

ETHNIC CHINESE IN INDONESIAN SOCIETY - A STUDY OF THEIR PROBLEMS (1965-1998)

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DECLARATION

I declare that the thesis entitled “ETHNIC CHINESE IN INDONESIAN SOCIETY – A STUDY OF THEIR PROBLEMS (1965-1998)” submitted by me for the award of the degree of **Doctor of Philosophy** of Jawaharlal Nehru University is my own work. The thesis has not been submitted for any other degree of this university or any other university.

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*Dedicated to
My Maa and Bapa*

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ABBREVIATION

ASEAN	-	Association of South East Asian Nations
BPS	-	Indonesian Central Statistic Bureau
BAPERKI	-	Badam Permusjawaratan Kewarganegaraan Indonesia (Consultative Body for Indonesian Citizenship, An integrationist Chinese Political Organisation formed in 1954)
CSIS	-	Center for Strategic & International Studies
CHH	-	Chung Hua Hui (The Chinese Association)
DAP	-	Democratic Action Party (Dewan Perwakilan Rakyat)
DPR	-	Dewan Perwakilan Rakyat (The House of Representatives)
DPRD	-	Dewan Perwakilan Rakyat Daerah (Provincial and Regency Assemblies)
DPD	-	Dewan Perwakilan Daerah (Regional Representative Council)
FORMAT	-	Forum Masyarakat Tionghoa (Chinese Community Forum)
GANDI	-	Gerakan Perjuangan Anti Diskriminasi Indonesia (Indonesian Anti-discrimination Movement)
HMTI	-	Himpunan Mahasiswa Tionghoa Indonesia (Association of Chinese Indonesian Students)
INTI	-	Indonesia Keturunan Tionghoa (Ethnic Chinese Association in Indonesia)
IBRA	-	Indonesian Banking Restructring Agency
ICCPR	-	The International Covenant on Civil & Political Rights.

ICESCR	-	International Covenant on Economic, Social & Cultural Rights
KIK	-	Kredit Investasi Kecil (Small Investment Credit)
KMKP	-	Kredit Modal Kerja Permanen.
KTP	-	Kartu tanda penduduk (Census registration cards)
KIK	-	Kredit Investasi Kecil (Small Investment Credit)
LPKB	-	Lembaga Pembinaan Kesatuan Bangsa (The Institute of Cultural National Unity)
LPKB	-	The Institute for Promotion of National Unity.
LADI	-	Lembaga Anti Diskriminasi Indonesia (Institute of Anti Discrimination in Indonesia)
MATAKIN	-	Majelis Tinggi Agama Khonghucu Indonesia (The Supreme Council for the Confucian Religion in Indonesia)
MUI	-	Council of Ulemas
NU	-	Nahdlatul Ulama (Muslim Political Party)
PARTI	-	Partai Reformasi Tionghoa Indonesia (Indonesian Chinese Reform Party)
PBI	-	Partai Bhinneka Tunggal Ika Indonesia. (Indonesian Unity in Diversity Party)
PNI	-	Partai Nasional Indonesia. (Indonesian Nationalist Party)

PKI	-	Partai Komunis Indonesia (The Indonesian Communist Party)
PDTI	-	Partai Demokrat Tionghoa Indonesia
PDI	-	Partai Demokrasi Indonesia (Indonesian Democratic Party)
PPP	-	Partai Persatuan Pembangunan (Muslim-based United Development Party)
PRC	-	The People's Republic of China
PWBI	-	Partai Warga Bangsa Indonesia (Indonesian Citizens' Party)
PDI-P	-	Partai Demokrasi Indonesia – Perjuangan (Indonesian Democratic Party for Struggle)
PSMTI	-	Paguyuban Sosial Marga Tionghoa Indonesia. (Indonesian Chinese Social Clan Association)
SND	-	Solidaritas Nusa Bangsa (Solidarity for Motherland and Nation)
SIMPATIK	-	Solidaritas Pemuda-Pemudi Tionghoa Indonesia untuk Keadilan (Solidarity of Young Chinese-Indonesian for Justice)
SBKRI	-	Certificate of citizenship for the Republic of Indonesia.
THHK	-	Tiong Hoa Hwee Koan. (The Chinese Organisation)
TGPF	-	The Joint Fact-Finding Team
UDHR	-	Universal Declaration of Human Rights
WNI	-	Warga Negara Indonesia (Citizen of Indonesia)
WNA	-	Warga Negara Asing (Foreign Citizen)

PREFACE

Ethnic conflict is one of the most important subjects of dialogue in the contemporary world. History shows whenever a different group (even sometimes from the same ethnic stock) coexists with other groups, tensions erupt and remain unresolved. And Indonesia being a pluralistic society the problems of ethnic conflict in general and the problems of ethnic Chinese in particular are intricate. The seed of ethnic conflict was planted on Indonesian soil during the colonial period.

With the rise of Han dynasty in China, Indonesia experienced visits of Chinese traders who presumably came in search of spice. They had an easy journey from their home ports in the adjacent mainland. Chinese traders and seamen had been plying to and fro the Indonesian archipelago since then. But Chinese rulers rarely showed interest to encourage colonies or settlements, apart from one brief period of assertiveness under the early Ming dynasty. During Chiang dynasty, overseas trade and settlement were forbidden in principle during 1644-1894. However several settlements of Chinese immigrants developed in West Kalimantan and Banka Island of Indonesia. This number grew manifold during 1850-1950. Dutch facilitated their settlement and Chinese acquired the important intermediate position in the colonial class structure like tax farmers, pawn shop operators, salt monopoly and opium trade on behalf of the government. From these key positions they went for money-lending, wholesale trade exporting and other distributive trade.

However, from the very beginning the Chinese were discriminated in many respects. When the colonial administration tried to attack the position of the Chinese, they always responded by finding some new means of livelihood and were growing richer. In 1854 they were placed on the same legal footing as natives. The 1870 agrarian law of De Wall's restricted them to hold land outside towns which made them basically an urban population. At the same point of time the indigenous Indonesians were both politically suppressed and economically hard hit. So a feeling of alienation towards the colonial masters as well as towards the rich Chinese was common which sometimes manifested into open hostilities. Being victimized by the Dutch not being accepted by Indonesians as original citizens, the Chinese asserted themselves. Habituated in doing things in adverse condition, they remained adamant in their practices, both in trade and

traditions. So a rift developed between the original natives and the ethnic Chinese immigrants since a century back. Colonial powers have also played no less significant role in constructing this gap.

The provisional Constitution of 1950 gave formal recognition to three minority groups including Chinese with nine seats in the parliament to be elected. Even two Chinese were made ministers till 1955 election. In fact, Sukarno was not anti-Chinese, for him the most important thing was development of national unity and solidarity, which should be based on equal rights among various ethnic groups (*Suku*) including the Chinese. But his over-enthusiasm for socialism and 'return to the national identity' threatened not only the business prospects of the Chinese but to the existence of their business also. Even without the consent of Sukarno the administration and the army could implement anti-Chinese policies. During the 'Guided democracy' period Sukarno's much reliance on the left and distrust of the right wing helped to shield the Chinese from directly racial or discriminatory attacks. After the coup of 1965 unfortunately the Chinese were identified with Communist Party of Indonesia (PKI).

During the Suharto period the Chinese were called non-natives or *non-pribumi*. In the entire Suharto's period there has never been a Chinese cabinet minister, nor can one find any general or senior civil servant of obvious Chinese ancestry. Interestingly, although to the political and cultural status of the ethnic Chinese declined dramatically in this period; their economic influence expanded as never before as Suharto tried to avoid economic disruption resulting from attacks on Chinese businessmen. Thus the Chinese entrepreneurs were encouraged to bring more investment in order to get the economy back to normal.

Chinese leaders who were prominent before 1965 were unwilling or unable to remain active in politics. So they became a body without voice. The Chinese influence tended to move more in informal channels. Only in 1990s for the first time ethnic Chinese enjoyed a steady increase in respect and legitimacy in public culture without compromising the economic dominance of wealthy members. The 1994 Medan incident (murder of Marsinah, a labour activist by a Chinese industrialist) and 1996 riots of Jakarta display anti-Chinese sentiment among Indonesians. After the economic crisis of

1997-98, Indonesia witnessed series of anti-Chinese violence in the form of rapes, murders, loot and destruction of the Chinese houses and properties.

Different reasons are given by scholars for this problem of tension between the majority and the ethnic Chinese. Every Chinese has to cope with general predicament to some degree in his daily life either as petty discrimination or as personal tragedy. However, the separateness of the Chinese stems as much from the treatment from the host society and government as from their own attitudes and behaviour. To understand the cause of problem one needs to see the characteristics of the Chinese community in Indonesia. Chinese in Indonesia are not a homogenous group. Chinese settlements are in urban areas of North Coast of Java, West Kalimantan, Padang, Belitung, Riau archipelago and southern Sumatra. The Chinese in Indonesia can be divided into different groups- *Totoks* who immigrated; *Peranakans* who were born in Indonesia with one or more Indonesian ancestor.

Till the end of First World War, Chinese women were not coming to Indonesia. The Chinese male immigrants married to Indonesian ladies and employed local servants before that time and those families have some cultural assimilation. But after the First World War most of the new generations have both Chinese parents. These are non Hokkin speaking people who rarely feel any emotional linkages with natives like the *Totoks*

Chinese in Thailand embraced Theravada Buddhism in large number but the same thing could not take place in Indonesia with Islam. It is seen that quarrels between a Muslim and a non-Muslim could easily degenerate into group conflict of greater or lesser scale. Another problem is Chinese never played any important role in Indonesian politics. This was not a significant issue but it assumes importance at particular times, when anti-Chinese measures were advocated or actually affected. In 1956 anti-Sinicism became a political issue as a result of Assat movement and in 1959-60 Chinese citizens were banned from retail trading in rural areas. Over 1,20,000 persons had to leave Indonesia for China. In 1960-62 under an option procedures based mainly on the Sino-Indonesian Dual Nationality Agreement of 1955, only six to eight lakh Chinese were confirmed as Indonesian citizens. Rests are alien Chinese.

