi. Dowry sendiri dapat dikategorikan sebagai *structural* dan *cultural violence* dimana kekerasan jenis ini terjadi akibat budaya, ada dan sudah masuk dalam struktur masyarakat. Pemerintah India memang sudah membuat beberapa peraturan namun belum efektif karena pemerintah India hanya berusaha untuk mengatasi konflik langsung yang terjadi.

Ketidak efektifan UU yang hanya menyentuh kekerasan langsung saja belum mendalam secara struktur dan budayanya. Mengingat kasus Dowry ini sudah tertanam dalam bentuk kekerasan langsung, kekerasan budaya, dan kekerasan structural. Budaya macam ini juga ada di beberapa wilayah lain di Asia Selatan

selain India. Untuk mengatasi masalah ini salah satunya adalah dengan menghilangkan sistem kasta di India. Perlu diingat bahwa sebenarnya Dowry ini pada dasarnya merupakan praktik budaya bukan kekerasan.

DISKUSI

1. Apa ekspekatsi anda yang bisa dilakukan oleh masyarakat sipil dalam proses perdamaian di Azerbaijan? (Satya)

Diharapkan masyarakat sipil yang terlibat dalam konflik bisa saling bekerjasama dibandingkan dengan terus mengeksalasi konflik dengan menyalahkan satu sama lain.

(Pia)

2. Seberapa jauh Indonesia menempatkan perempuan di misi perdamaian tersebut mengingat tahun lalu Indonesia telah menandatangani deklarasi yang didalamnya terdapat isu-isu gender dalam satu konflik? (Andi)

Tidak ada data pasti mengenai hal tersebut, namun orang Indonesia sendiri masih belum berpikir secara *genderwise* masih terlalu tradisional berpikir mengenai posisi wanita, akan tetapi diharapkan dengan adanya menteri Luar Negeri wanita saat ini Indonesia akan lebih banyak mengirim *Peacekeeper* Wanita dalam suatu konflik agar dapat lebih memahami apa yang harus dilakukan di negara penerima. Pentungnya *peacekeeper* wanita salah satunya adalah memfasilitasi korban wanita yang biasanya menjadi korban pelecehan seksual dan sebagainya, diharapkan dengana adanya *peacekeeper* wanita tidak menimbulkan masalah baru karena seringkali *peacekeeper* justru sering menimbulkan masalah baru. (Satya)

3. Apa dasar filosofis atau nilai politik dari humanizing IR?

Apakah proses mereintegrasi di Kongo harus dilakukan oleh militer atau orang-orang itu sendiri?

1941-1944 apakah konflik perbatasan antara Azerbaijan dan Armenia masih didasari masalah wilayah NKR tersebut, dan masihkah berjalan hingga saat ini, serta apakah suku di NKR diakui atau dapat disamakan dengan Kurdi?

(Ristan)

- **Satya**, untuk humanizing IR harus menyebarkan pengetahuan kita sebagai contoh adalah dengan menyebarkan mengenai *genderwise* kepada orang-orang saat itu mungkin dilakukan. Untuk masalah proses reintegrasi wanita di Kongo bukan siapa yang penting melakukan militer maupun sipil karena dalam proses *Peacekeeping* itu sendiri tidak hanya militer yang terlibat tapi juga masyarakat sipil yang terpenting adalah

- **Pia**, Konflik ini pada awalnya disebabkan permasalahan batas wilayah kemudian diikuti oleh keinginan Karabakh-Armenian untuk merdeka. Namun pada kenyataannya konflik ini masih berjalan hingga saat ini karena belum ada *peace agreement* disana dan NKR tidak dapat disamakan dengan Kurdi. Untuk pertanyaan mengenai *humanizing IR* mungkin presentator lain bisa menjawab terlebih dahulu.

- **Lia**, dengan humanizing IR ini diharapkan manusia tidak lagi digunakan sebagai alat untuk mencapai kepentingan negara namun bagaimana manusia dan negara bersama-sama mencapai keamanan internasional. Hal yang ingin dicapai adalah tidak ada violence kepada manusia yang justru dilakukan oleh negara.

- **Nurdin**, hal tersebut berkaitan dengan cara pandang terhadap politik yang berjalan, *humanizing* artinya mengubah paradigma tersebut dari negara menjadi manusia (*human security*)

- **Ari**, perdebatan *humanizing IR* ini seakan memaksakan manusia masuk dalam politik IR, namun menurut saya ada satu pandangan baru mengenai menempatkan manusia dalam posisi baru dalam tatanan global (cosmopolitan). IR juga berusaha mendorong bahwa paradigma lama mengenai perspektif HI yang cenderung Realism berkembang menjadi satu studi yang lebih mengkaji tentang human. Menurut saya, yang lebih penting

adalah bagaimana memanusiakan teori-teori tersebut, bagaimana teori-teori tersebut menjelaskan permasalahan kemanusiaan yang belakangan ini menempatkan individu sebagai korban dari suatu konflik negara. Ide *humanizing IR* adalah membuat kedudukan semua orang sama.

- **Ari**, pertanyaan mengenai norma apa yang mendasari terksesan mencampurkan filsafat baru dengan konsepsi baru tersebut.

- **Ayu**, apabila dilihat dari konteks sejarah mengenai pembaharuan mengenai konsep manusia ini sudah muncul sejak lama, tahun 90an ada keprihatinan oleh praktisi perdamaian bahwa semakin hari *humanitarian action* semakin bias. Dulu dalam menyelesaikan konflik kemanusiaan sudah ada template untuk menyelesaikan yang sangat dekat dengan liberal, dimana dilakukan demokratisasi dsb. *Humanizing IR* inti keilmuannya ada pada krtikital teori dan konstruktualism.

-**Ari**, apa yang dibahas hari ini merupakan kritik terhadap *liberal peace*. Subjek manusia dalam *humanitarian politic* memang bukan hal baru namun bagaimana manusia berperan disini, sebagai contoh: bagaimana gerakan sosial penting untuk mengubah permasalahan-permasalahan yang ada. Menemukan jawaban atas permasalahan yang lebih manusiawi.

Refleksi

Dari beberapa pendapat yang muncul dari diskusi kali ini dapat dilihat bahwa dalam ilmu HI terkadang terlalu sering berpusat pada literatur Eropa namun banyak perspektif lain yang datang dari literatur maupun ilmu lain. Apakah dengan gender tersebut mengembalikan pada tradisi lama mengenai gender? Bagaimana mengembang pemikiran *genderwise* tersebut dalam masyarakat. Sedangkan permasalahan kepentingan, agak sulit untuk tidak melihat bahwa tindakan satu negara tidak dilatarbelakangi kepentingan tertentu. Selain itu dari konflik di Eropa tersebut dapat dilihat bahwa perhatian dari mana yang dibutuhkan untuk membantu penyelesaian suatu konflik. Sedangkan kasus Dowry memperlihatkan bahwa kekerasan budaya juga masih ada dan salah satu hal yang baru-baru ini muncul yaitu sekarang

islam sedang menghadapi islamophobia yang lebih parah ketika muslim takut dengan muslim lainnya sendiri. Dan tantangan ini menjadi tantangan kita tersendiri bagi kita dalam menghadapi *cultural violence* itu sendiri.



9 772407 592006

Faculty of Social & Political Sciences Universitas Gadjah Mada Gedung Bulaksumur 5th Floor
Jalan Socio Justicia 1, Yogyakarta 55281 | Tel. +62 274 563362 ext. 115 Fax. +62 274 563362 ext. 116
iis@ugm.ac.id - iis.ugm@gmail.com