However, with the fall of Suharto and the rise of Habibie, a process of democratization was started which somehow brought some relief to the Chinese problems in Indonesia. Since then conscious efforts are made by respective government to end the hostility between native Indonesian and ethnic Chinese. Although the social hostility may not have ended but in terms of government policy there has been quite significant change in the attitude towards the Chinese who are now treated at least by law at par with the Indonesian.

The Chinese now started taking interest in the political process of the country. As a result the participation of ethnic Chinese in the political process has seen increasing in the recent elections. Since the 1999 democratic elections of Indonesia, candidates of ethnic Chinese descent have stood in both national and local elections and their level of participation in campaigns and in public debate has also increased. For instance there were fewer than 50 Chinese Indonesian candidates stood in the 1999 national election. However, this figure has surged up to 150 in the 2004 elections followed by a significant increase in the last elections held in 2009. The focus and nature of their participation in the political process of Indonesia has seen some changing. For example, in the past, most attention has been directed to Chinese Indonesians on the national stage. But in recent years Chinese Indonesians have been increasingly engaged in *local politics*. Besides, there has been shift from the *ethnic approach* to the *non-ethnic Chinese approach*. As a result many ethnic Chinese do not wish to position themselves as an exclusive ethnic-based political grouping rather they prefer to stay in indigenous-dominated main stream political parties. The recent elections have seen winning of election by the ethnic Chinese.

Hence, in the light of such socio-political development, the ethnic Chinese can no longer be considered as troubled citizen. The process of democratization which started after the fall of Suharto has provided that opportunity to dilute the tag of ethnic Chinese as troubled citizen. As a result a new form of nationalism has emerged in which ethnic Chinese rediscovered solidarity and faith in the Indonesia and started believing that they are now one distinct part of Indonesia. In fact that was a human rights based vision which places issues of re-conciliation and truth finding as high priorities. It is only within such a

nationalist discourse that ethnic Chinese will have the opportunity to make uninhibited choices on *assimilation* and *integration*, or indeed another alternative.

This research work, seeks to analyze the problems of ethnic Chinese in Indonesia since 1965. It also attempts to trace the root of the problems and the viable alternative solution to the problems through a historical analysis in five chapters. The **Introductory Chapter** analyses various theoretical concept such as ethnicity, ethnic groups, ethnic identity, approaches of ethnicity, and causes of ethnic friction. Besides, this will explain the problems of ethnic Chinese in Indonesia. Subsequently it will unfold how they came to Indonesia and the causes of their migration and the genesis of their problems. The **Second Chapter** unfolds the concept of Pribumi – indigenous Indonesian and focuses on their relationship with the ethnic Chinese from the history to the present day in terms of political and socio-economic context. It explores how the relationships have complicated. The **Third Chapter** explores constitutional or legal rights given to ethnic Chinese and the actual status they enjoy in Indonesia. It also analyses the various policies of the government towards ethnic Chinese during different regimes. The **Fourth Chapter** makes an assessment of the politicization of Chinese community that led to ethnic violence and the subsequent development in the post-Suharto period. The **Fifth Chapter** has concluding observations.

CHAPTER I

INTRODUCTION

Ethnicity has become an important determinant of socio-political realities of multi-ethnic states in post-colonial period. The interplay of history and the forces of modernity have stimulated individualization, which has added a new meaning and powerful force to the key elements in defining one's ethnic identity such as culture, religion and language. Ethnicity is one of the four distinct elements of world history, others being nation, nationalism and religion. Neither the historians nor the political leaders can safely marginalize any one of these while explaining the other. These are so intimately interlinked that it is almost impossible to write the history of any one of these adequately without at least a fair amount of discussion of the others.

Ethnic conflict is one of the most important subjects of discussion in the world. Terms such as, 'ethnic management', 'national integration' nation building, etc. loom bright in contemporary political discourse. History shows whenever a different group (even sometimes from the same ethnic stock) coexists with other groups, tension erupts and remains unresolved. And Indonesia being a pluralistic society backed by the geographical diversity is not exception to it.

In the backdrop of such conflict issues the present research work has got the following objectives and hypothesis.

1. OBJECTIVES

1. To find out the nature of problems faced by the ethnic Chinese in Indonesia.
2. To find out the success and failure of assimilation policy and trace an alternative solution for the ethnic Chinese problems in Indonesia.
3. To find out the construction of ethnic Chinese identity at different stage and politicization of the Chinese community.
4. To explore the changes occurred in the post-Suharto's period and its future prospects.

2. HYPOTHESIS

1. The ethnic Chinese are going to remain as troubled citizens of Indonesia in a foreseeable future.
2. The problems need both governmental balm and care with more a dose of sociological and psychological treatment.
3. The ethnic Chinese must understand their limitations and change their style of canton living and diversify their occupation from economic to other aspects also.

In Indonesia, around 4-5 percent¹ of the population is ethnic Chinese who are not yet accepted wholeheartedly as Indonesian. In fact, Indonesian Chinese problem is largely a complex issue because of mutual lack of understanding, suspicion and hostility between the majority and the minority Chinese groups.

To understand this complex ethnic problem in Indonesia in general and the problems of ethnic Chinese in particular, a closer scrutiny of the concept of ethnicity is required. Therefore, this chapter will explore the concept of ethnicity, its characteristics, different dimensions and interpretation of the concept as well as its implication for the society. Besides, the chapter will explain to understand the problems of ethnic Chinese in Indonesia. Subsequently it will unfold who the ethnic Chinese are, how they came to Indonesia and the causes of their migration and the genesis of their problems related to ethnic Chinese as well as their status in the Indonesian society.

3. THE CONCEPT OF ETHNICITY

The concept of ethnicity is somewhat multidimensional as it includes various aspects such as race, origin or ancestry, identity, language and religion. It may also

¹ The exact percentage of the ethnic Chinese in Indonesia is subject of controversy. According to latest census report (Indonesian Central Stat stic Bureau Report 2000) of Indonesia, it constitutes only 0.86%. But scholars have suggested that it could be around 4-5% or 7-8 million out of 241 million populations. For details see Leo Suryadinata et., "*Indonesia's Population: Ethnicity and Religion in Changing Political Landscape*", Singapore: Institute of Southeast Asian Studies, 2003, pp 21-23.

includes more subtle dimensions such as culture, arts, customs and beliefs and even practices such as dress and food preparation. In fact, because of its racial and cultural overtones, the concept becomes more complex. It is also dynamic and in a constant state of flux. It changes as a result of new immigration flows, blending and intermarriage, and give rise to new identities.

The term 'ethnicity' found expression in the liberal principles of self-determination at the Treaty of Versailles (1815 AD). The term, which was first used by American sociologist David Reiesman in 1953, appeared in the Oxford English Dictionary for the first time in 1972. However, the word 'ethnic' is much older. It is derived from the Greek word *ethnos* (which in turn is derived from the word *ethnikos*). It simply means nation or people. In English language, it had been used with its original meaning 'heathen' or 'pagan' from the mid-14th century until the mid-19th century, when it gradually began to refer to racial characteristics. But it originally meant a number of people living together and subsequently used in the sense of a tribe, group, nation or people.² Since 1960s, concepts like ethnic groups and ethnicity have steadily grown in currency mainly due to changes in the social and political world as well as in the dominant way of thinking ethnicity in terms of tribe, group, nation or people. The term 'ethnic' began to emerge regularly in the mid-1970s in the context of race, nationalism, multi-culturalism and social conflict.³

In contemporary social sciences, ethnicity refers to a combination of biological and cultural attributes. Clyde Mitchel and A. L. Epstein describe 'culture' as the basis of ethnicity,⁴ whereas some others identify ethnicity with a social identity characterized by metaphoric or imaginary kinship. But it is generally agreed upon that ethnicity is playing a crucial role in modernizing states and has been one of the important elements which

² Montague, A., *Statement of Race* (Third Edition), New York: Oxford University Press. , 1972, p. 69

³ Watson, Helen and Boag, Jack "Ethnicity and Religion", 50th Pugwash Conference On Science and World Affairs:" Queens' College, Cambridge, U.K, 3-8 August 2000, <http://www.pugwash.org/reports/pac/pac256/WG3draft1.htm> , 3 Decembe: 2003

⁴ Nayak, S. C., *Ethnicity and Nation Building in Sri Lanka*, New Delhi: Kalinga Publications, 2001, p. 25

create a sense of group or national personality.⁵ Talcott Parson views ethnicity as a primary focus of group identity, that is, the organization of persons into distinctive groups.⁶ Parson further says the members of the ethnic group are loyal to their group and have a distinctive identity of their own which is rooted in a distinct sense of its history.⁷ De Vos defines ethnicity as a sense of ethnic identity which consists of the subjecting, symbolic or emblematic use by a group of people... of any aspect of culture, in order to differentiate themselves from other groups.⁸ Indian sociologist, T. K. Oomen relates ethnicity to “the role played by the group upholding the mainline culture.”⁹ According to him, “the peripheral communities have ratified their primordial collectivism in response to the process of expansionism and exclusivism practiced by majority community. This results in tension between the majority community and the peripheral communities.”¹⁰

In Marxist parlance, ethnicity is to ethnic category what class consciousness is to class. Karl Marx believed that what appeared to be ethnic or nationality characteristic were actually just manifestations of the bourgeois-capitalist phase of society.¹¹ According to Marx, with the increasing levels of socialism and communism and the establishment of the dictatorship of the proletariat, these manifestations of bourgeois society would wither away leading to the emergence of a homogenous proletarian society. He says the homogenous society would be a combination of the best of customs and habits of all nationalities.¹²

Ethnicity has left considerable impact on international politics resulting in racially mixed society through migrations and extreme racist reactions. The rise of ethnicity has

⁵ Mehta, Jagat S, *Ethnicity and International Relations at the Turn of the Century: Policy Perspectives for India*, New Delhi: Centre of Policy Research, 2001, p. 1

⁶ Nayak, 2001, op. cit, p. 25

⁷ Ibid.

⁸ Brass, Paul R., *Ethnicity & Nationalism: Theory and Comparison*, Sage Publication, New Delhi, 1991, p. 19.

⁹ Nayak, 2001, op. cit, p. 25.

¹⁰ Ibid.

¹¹ Dreyer, June Teufel, *China's Political System: Modernization and Tradition*, London: Macmillan Press Ltd., 1993, p. 361

¹² Ibid.

led to greater minority suppression, evictions, large scale refugee movements, illegal migrations (both in and out), racial discrimination, brutal violence and civil wars. According to the United Nations, 120 to 130 million people now live outside the countries of their origin. There are 70 to 80 million migrant workers, 21 million refugees and 30 million displaced persons in the world.¹³

The members of ethnic groups according to Heywood, are often seen, correctly or incorrectly, to have descended from common ancestors and the groups are thus thought of as extended kinship groups, united by blood¹⁴. According to Paul R. Brass, ethnicity or ethnic group can be defined in three ways- in term of objective attributes, with reference to subjective feelings, and in relation to behaviour¹⁵.

In the objective definition Brass includes some distinguished cultural features that clearly separate one group of people from another in terms of language, territory, religion, colour, diet, dress, or any of them¹⁶. In the other words, according to the objective definition, ethnicity is understood as a form of cultural identity, albeit one that operates at a deep and emotional level. This give rise to an ethnic culture that encompasses values, tradition and practices but crucially, it also gives people a common identity and sense of distinctiveness, usually by focusing on their origin and descent¹⁷. But Fredrick Barth encountered the problems with this objective definition that is usually extremely difficult to determine the boundaries of ethnic categories¹⁸. The difficulty with objective definition is that they make it possible to answer the basic question of how a group of people arrives at subjective self-consciousness in the first place.

¹³ Mehta, 2001, op. cit., pp. 1-2.

¹⁴ Heywood, Andrew, *Politics*, Palgrave, New York, 2002, p. 168.

¹⁵ Brass, Paul R., 1991, op. cit., p. 18.

¹⁶ Ibid.

¹⁷ Heywood, 2002, op. cit., p. 168.

¹⁸ Barth, F., "Ethnic Groups and Boundaries", in J. Hutchinson and A. Smith (eds.), *Ethnicity*, Oxford University Press, Oxford/ New York, 1969 p. 15

The behavioral definition, on the other hand, merely suggests that there are cultural differences between ethnic groups, but that the critical distinctions reveal themselves only in interaction with other groups¹⁹. In other words, they assume that there are specific concrete ways in which ethnic groups behave or do not behave, particularly in relation to and in interaction with other groups. But the problems with this definition is, the existence of explicit codes of behaviour and interaction is rather more characteristics more all-pervasive and more evident in simple than in complex societies in which people may establish their separateness with reference to specific attributes without adopting an entirely distinct code of behaviour²⁰.

Likewise, the subjective definition of ethnicity just specifies the conditions for the formation, persistence and transformation of ethnic identities over time. Thus, ethnicity is nothing but a sense of ethnic identity, which has been defined by George de Vos as consisting of subjective, symbolic or emblematic use by a group of people of any aspect of culture, in order to differentiate themselves from other groups²¹.

Similarly, Daniel Hiebert, D. Hibert, writes, "Ethnicity is a way in which individuals define their personal identity and a type of social stratification that emerges when people from groups based on their real or common origins"²². He argues that 'ethnic group formation always entails both exclusionary and inclusionary behaviour'²³, because members of such groups see themselves as sharing certain cultures, histories and ideologies which mark them as different from others.

However, Thomas Hylland Eriksen explains that, it would be misleading to think that ethnicity is built up by actual, objectives similarities and differences of a community, as "there is often greater variation within a 'racial group than there is systematic variation

¹⁹ Ibid.

²⁰ Brass, 1991, op. cit., p. 18.

²¹ Vos, George de, "Ethnic Pluralism", in George de Vos & Lola Romanucci, Ross (eds.), *Ethnic Identity: Cultural Continuities and Change*, Mayfield Publishing Co, Palo Alto, Calif, 1975. p. 16.

²² Daniel Hibert, D. Hiebert, "Ethnicity", in R. Johnston, D. Gregory & D. Smith (eds.), *The Dictionary of Human Geography*, Blackwell, Oxford, p. 172.

²³ Ibid.

between two groups”²⁴. According to Eriksen, ethnicity can rather be defined a relationship between groups whose members consider themselves distinctive²⁵ or more precisely defined: “Ethnicity occurs when cultural differences are made relevant through interaction. It thus concerns what is socially relevant and not which cultural differences are ‘actually there’²⁶. The stressing of social relevance shows that there are subjective believing of people regarding people and themselves, that just create ethnicity and thus ethnicity is not something ‘naturally’ there.

Pursuing this approach, the question arises: can two groups with actually identical features, still constitute two different ethnical groups? These statements by Eriksen reveal yet another fundamental aspect of ethnicity i.e. relationship. Ethnicity cannot co-exist with just one group. It is based on a distinction between ‘them’ and ‘us’. Thinking about one single, isolated, ethnical group would be absurd, like the sound of one hand clapping. Hence, contact between two or more groups is a pre-condition for ethnicity, as it is created through interaction and mutual comparison of people. In his own words, “for ethnicity to come about, the groups must have a minimum of contact with other and they must entertain ideas of each other as being culturally different from themselves. If these conditions are not fulfilled, there is no ethnicity, for ethnicity is essentially an aspect of a relationship, not a property of a group. Ethnicity is an aspect of social relationship between agents who consider themselves as culturally distinctive”²⁷.

Stuart Hall taking a similar approach and writes that “If the black subject and black experience are not stabilized by nature then it must be the case they are constructed historically, culturally, and politically, and the concept which refers to this is ethnicity. The term ethnicity acknowledges the place of history, language and culture in

²⁴ Eriksen, Thomas Hylland, *Us and Them in Modern Societies*, Oslo, 1992, p.4.

²⁵ Ibid, p. 6.

²⁶ Eriksen, Thomas Hylland, *Small places, Large Issues- A Introduction to Social and Cultural Anthropology*, Illinois, London and Chicago, 1995, p.251.

²⁷ Eriksen, 1992, op. cit., p. 11.

construction of subjectivity and identity, as well as the fact that all discourse is placed, positioned, situated and all knowledge is contextual²⁸.

Fredrik Barth, another celebrated writer on the field, writes, “ethnicity is generally understood to designate a population which (i) is largely biologically self-perpetuating, (ii) shares fundamental cultural values, realized in overt unity in cultural forms (iii) makes up a field of communication and interaction and (iv) has a membership which identifies by itself, and by other, as constituting a category distinguishable from others of the same order²⁹”.

Thus, there are no specific criteria, to identify what ethnicity actually constitutes of. It is rather an all-inclusive and multi-dimensional concept. Nevertheless, in the modern usages, there has been an increasing emphasis on its cultural components as they have evolved over time³⁰.

4. APPROACHES OF ETHNICITY

There are various schools of thoughts to study the processes of ethnicity, ethnic group formation and ethnic conflicts such as primordialist, modernist, constructivist or instrumentalist, Marxist, relative deprivation and internal colonialism. However, no single comprehensive theory or ideology has been able to explain the causes, courses and consequences of ethnicity. Keeping in view their significance to this research work, two conflicting approaches to the study of ethnicity - primordialist and Instrumentalist would be discussed here.

4.1 Primordialist Approach: Edward Shils first used the term ‘primordialist’ in 1957. He sought to distinguish certain kinds of social bonds - personal, primordial, sacred and civil ties to show how even in modern civic societies the other kinds of social

²⁸ Hall, Stuart, “New Ethnicities”, in Donalds, J. & Rattansi, A. (eds.), *Culture and Difference*, London, 1992, p.257.

²⁹ Ibid.

³⁰ Jha, Ganganath, *Ethnic Politics in Southeast Asia and Quest for Identity*, National Book Organisation, New Delhi, 1997, p.1.

bonding persisted.³¹ Subscribing to the idea of Edward Shils, Clifford Geertz spoke of the 'overpowering' and 'ineffable' quality attaching to certain kinds of ties, which the participants tended to see as 'exterior', 'coercive' and 'given.' Individuals, to him, attribute primordiality to the ties of religion, blood, race and language.³² Max Weber's belief that "political action is the single most effective source of a belief in blood relationship" reiterates the above views.³³

According to Paul Brass "every person carries with him through life attachment derived from place of birth, kinship relationships, religion language and social practices that are natural for him, spiritual in character and that provide a basis for an easy affinity with other people from the same background"³⁴. In other words, ethnicity is something that is already there when we are born. It is something that is biological and genetic in nature³⁵. There are several attachments, which are inherent in nature, embedded in the unconscious realms of the adult personality. Such attachments also often provide a basis for formation of social and political groupings in adult life for those for whom they have a continuing conscious meaning in their daily lives³⁶. In these attachments, Brass includes language, religion, place of birth and kinship, which are deeply rooted in their personality or to which they are emotionally attached.

But these attachments are not absolute in nature because in a multilingual developing society, many people command more than one language, dialectic or code. Here their attachment towards particular language is diluted in the hope of coping with the society. So sometimes to overcome the situation, the ethnic communities may change their language, In other situation, they may have deliberately shifted their own language and educated their children in a different language than their mother tongue in order to differentiate themselves further from another ethnic group.

³¹ Hutchinson, John and Smith, Anthony D. (eds.), *Ethnicity*, Oxford University Press, Oxford and New York, 1996, p. 7.

³² Ibid.

³³ Ibid.

³⁴ Brass, 1991, op. cit., p. 69.

³⁵ Ibid, p. 70.

³⁶ Ibid.

Likewise, religious identification is also subject to change due to cosmopolitan attitude or due to religious reform or sometimes to promote internal solidarity and to create external differentiation from other groups. Brass writes further that one's place of birth and kinship connection may lose their emotional significance. Thus, for the argument according to Brass (1991), it is not place of birth, kinship, mother tongue, or native religion that defines ethnicity but a belief in a common descent that draws on one or more of these attachments.

Despite the above-mentioned intellectual efforts to give primacy to this approach, it has invited a great deal of criticism from Jack David Eller and Reed M. Coughlan. To them, i) this approach presents a static and naturalistic view of ethnicity and lacks explanatory power; ii) it focuses primarily on the strength of emotional bonds persisting for hundreds or thousand years that override loyalties to other important collectivities or affiliations; iii) it is unable to account for political and socio-economic changes; and iv) it neither offers any mechanism for the genesis of its phenomenon nor explicates any significant relationship between ethnic attachments and the ongoing social experiences of ethnic members.³⁷ However, socio-biologists have proposed a more radical primordialism recently, which regards genetic reproductive capacity as the basis of families and clans as well as of wider kinship-based ethnic groups.³⁸

4.2 Instrumental Approach: The instrumental view on the other hand stresses on the politicization of primordial characteristics by the political leader to appeal the ethnic communities for their advantages. It is a sort of elite manipulation of ethnic symbol. They simply use these attachments as an instrument that provides an effective means of political mobilization. According to the instrumentalist, such cultural persistence suggests only that it is likely that group's can be mobilized on the basis of specific

³⁷ Eller, Jack David and Coughlan, Reed M., "The Poverty of Primordialism: The Demystification of Ethnic Attachments", *Ethnic and Racial Studies*, 16 (2): 183-202, 1993, p. 194.

³⁸ Hutchinson and Smith, 1996, op. cit., p. 8.

appeals and not other and that, when ethnic appeals are made, the pre-existing communal and educational institutions of the groups will be made available for the purpose.

In short, the values and institutions of a persisting cultural group will suggest what appeals and symbols will be effective and what will not be and may also provide traditional avenues for the mobilization and organization of the group in new directions. These leaders of ethnic movement are invariably selected from traditional cultures only those aspects that they think will serve to unite the group and which will be useful in promoting the interests group as they define them.

Thus, for instrumentalists, ethnicity is not a static predetermined category, but the manifestation of the assertion of the ethnic group in the political arena to defend or sustain economic, political and cultural interests and wrest more concession. As a result, a sort of ethnic consciousness emerged in them and they become assertive by keeping their identity alive as a distinctive group. In the process, it becomes a device as well as a focus of mobilizing the members of the group into social and political action³⁹. In the process, sometimes they affect the self-definition of the ethnic groups and its boundaries, often to such an extent that the ethnic community created out of a pre-existing ethnic group may be a very different social formation from its progenitor. Consequently in the process, the elite and counter elites within the ethnic groups select aspects of group's culture, attach new value and meaning to them and use them as symbol to mobilize the group to defend its interests, and to compete with other groups. In this process, those elites have an advantage, whose leaders can operate most skillfully in relation both to the deeply felt primordial attachments of group members and the shifting relationship of politics⁴⁰.

The instrumentalist approach is reflected in the works of Charles Keyes in the recent times. He uses the concepts of 'social descent' and 'genetic descent' to narrate this approach. To him, 'social descent' refers to a process of kin selection through which

³⁹ Jha, 1977, op. cit., p. 1.

⁴⁰ Brass. 1991, op. cit., p. 74 .

human beings seek to create solidarity with those whom they regard as being of the same people. 'Genetic descent', opines Keyes, comprises biological characteristics transmitted through genetic inheritance.⁴¹ The instrumentalist approach, despite having a more practical approach to ethnicity, has not been spared of criticism. The instrumentalists are also criticized because of giving a definition of interests largely in material terms, their failure to take seriously participants' primordialism (participants' sense of the permanence of their ethnic groups), and underplaying the important dimensions of ethnicity.⁴²

Some scholars have adhered to either primordialist or constructivist theories of ethnicity and some have even tried to synthesize the both. Three alternative approaches that try to synthesize both the primordialist and constructivist theories are F. Barth's 'Transactionist Model', Donald Horowitz's 'Social Psychological' and Anthony D. Smith's 'Ethnosymbolism.' (Hutchinson and Smith, 1996, p. 9) J. Nagata claims that circumstantial (constructivist) factors determine how and why certain aspects of shared culture are "primordialized" such that people come to accept them as primordial for the purposes of defining who is a group member. (Hale, May 2004, p. 461)

5. ETHNIC GROUPS AND ITS TYPES

Conflict between ethnic groups has become a major manifestation of post-colonial nationalism. An ethnic group is a community of people who share cultural and/or physical characteristics including one or more of the following: history, political system, religion, language, geographical origin, traditions, cultures, myths, behaviours, food habits, genetic similarities and physical features. However, there is no agreed definition of an ethnic group. According to the *International Encyclopaedia of Social Sciences*, "an ethnic group is a distinct category of the population in a larger society whose culture is

⁴¹ Keyes, Charles F. , "The Dialectics of Ethnic Change" in Charles F. Keyes (ed.), *Ethnic Change*, University of Washington Press, Seattle, 1981, pp 5-11.

⁴² Hutchinson and Smith, 1996, op. cit., p. 9.

usually different from its own. The members of such group are or feel themselves, or are thought to be, bound together by common ties of race or nationality or culture. The nature of an ethnic group's relationship with the society as a whole, and with other groups in it, constitutes one of the main problems in describing and analyzing such societies."⁴³

Richard A. Schermerhorn's definition provides a more authentic view of an ethnic group. According to him, "an ethnic group is defined as a collectivity within a larger society having real or putative common ancestry, memories of a shared historical past and a cultural focus on one or more symbolic elements such as kinship patterns, physical contiguity (as in localism or sectionalism), religious affiliation, language or dialect forms, tribal affiliations, nationality, phenotypical features, or any combination of these. A necessary accompaniment is some conscious of kind among members of the group."⁴⁴

John Hutchinson and Anthony D. Smith opine that ethnic groups or 'ethnies', as they call them, have the following characteristics:⁴⁵

- A common proper name to identify and express the essence of community;
- A myth of common ancestry that includes the idea of a common origin in time and place and that gives an ethnic group a sense of imaginary kinship;
- Shared historical memories or shared memories of a common past or pasts, including heroes, events and their commemoration;
- One or more elements of a common culture, which normally include religion, customs or language;
- A link or attachment with the motherland; and
- A sense of solidarity on the part of some sections of the ethnic group.

⁴³ International Encyclopedia of the Social Sciences, vol. 9, London Macmillan-Collier. , 1968, p. 365.

⁴⁴ Hutchinson and Smith, 1996, op. cit. , p. 6.

⁴⁵ Ibid.

Virtually every person in the modern world belongs to some kind of ethnic group and has an ethnic identity, because the possibility to live in a culturally complete isolated country is de facto non-existent now a day. According to Mitchell, any group that identifies itself as sharing a common heritage and belonging together and distinct from other groups can be considered ethnic⁴⁶. The characteristics of ethnic groups differ according to the different societies, Therefore it is imperative to understand different types of ethnic groups which exist according to different social set up. T.H. Eriksen gives four examples of different kinds of ethnic groups⁴⁷.

5.1 Urban Minorities: This category of ethnic groups, Erikson defined in European contexts, which are mainly non-European immigrants in bigger cities. These groups often have to face discrimination on the labour market, cultural discrimination on the labour market, in the public sphere, as well as political marginalisation and loss of cultural identity, for instance the second generations' lack of "true" mother tongue. These groups are often culturally and ideologically oriented towards their mother country, but do never demand statehood or political independence. Instead, they are seeking for economic integration in the host society, while trying to maintain their cultural distinctiveness. Often they have the prospect of going back to their mother country in mind.

5.2 Indigenous Group: These are original inhabitants, which have a traditional, non-industrial mode of production and lifestyle. They are politically powerless and hardly integrated into the modern nation state and its institutions like capitalism, militarisation and mass observance. The *sami* people of Northern Scanadnia are such an example. Typical claims are not respected by government threats of "cultural genocide" through enforced assimilation or even physical genocide and a way of life requiring special measures in economic, political and educational matters. These groups are often fighting

⁴⁶ Mitchell, K., "Networks of Ethnicity", in E. Sheppard and T. Barnes (eds.), *A Companion to Economic Geography*, Blackwell, Oxford, 2003, p. 392.

⁴⁷ Eriksen, 1992, op. cit., pp. 4-8.

to upkeep their traditional culture, but are not claiming their own nation-state. Yet, they claim a certain political autonomy.

5.3 Proto-nation-States: (Ethno-nationalist Movement): The proto-nation states are ethnic groups aiming at an own nation state, “nations without a state” so to say, because they have more in common with nations, than with indigenous or urban minorities, like the Palestinians in the middle-East, the Kurds in Turkey and the Tamils in Sri Lanka. They are claiming statehood and complete political independence and therefore separatist. There are groups who want to change their nation-state belonging through joining their territory a different state, like the separatist movement in northern Italy, can be considered in this category too.

5.4 Ethnic Groups in Pluralist Societies: Eriksen uses this term of heterogeneous, post-colonial states like Indonesia, Jamaica or Mauritius. These ethnical groups participate in a uniform political and economic system, and consider themselves as ethnically highly distinct. They identify with their ethnical groups rather than with the nation, but they are not secessionist. They rather express their ethnic identity through group solidarity. The ethnic Chinese in Indonesia fall in this category. Likewise, T.K. Oomen, identified five ways by which one can easily distinguish, the ethnic minority in question can fall to which category of ethnicity. This he called as the process of ethnification. Thus to understand this concept properly, first of all we have to understand, what *ethnification* means. Oomen defined, ethnification is a process through which the link between territory and culture is attenuated and the possibility of a nation sustaining its integrity is put into jeopardy⁴⁸.

In the first way of ethnification, he includes the group of people for whom a nation may continue to be in its ancestral or adopted homeland and yet it may be ethnified by the colonizing or native dominant collectivity. There are three variants of this such as:

⁴⁸ Oomen, T.K., *Citizenship, Nationality & Ethnicity*, Polity Press, Cambridge, 1997, p.13.

- (a) Transforming the original inhabitants of a territory into a minoritized and marginalized collectivity;
- (b) Labeling a collectivity in such a way as to imply that it has no moral claim over its ancestral or adopted homelands; and
- (c) Some nations are subjected to ethnification as a result of a division of their ancestral homeland into two or more state territories, thereby endangering their integrity as nations.

In the second type of ethnification process, the group is denied of full-fledged participation in the economy and polity to an immigrant collectivity, which had adopted a new land as its homeland. As a case, Oomen cited Fijians of Indian origin, who are in spite of adopting Fiji as their homeland, are not yet full-fledged nationals.

The third variant of ethnification according to Oomen is occurred when “the part of a settler collectivity identifies with its ancestral homeland even after several decades, sometimes even after centuries of immigration. This led to refer themselves as Anglo-Americans, Asian-Americans, Afro-Americans, or say in the case of Indonesia –Chinese Indonesians”. This type of ethnic groups sometimes face collective alienation because of continued discrimination and oppression in the land to which they have been brought and where they have been assigned a subordinate states and a stigmatized identity⁴⁹. The Chinese in Indonesia fall in this category.

Ethnification also occurs when a state attempts to integrate and homogenize the different nations in its territory into a common people. The mechanisms resorted to are physical uprooting, creation of artificial politico-administrative units, state-sponsored colonization of the territory of weaken and smaller nations, prevention of the use of their mother tongue and the distortion of a people’s national history.

Finally, even when immigrants are accepted as co-nationals by the host society the former may not want that identity and might wish to return to their homeland. This

⁴⁹ Oomen, 1997, op. cit., pp. 14-15.

ambivalence according to Oomen, emanates partly from their assessment of the impossibility of complete acceptance in the host society and partly from the prospects awaiting them back home⁵⁰.

Thus, ethnification is nothing but a process through which some groups are defined and perceived as outsiders and the perception lead the dominant group to behave in a particular manner to the dominated groups. And that perception is that their homeland is other than country presently they are residing in.

6. CAUSES OF ETHNIC FRICTION

Ethnic conflict as a major reality of our time is not simply because of its ubiquity alone, but also its cumulative increase in frequency and intensity of occurrence⁵¹. Many policymakers and journalists believe that the causes of the ethnic friction are simple and straightforward. The driving forces behind these violent conflicts, it is said, are the 'ancient hatreds' that many ethnic and religious groups have for each other⁵². Ross Stranger is having some psychological but practical point of view regarding the causes of ethnic conflict, i.e. *ethnocentric perception*. According to this ethnocentric perception, if the members of the opposing group are seen as ignorant, violent, untrustworthy, greedy, and cruel, peaceful accommodation is unlikely⁵³. Thus, in that situation, one cannot believe their efforts of cooperation and one can quickly exaggerate any threatening action they take⁵⁴.

According to Brown, the causes of ethnic friction, which he called internal conflict, can be broadly categorized as: structural factors, political factors, socio-

⁵⁰ Ibid.

⁵¹ Tambiah, Stanley J., "Ethnic Conflict in the World Today", *American Ethnologist*, Vol. 16, No. 2, May, 1989, p. 337.

⁵² Brown, Micheal E., "The Causes of Interna. Conflict", in Michael E Brown, et al, (eds.), *Nationalism and Ethnic Conflict*, The MIT Press, Massachusetts, 2001, p.3.

⁵³ Boucher, Jerry, et al., (eds.), *Ethnic Conflict. International Perspective*, Sage Publications, New Delhi, 1987, p.9.

⁵⁴ Ibid.

economic factors and cultural/perceptual factors⁵⁵. The structural factors include weak states, inter-state security concerns and ethnic geography. Likewise, the political factors include; discriminatory political institutions, exclusionary national ideologies, inter-group politics and elite politics. The economic/social factors include economic problems, discriminatory economic systems, economic development and modernization. And the cultural/perceptual factors include patterns of cultural discrimination and problematic group histories. Unlike Michael E. Brown, the central problems posed by our present phase of ethnic conflict according to Stanley J. Tambiah, are startlingly different, arising out of an intensified “*politicization of ethnicity*” and issuing in conflicts between member groups of a state and polity, which itself is thought to be in crisis⁵⁶. Another scholar of the field Sammy Smooha of University of Haifa attributed the factor like ‘*ethnocentrism*’⁵⁷, which is having the tendency to regard one’s own group and culture as intrinsically superior to all others as the main reason behind ethnic crisis⁵⁸. According to Jack Snyder (2000) the nations in transition create fertile conditions for nationalist and ethnic conflict, particularly when state institutions are weak⁵⁹. In such conditions, popular political protest and collective action often explode into violence. In a similar vein, Bertrand (2004) locates ethno-nationalist violence with the ‘consolidation’ phase of a society, where agreement on the national form has yet to be reached and the definition of the nation and its boundaries are sufficiently unclear to produce uncertainty about the terms of inclusion for certain ethnic groups⁶⁰. At such times, Bertrand expounds, conflicts emerge around forms of political representation, resource allocation and the preservation

⁵⁵ *ibid*, p.5.

⁵⁶ Tambiah, *op. cit.*, p.339.

⁵⁷ Ethnocentrism is the habit of seeing things only from the point of view of one’s group. It is strong sense of group solidarity and group superiority, but it also discourages inter-cultural or in-grouping understanding. (For details see Margaret L. Andersen, *Sociology: Understanding a Diverse World* Howard Francis Taylor, Thomson Wadsworth, Belmont, 2006, p. 67).

⁵⁸ Upreti, B.C., “Ethnicity, Identity and the State: An Overview”, in Kousar J Aslam (ed.), *Ethnicity, Identity and State in South Asia*, South Asia Publisher, Delhi, 2001, pp. 8-13.

⁵⁹ Snyder, Jack, *From Voting to Violence*, WW Norton and Company, New York, 2000, pp.11-23.

⁶⁰ Bertrand, Jacques, *Nationalism and Ethnic Conflict in Indonesia*, Cambridge University Press, Cambridge, 2004, pp. 44-63.

of cultural identities. As such, groups mobilize along ethnic lines to contest the existing state and its political institutions.

But scholars like David A. Lake and Donald Rothchild observed that ethnic conflict is not caused directly by inter-group differences, “ancient hatreds” and centuries old ‘feuds’, or the stresses of the modern life within a global economy. Nor were ethnic passions, long bottled up by repressive communist regime, simply uncorked by the end of the Cold War. Instead, they suggested that the intense ethnic conflict is most often caused by ‘*collective fears of future*’. As groups begin to fear for their safety, dangerous and difficult-to-resolve strategic dilemmas arise that contain within them the potential for tremendous violence⁶¹.

7. ETHNIC CHINESE IN SOUTHEAST ASIA

Any discussion on ethnic Chinese in Indonesia should be preceded by the discussion on the Ethnic Chinese in Southeast Asia. About 80 percent of the ethnic Chinese outside China (also known as the Chinese Overseas) live in Southeast Asia⁶². Chinese have been migrating to Southeast Asia for centuries. Reasons for migration are many. In some cases it results from the desire to flee oppression or danger while in other cases, it was the search for a better life⁶³. The 1999 estimates indicate a population of 23 million ethnic Chinese in Southeast Asia. They comprise 80 percent of the Chinese outside China⁶⁴. More than 80 per cent of the Chinese outside China live in Southeast Asia and many of them have been integrated into the local societies. In terms of percentage of total national populations, Singapore has the highest percentage (77%), followed by Malaysia (25%)

⁶¹ Lake, A. and Donald Rothchild, “Containing Fear”, in Michael, E Brown., et al, (eds.), *Nationalism and Ethnic Conflict*, The MIT Press, Massachusetts, 2001, p. 126.

⁶² Suryadinata, Leo et al. *Indonesia's Population: Ethnicity and Religion in a Changing Political Landscape*, Institute of Southeast Asian Studies, Singapore, 2003, p11.

⁶³ Walsh, John “The Chinese in Southeast Asia: Generations Migrate for a Better Life” http://seasianhistory.suite101.com/article.cfm/the_chinese_in_southeast_asia#ixzz0lkMII221

⁶⁴ Suryadinata, Leo, “Ethnic Chinese in Southeast Asia and their Economic Role”, in M. Jocelyn Armstrong et al (eds.), *Chinese Population in Contemporary Southeast Asian Societies*, Curzon Press, UK, 2001, p56.

and Brunei (16%). However, in absolute numbers, Indonesia has the largest Chinese population (6.3 million), followed by Malaysia (5.5 million) and Thailand (5.2 million)⁶⁵. Besides, there are 600,000 ethnic Chinese in Philippines, 300,000 in Cambodia; 25,000 in Laos⁶⁶. In Vietnam in the mid-seventies there were perhaps 2 million Chinese, but many have since become refugees. Demographic statistics do not always reveal the extent of the Overseas Chinese presence, since partially assimilated Chinese may not be counted as "Chinese" in a census report even though they maintain Chinese identity⁶⁷.

Historically, many Chinese in Southeast Asia were indeed Overseas Chinese. However, gradually from sojourners they become settlers of their respective countries. Overseas Chinese are found in cities throughout Southeast Asia, and although populations may be found in rural areas, the Chinese are overwhelmingly urban. In Southeast Asian cities they are visible in their capacity as merchants, with shops sometimes clustered in distinctive "Chinatowns"⁶⁸. Because of their commercial and professional occupations, their economic success has been a sensitive issue and even sometimes become the scapegoat. The apparent dominance of Chinese entrepreneurs in Southeast Asian economies is partly a lasting effect of European colonial policies favoring the employment of Chinese merchants as government revenue agents. Moreover, groups fostering business connections with China and Chinese-owned firms elsewhere in the region have tended to maintain cultural ties as well, strengthening the association of business success with Chinese ethnicity.

8. ETHNIC CHINESE IN INDONESIA

As already mentioned above, Indonesia has the largest Chinese population in the entire Southeast Asia, it is imperative to mark out how and why the ethnic Chinese are in

⁶⁵ Ibid.

⁶⁶ "Chinese in Southeast Asia – Orientation",

<http://www.everyculture.com/East-Southeast-Asia/Chinese-in-Southeast-Asia-Orientation.html>

⁶⁷ Ibid.

⁶⁸ Ibid.

largest number in Indonesia. To understand this phenomenon one needs to discuss the nature, phases and causes of migration of the Chinese people.

8.1 Chinese's Migration to Indonesia: a Historical Outline

There are little known sources about Chinese involvement before the Dutch invaded Indonesia other than few emissaries, such as Fa Hien as a Buddhist monk in the 5th century. However, the history of Chinese immigration into today's Indonesian archipelago can be traced back to the Han Dynasty, which rule from 222 BC to 206 BC⁶⁹. During that era, Indonesia experienced visits of Chinese traders who presumably came in search of spice. They had an easy journey from their homeports in the adjacent mainland. Chinese traders and seaman have been playing to and fro the Indonesian archipelago since then. Reliable source suggests that at least Chinese immigrants in the Indonesian archipelago had become a socially visible group by the late Tang Dynasty during the 9th century⁷⁰. In fact, the relationships between the kingdoms of Indonesia and china had at its peak during the Tang dynasty.

Broadly speaking, there were three waves of immigration of ethnic Chinese to Southeast Asia in general and Indonesia in particular. The first wave was spurred by trading activities dating back to the time of Zheng He's voyage in the 15th century. The second and largest waves of migration happened during early to Middle Dutch Colonial era, from about 16th to 19th century, to find new opportunities to trade. And the third or last wave of immigration happened around the first half of the 20th century.

Although contact between China and the archipelago are of far greater antiquity, the earliest permanent Chinese settlements in Indonesia date from the late thirteenth century. When Europeans first arrived in the area three centuries later, Chinese trader-colonies existed in the port of north java and in selected localities elsewhere in the

⁶⁹ Minghuan, Li, "'From Sons of the Yellow Emperor' to the 'Children of Indonesian Soil': Studying Peranakan Chinese Based on Batavia Koan Archive", *Journal of South East Asian Studies*, 32 (2), 2003, p.215.

⁷⁰ Ibid.

islands⁷¹. As the Dutch established their position in Java, the Chinese population grew and spread further⁷². Even in areas, which in the 18th century were not yet under Dutch control, as was the case with West Kalimantan and Bangka, the Chinese also immigrated in substantial numbers⁷³. The Dutch particularly encouraged Chinese to settle in and around Batavia and the subsequent extension of their control in Java and the farming out of various monopolies brought a deeper penetration of Chinese in the island⁷⁴.

In fact, overseas trade and settlement was in principle forbidden by the Ching dynasty between 1644 and 1894, though not all effectively, several concentrations of Chinese immigrants developed, notably in west Kalimantan and Bangka Island. But it was only during the last hundred and thirty years that the numbers of the Chinese in Indonesia increased really substantially, from about a quarter of a million in the mid-nineteenth century to an estimated 1/4th million by 1930⁷⁵. This sudden growth according to Mackie and Coppel occurred largely due to two great surges of immigration. The first of these was an inflow of Chinese labourers to the estate area of north Sumatra and the tin Islands between about 1860 and 1890; the second occurred after the Dutch government's relaxation of the earlier restrictions on Chinese entry into and settlement in the colony after 1900 and was more widely dispersed and more heterogynous, as Chinese traders fanned out throughout the archipelago⁷⁶.

The total Chinese population of the archipelago increased from 221,400 in 1860 to 809,000 in 1920. This number had further risen to 1.2 million by 1930⁷⁷. The rate of migration reached its peak in the 1920s when the net inflow was as high as 40,000 in some years⁷⁸. However, since 1930 Chinese immigration has been relatively slight because of the successive impacts of the World economy depression, war revolution and

⁷¹ Fryer, Donald, W. and James C. Jackson, *Indonesia*, Westview Press, London, 1977, p. 260.

⁷² Coppel, Charles A., *Indonesian Chinese in Crisis*, Oxford University Press, Kuala Lumpur, 1983, p. 1.

⁷³ Ibid.

⁷⁴ Fryer, op. cit., p.260.

⁷⁵ Mackie and Coppel, "A Preliminary Survey", in JAC, Mackie, (ed), *The Chinese in Indonesia*, The University Press of Hawaii, Honolulu, 1976, p.4.

⁷⁶ Ibid.

⁷⁷ Fryer, op. cit. p. 262.

⁷⁸ Furnival, J.S., *Netherlands India*, Cambridge, 1944, p. 408.

the rise to power of an independent Indonesian government have been to confine Chinese population growth almost entirely to natural increase⁷⁹.

Even as early as 1930, when the wave of immigration began to recede, almost two-thirds of Indonesian Chinese were born in Indonesia. By the late 1950s, the proportion had probably risen to nearly 80 percent⁸⁰. From this onwards, the Chinese were not a newly arrived or transient immigrant minority, but a settled population.

Although few could claim, like some older families in Java, have been settled in Indonesia for centuries, by the end of the 1950 a majority must have been at settled in Indonesia for centuries, by the end of the 1950s a majority must have been at least third-generation inhabitants. Indeed, even in 1930 more than 43 percent of the Chinese were already in that category⁸¹. The rate of growth of Chinese population in Indonesia can be better marked out from the following table no.1.

Table: 1. Growth of the Chinese Population in Indonesia (In Thousands)

Year	Java		Sumatra		West Borneo		Others		Outer Island		Total
	000	%	000	%	000	%	000	%	000	%	
1860	150	67.6	-	-	-	-	-	-	72	32.4	222
1880	207	60.2	94	27.3	28	8.1	15	4.4	137	39.8	344
1895	256	54.6	159	33.9	38	8.1	17	3.6	213	45.4	469
1905	295	52.4	195	34.6	48	8.5	25	4.4	268	47.6	563
1920	384	47.5	304	37.6	68	8.4	54	6.7	425	52.5	809
1930	582	47.2	449	36.4	108	8.8	94	7.6	651	52.8	1233
1956	1145	52.2	605	27.5	271	12.3	179	8.1	1055	48.4	2200
1961	1230	50.2	690	28.2	315	12.9	215	8.8	1220	49.8	2450

Source: Skinner, G.W. 'The Chinese Minority', in R. Mcvey, (ed.), *Indonesia*, Yale University, South Asian Studies, 1963, p. 99.

The Chinese settlement is a pattern of migration had also its bearing with the different wave of migration. In the earlier wave, the Chinese settlements were largely concentrated in and around the larger town of Java, but latter on it was shifted to other parts of the

⁷⁹ Skinner, G.W., "The Chinese Minority", in R. Mcvey, (ed.), *Indonesia*, Yale University, South Asian Studies, 1963, p. 98.

⁸⁰ Willmott, Donald, "The Status of the Chinese in Indonesia, 1900-1958", in J. Mackie (ed.), *The Chinese in Indonesia: Five Essays*, Nelson, Melbourne, 1976, p.67.

⁸¹ Coppel, 1983, op. cit., p.1.

country. Likewise the pattern of migration in the earlier phase was overwhelmingly male, but in the latter part of migration seen both male and female migrants. In fact, the proportion of women among the new migrants was high and rising in that phase. As a result of first wave of migration pattern, the Chinese male got married with the local female and produced an increasingly large mixed-blood population both in Java and in the main areas of Chinese settlement in the first three decades of 20th century is seen. It now became possible for an immigrant to take a China-born Wife, rather than an indigenous Indonesian who is a local born Chinese of mixed ancestry⁸².

8.2 Ethnic Root of the Chinese Migrants

The first Chinese migrants to Indonesia primarily came from four ethnic groups, predominantly from the two provinces of Fujian and Guangdong in Southeast China⁸³. The Hokkien were the first to settle in Indonesia, central and East Java and the West Coast of Sumatra. The second group Teochiu concentrated along Sumatra's east coast, the Riau Islands and Kalimantan. The members of Teochiu group initially specialized in agriculture but in time, progressed into commercial areas where the Hokkien were not represented. The third group, the Hakka, originated from agriculturally unproductive mountainous areas in Guangdong and as such, its member's migration has been described as being from necessity⁸⁴. They established themselves on the outer islands of Indonesia, such as Kalimantan and exploited the vast natural mineral resources in those areas. Hakkas continue to dominate many aspects of economic society in these regions today. The Cantonese were the other significant group to settle in Indonesia. Although smaller in number than the Hokkien and Hakka, the majority of Cantonese were wealthier and

⁸² Mackie, J. (ed.), *The Chinese in Indonesia. Five Essays*, Nelson, Melbourne, 1976, pp. 260-261.

⁸³ Turner, Sarah, "Setting the Scene Speaking Out: Chinese Indonesian after Suharto", *Asiatic Ethnicity*, vol. 4, no. 3, Oct. 2003, p.3.

⁸⁴ Hill, D., *The Ethnic Chinese in Indonesia*, University of Hull, England, 1998, p.10.

being skilful in mechanics and industry, launched themselves as artisans and machine workers throughout the archipelago⁸⁵.

8.3 Causes of Chinese Migration to Indonesia

Different factors can be cited as the causes of Chinese migration to Indonesia. But the emigration of Chinese in earlier times was in principle caused by economic and political motives. By economic motives is meant that China, which is also known as the ‘country of the perpetual hunger’ has a large population, which it could not sustain adequately, especially in times of upheavals such as war, famine, overthrow of dynasties, etc. whereas by political motive meant that Chinese patriots had to leave their mother country or did not want to stay under foreign rule, as at the time of the Mongol dynasty in the fourteenth century, and particularly the hostile and repressive Manchu dynasty which ruled China following the revolution under the leadership of Sun Yat Sen. Another positive motive of migration to Indonesia was the trade prospective. Starting from voyage or Zheng in the 15th century, many Chinese considered Indonesia as an attractive trading partner. And initially they arrived in Indonesia in search of spice. They thought, a new country might give them new trade opportunities, which was not available in China, at that time. In those times, they had much closer ties towards the Mainland China. This was manifested in strong desires to return home and considered Indonesia as yet another temporary settlement. But from the middle of 18th century, the Qing Emperor, Qian Long, considered these expatriate as turncoats and thereby a threat to China. Thus, the cumulative effect of hostile and oppressive Manchurian government evens more migrants during that period from China to Indonesia. This was further magnified with the Colonial rule of Dutch. In fact, the Dutch welcomed Chinese immigrants and allowed them to form a commercial middle class between native Indonesians and the Colonial elite⁸⁶. The

⁸⁵ Schwarz, A., *A Nation in waiting: Indonesia in 1990s*, Allen and Unwin, St. Leonards, Australia, 1994, p. 109.

⁸⁶ Frost, Nicola, *Indonesia*, Oxfam, Hong Kong, 2002, p. 43.

Dutch favours toward the Indonesian Chinese, mainly because they were intelligent, diligent and capable to oversee Dutch plantations.

Thus for their advantages of colonial rule they encouraged the Chinese communities to settle-down in Indonesia and lulled by the comfortable life as well as trade perspective, the migration of Chinese into Indonesia touched its light. The extension of Dutch power over the whole archipelago further accelerated the migration process for the better exploitation of economic resources for their advantages. On the other hand, many ethnic Chinese were supporters of colonial rule. Indeed, in the early years of the Netherlands East Indies, ethnic Chinese helped to strengthen Dutch domination in the region. Therefore, sometimes the even the Dutch administration organized itself a large-scale immigration of Chinese. For example, Sauw Ben Kong, the Kapitan Cina of Banten, organized a large- scale immigration of Chinese under his rule to Batavia in the seventeenth century.

They also left China seeking relief from severe ecological crisis due to natural disaster affecting agrarian life and consequent displacement from farming. They left, as well, because they opposed the constraints of a rigorously hierarchical social order where the four traditional layers of Confucian social order located most of these immigrants in the bottom rungs as farmers and merchants. Thus, the condition in China forced the Chinese sometimes to move for another country. And their search for food, a better living condition and a better fortune ended with their arrival in Indonesia.

8.4 Composition of Ethnic Chinese Population

According to the latest census conducted by Indonesian Central Statistic Bureau (BPS) in 2000, out of 241 million populations, Javanese people account for the greater part, namely some 41.71 percent of the country's total population. Trailing behind are Sundanese with 15.4 percent, Malay 3.45 percent, Madurese 3.37 percent, the Bataks 3.02 percent, Minangkabau 2.72 percent, Betawi 2.51 percent, Bugis 2.49 percent, Banjar 1.74 percent, Balinese 1.51 percent, Sasak 1.30 percent, Makassar 0.99 percent,

Gorontalo 0.84 percent, Acehnese 0.43 percent, Torajan 0.37 percent, and others 14.66 percent. While Chinese descents make up only 0.86 percent, several other studies found it is around 6 million i.e. 4-5% of the total population. Whereas according to Suryadinata the percentage of Chinese people in Indonesia is nearly 3 percent. G. William Skinner in 1963 suggests that the ethnic Chinese population in Indonesia accounts 2.5 percent of the total population⁸⁷. Several reasons can be cited for this fallacy. Leo Suryadinata suggested that because the survey was based on self-identification by the respondents, many second and third generations ethnic Chinese (*peranakan*) considered themselves to be part of the local indigenous population. Furthermore, despite the era of greater openness, some may continue to fear the stigma of being considered Chinese⁸⁸.

Suryadinata in his study nevertheless suggests that even if the number of ethnic Chinese in the 2000 Census was inflated further to account for those who refused to identify themselves with this ethnic group, their composition would only range between 1.45 to 2.04 percent of the population. Thus, the BPS census estimated that the census missed 4.6 million persons⁸⁹. The following table shows the different ethnic composition of Indonesia.

Table: 2. Ethnic Groups Indonesian Citizens: Indonesia, 2000

No	Ethnic Group	Number	%	No.	Ethnic Group	Number	%
1.	Javanese	83,865,724	41.71	53.	Lio	170,949	0.09
2.	Sundanese	30,978,404	15.41	54.	Bakumpai	155,906	0.08
3.	Malay	6,946,040	3.45	55.	Tonteboan	134,543	0.07
4.	Madunese	6,771,727	3.37	56.	Biak Numfor, Mafoorsch, Noe	126,070	0.06
5.	Batak	6,076,440	3.02	57.	Kei	125,954	0.06
6.	Minangkabau	5,475,145	2.72	58.	Duri	121,688	0.06
7.	Betauri	5,041,688	2.51	59.	Ambon	120,969	0.06
8.	Buginese	5,010,421	2.49	60.	Dani, Ndani	120,745	0.06
9.	Bantenese	4,113,162	2.05	61.	Banggai, Milan Banggai	118,556	0.06
10.	Banjarese	3,496,273	1.74	62.	Gayo hut	117,509	0.06
11.	Balirese	3,027,525	1.51	63.	Selayar	93,183	0.05
12.	Sasak	2,611,059	1.30	64.	Buol	91,034	0.05
13.	Makassarese	1,982,187	0.99	65.	Dompu	90,635	0.05

⁸⁷ Skinner, op. cit., 1963, pp. 99-101.

⁸⁸ Suryadinata, Leo, et al., *Indonesia's Population, Ethnicity and Religion in a Changing Political Landscape*, Institute of Southeast Asian Studies, Singapore, 2003 p. 23.

⁸⁹ International Religious Freedom Report 2006", Released by the Bureau of Democracy, Human Rights, and Labor, US Department of State, <http://www.state.gov/g/drl/rls/irf/2006/71341.htm>

14.	Cisebon	1,890,102	0.94	66.	Lani	85,685	0.04
15.	Chinese	1,738,936	0.86	67.	Abung Bunga Mayang	85,342	0.04
16.	Gorontold Hulandalo	974,175	0.48	68.	Gayo lunrs	81,172	0.04
17.	Acehnese	871,944	0.43	69.	Talaud	79,818	0.04
18.	Toraja	750,828	0.37	70.	Seram	78,955	0.04
19.	Nilas, Kono Niha	731,620	0.36	71.	Lembak	77,241	0.04
20.	Minahasa	659,209	0.33	72.	Saluan	77,151	0.04
21.	Buton, Butung, Butong	578,231	0.29	73.	Saparua	68,194	0.03
22.	Atoni Metto	568,445	0.28	74.	Alas	67,424	0.03
23.	Manggarai	566,428	0.28	75.	Ekagi, ekari	66,823	0.03
24.	Bima	513,055	0.26	76.	Sula	63,282	0.03
25.	Mandar	504,827	0.25	77.	Makian	60,985	0.03
26.	Sumba, Humba, Tauhumba	501,345	0.25	78.	Bawean, Boyan	60,703	0.03
27.	Sambas	444,929	0.22	79.	Kafingan	60,171	0.03
28.	Peminggir	426,723	0.21	80.	Mentawai	54,419	0.03
29.	Kaili	412,281	0.21	81.	Pasir	54,162	0.03
30.	Sangar	396,810	0.20	82.	Galela	52,639	0.03
31.	Komering	389,467	0.19	83.	Tali	51,258	0.03
32.	Rejang	333,635	0.17	84.	Maanyan	50,505	0.03
33.	Ngaju	324,504	0.16	85.	Asu	48,261	0.02
34.	Sumbawa, semawa	319,423	0.16	86.	Ngalum	46,130	0.02
35.	Huwu	318,134	0.16	86.	Ngalum	46,130	0.02
36.	Using-Osing	297,372	0.15	87.	Singkil	44,153	0.02
37.	Kendayan, Kenayan	292,390	0.15	88.	Simeulu	42,803	0.02
38.	Tolaki, Laki-laki, lolaki	289,220	0.14	89.	Bajau, Bajao, Bajo, Bayo	40,712	0.02
39.	Pepadun	280,247	0.14	90.	Tamdena	39,320	0.02
40.	Serawai	279,154	0.14	91.	Donggo	38,050	0.02
41.	Darat	275,914	0.14	92.	Bukat, Buket, Ukit, Bukut	35,050	0.02
42.	Muna, Tomuna	267,722	0.13	93.	Tengger	33,886	0.02
43.	Kerinci	254,125	0.13	94.	Arab	33,498	0.02
44.	Dawan	236,242	0.12	95.	Tonsawang	30,941	0.02
45.	Kutai	224,859	0.11	96.	Halmahesa	26,018	0.01
46.	Bolaang Mongondow	223,546	0.11	97.	Baliaga	19,791	0.01
47.	Dyak	221,957	0.11	98.	Laloda, Loloda	19,323	0.01
48.	Musi Banyuasin	213,918	0.11	99.	Mosotai	13,968	0.01
49.	Lamahot, Lamahot,lamkola	206,488	0.10	100.	Antinggola	4,681	0.00
50.	Belu, Teto	197,302	0.10	101.	Gebe, Tobi	2,903	0.00
51.	Rote, Roti	185,316	0.09	102.	Others	13,972,741	6.95
52.	Pesaguan	178,933	0.09				
	Total					201,092,238	

Source: Suryadinata, et al, 2003, p. 11.

8.5 Areas of Chinese Concentration in Indonesia:

The ethnic Chinese in Indonesia spread throughout the archipelago, mostly in large urban centre and cities such as Jakarta, Surabaya, Medan, Pekanbaru, Semarang, Pontianak, Makassar, Manado, Jayapura, Magelang, Palembang, Bangka, Belitung and Bandung. Based on data compiled from the statistics bureau, nearly half of all ethnic Chinese are concentrated in two provinces: Bangka Belitung and Jakarta. The following table shows the break-up of the concentration of Chinese population in different provinces of Indonesia in descending order.

Table: 3. Chinese Concentration in Indonesia

Province	%	Number
Bangka Belitung	11.5	103,736
Jakarta	5.5	460,002
Riau	3.7	176,853
East Java	1.0	191,000
Banten	1.0	90,000
Central Java	0.5	165,531
West Java	0.4	163,255
West Sumatra	0.3	15,029

Source: Suryadinata, 2003 pp.95-100

8.6 Religion of Ethnic Chinese:

Chinese Indonesians are members of five state recognized religions: Islam, Protestantism, Catholicism, Buddhism and Hinduism. Confucianism was added to the list in the early 2000s. According to the 2000 census, an estimated 60% of Buddhism followers were ethnic Chinese⁹⁰. Among Buddhists, approximately 60 percent follow the Mahayana school, Theravada followers account for 30 percent, and the remaining 10 percent belong to the Tantrayana, Tridharma, Kasogatan, Nichiren, or Maitreya schools. According to the Young Generation of Indonesian Buddhists, most believers live in Java, Bali, Lampung, West Kalimantan, and the Riau islands⁹¹. Although there is no official data, anecdotal evidence suggests that Chinese Buddhists have become more Christian as they increased the standards of education. Along with it, with ever increasing promotion of Christianity gospel amongst Chinese youngsters, it somehow creates a kind of trend to be a Christian. And by 2006, it was estimated that 70 percent of the Chinese population belonged to the two denominations of Christianity in Indonesia⁹².

However, according to Bertrand, the increasing number of Christianity is not a trend but a historical antecedent. He viewed, since Confucianism was not a religion

⁹⁰ "International Religious Freedom Report 2008 – Indonesia", <http://2001-2009.state.gov/g/drl/rls/irf/2008/108407.htm>

⁹¹ "International Religious Freedom Report 2008 – Indonesia", <http://2001-2009.state.gov/g/drl/rls/irf/2008/108407.htm>

⁹² Brazier, Roderick, *In Indonesia the Chinese go to church*, International Herald Tribune, 27 April, 2006.

recognized by the Ministry of Religious Affairs before 2000 and they were suspected of being communist, many Chinese Indonesians were converted to Christianity during the period of New Order⁹³. During the New Order era many Confucianist went into camouflage under Buddhism religion to avoid persecution from the government. But it is now expected that the number of Buddhism followers would decrease by statistics as Confucianism has now been openly recognized by the country. The number of these camouflaging Confucianism followers can now be more accurately reflected in statistics. The number of Hindu and Muslims ethnic Chinese is relatively small in comparison to the ethnic Chinese belongs to Christianity, Confucianism and Buddhism⁹⁴.

8.7 Major Occupations of Ethnic Chinese:

The economic activities and wealth of the Chinese community in Indonesia is very diverse; many are labourers and small-scale merchants, and others are businessmen. In many parts of Indonesia, however, they are represented among the wealthier classes out of proportion with their small numbers.

The economic activities of ethnic Chinese are seen in the field of investment, in the field of commercial sectors, industrial investment, and also in field of agriculture sectors.⁹⁵ This can be clear seen from the following table-3, which shows the occupational distribution of population groups in Indonesia in 1930. The occupational distribution demonstrate that the *pribumi* were primarily engaged in the production of raw materials (essentially agriculture, fishing and mineral production, 69.9%) and less in industry (10.3%), while the Chinese were active in trade (36.8%), the production in raw materials (30.8%), and industry (20 %)⁹⁶. This clearly indicates the presence of Chinese people in

⁹³ Bertrand, Jaques, *Nationalism and Ethnic Conflict in Indonesia*, Cambridge University Press, 2004 p.74

⁹⁴ Suryadinata, Leo, *The Ethnic Chinese Issue and National Integration in Indonesia*, Institute of Southeast Asian Studies, Singapore, 1999, p3.

⁹⁵ Wu, Yuan-li and Chun-his Wu, *Economic Development in Southeast Asia: the Chinese Dimension*, Hoover University Press, California, 1980, pp 63-64.

⁹⁶ Suryadinata, Leo, *Pribumi Indonesians, the Chinese Minority and China: A Study of Perceptions and Policies*, Heinemann Asia, Singapore, 1978, p.78

the commercial activities of Indonesia. And the scenario has not changed even with the dawn of independence and that continue even till date. However it is also a fact that, there exist a significant percentage of middleclass and poor Chinese in Indonesia⁹⁷.

Table- 4: Occupational Distribution of Population Groups in Indonesia In 1930

Occupation	Europeans		Chinese		Pribumi	
	No.	%	No.	%	No.	%
Production of Raw Materials	18,800	20.0	144,888	30.8	14,193,158	69.9
Industry	4,676	5.4	93,988	20.0	2,105,129	10.3
Transportation	10,985	12.1	12,754	2.7	290,740	1.4
Trade	11,415	13.3	171,979	36.6	1,090,868	5.3
Liberal professions	11,290	13.2	7,161	1.5	150,227	0.7
Public services	20,731	24.3	3,039	0.6	491,911	2.4
Other Occupations	7,424	8.7	36,126	7.6	1,957,609	9.6
Total	85,321	100	469,935	100	20,279,642	100

Sources: Suryadinata, Leo, Pribumi Indonesians, the Chinese Minority and China: A Study of Perceptions and Policies, Singapore: Heinemann Asia. 1978, p.78.

8.8 Political and non-political ethnic Chinese associations

Historically, the political participation of ethnic Chinese in Indonesia is relatively low among all ethnic groups. The only exception was during the parliamentary democracy period (1949-58), when the Ethnic Chinese were relatively free to form their socio-political organizations. With the establishment of New Order the ethnic-based parties and socio political organizations were banned. And those individuals who wanted to get involved in politics were to join the exiting indigenous-dominated parties. However, the downfall of Suharto brought with it a myriad of political changes which provided the opportunity to ethnic Chinese to participate politically. New political parties quickly formed such as Partai Reformasi Tionghoa Indonesia (PARTI, Indonesian Chinese Reform Party), Partai Pembauran Indonesia (Indonesian Assimilation Party), Partai

⁹⁷ Ibid.

Warga Bangsa Indonesia (Indonesian Citizen-Nation Party), Partai Bhinneka Tunggal Ika Indonesia (PBI, Indonesian Unity in Diversity Party).

Many ethnic Chinese who still suffered from political phobia preferred to work with associations and pressure groups in the post-Suharto period⁹⁸. As a result several Non- Governmental Organizations were formed by the ethnic Chinese such as Paguyuban Sosial Marga Tionghoa Indonesia (PSMTI, Indonesian Chinese Social Clan Association), Perhimpunan Indonesia Keturunan Tionghoa (INTI, Ethnic Chinese Association in Indonesia), and *Solidaritas Nusa Bangsa*, (Indonesian Homeland Solidarity). The fall of Suharto have also witnessed of formation of several youth organization and associations such as Solidaritas Pemuda Pemudi Tionghoa Untuk Keadilan (SIMPATIK, Chinese Youth Solidarity for Justice), Gerakan Perjuangan Anti Diskriminasi (GANDI, Anti-discrimination Movement), Komite Aliansi Kepedulian Masyarakat Surabaya (Kalimas, Committee of Social Concern of Surabaya)⁹⁹ etc.

9. ETHNIC CHINESE IDENTITY AND THE PROBLEMS OF INTEGRATION

As the legal criteria hardly correspond with the social realities, the main point of analysis in this part is to mark out the boundaries under which the Chinese fall into or to see who are coming under the underlying category, which called as ethnic Chinese in Indonesia.

There are palpable concerns regarding terminology in any discussion of the 'Chinese' in Indonesia. Several scholars in the field have frequently used the term 'ethnic Chinese' or 'Chinese Indonesians' to define those Chinese residing in Indonesia (or who have resided in Indonesia and still associate themselves with that country in some manner) regardless of whether they are Indonesian citizens or not and regardless of whether they have mixed blood or not-who identify themselves, or identified by others in society as being Chinese.

⁹⁸ Suryadinata, Leo, "Chinese Politics in Post-Suharto's Indonesia", *Asian Survey*, Vol.IXLI, No.3, May/June-2001, p. 512.

⁹⁹ Ibid, pp. 512-515.

This also follows the suggestion of Mitchell that “any group that identified itself as sharing a common heritage and belonging together and distinct from other groups can be considered ethnics.” But being a heterogeneous society like the Chinese society in Indonesia it needs some in-depth analysis to identify who are these ethnic Chinese in reality. The answer to this question is a judgement based on name, descent, education, habits and self-identification.

But simply using the racial, linguistic and religious categories for identifying ethnic Chinese is inadequate, if not irrelevant, because many Indonesian Chinese have mixed racial backgrounds, speak no Chinese language and observe non-Chinese religions¹⁰⁰.

According to Skinner, because of considerable intermarriage and assimilation using racial criteria would exclude many persons in Java who are uniformly considered Chinese and includes others who consider themselves- and are considered by the local people- to be indigenous Indonesian. In the same way, Skinner also excluded a definition based on cultural criteria because of the extent to which many Chinese in Indonesia have abandoned traditional Chinese cultural patterns.

After rejecting above criteria for the identification of ethnic Chinese, Skinner advanced a definition-based upon social identification or self identification-that ‘in Indonesia a person of Chinese ancestry is Chinese when he functions as a member of and identified with the Chinese society. The only reliable cultural sign of this self-identification as Chinese and of alignment with a Chinese social system is the use at least in same form and some circumstances- of a Chinese surname¹⁰¹. Thus according to his criteria, a person having Chinese surname is assumed to be of Chinese origin.

The criteria used by Skinner to identify the ethnic Chinese has been reflected by many scholars. According to Charles A. Coppel, the definition advocated by Skinner faces two problems. First, in the process of history, the use- of a Chinese surname

¹⁰⁰ Suryadinata, 1978, op. cit., p.1.

¹⁰¹ Skinner, 1963, op. cit., p. 97.

became far from reliable because of the large-scale adoption of Indonesian names by the ethnic Chinese at the request of the Indonesian government or voluntarily by themselves. Secondly, and more importantly, in past, especially in 1960s, many Indonesian citizens of Chinese ancestry who neither functioned as members of Chinese society, nor identified with it, found themselves, nonetheless, considered by indigenous Indonesians and government agencies to be Chinese and for that reason treated differently-at least in some circumstances- from other Indonesian citizens¹⁰². Leo Suryadinata gives the same view. According to him, “of course the Indonesian Chinese did not disappear after changing their names. Indigenous Indonesians are still able to differentiate the Chinese who have taken on Indonesian names from the ‘native population’; hence this ‘alien population’ in the Indonesian context is still differentiated¹⁰³”.

Likewise, according to Coppel, one can scarcely adopt a definition of Chineseness, which is dependent solely on the beliefs of others, thus it is a subjective criteria, which is very difficult to verify. The reasons behind this, for example, there are many Indonesia-born Chinese who can pass as original Indonesians and many original Indonesians are also there whose physical features look sufficiently as Chinese. As a result of intermarriage over centuries, physical appearance is far from a reliable guide for determining whether or not a person is Chinese. For example, the China-born immigrant has usually been distinguishable, by his yellower skin pigmentation and the almond shape of his eyes, from Indonesians with their browner skins. However, indigenous Indonesians can easily be mistaken for Chinese¹⁰⁴.

By the same token, the criteria of citizenship can also not able accurately identify the ethnic Chinese, because, the legal criteria do not correspond with social realities. Thus, the concept of citizenship may bring theoretical legal equality among all the

¹⁰² Coppel, 1983, op. cit., p. 4.

¹⁰³ Suryadanta, 1978, op. cit., p. 1-2

¹⁰⁴ Ibid.

citizens of Indonesia, but in reality, the ethnic Chinese are treated differently due to their social treats.

Therefore, no single criteria is sufficient to identify the ethnic Chinese in Indonesia, but what it needs is to use the maximum criteria ranging from- racial features to self-identification for the better result. Coppel advocated a definition to identify the ethnic Chinese in Indonesia can be used for this study. According to Coppel, the Indonesian Chinese are persons of Chinese ancestry who either function as members of and identify with, Chinese society on are regarded as Chinese by indigenous Indonesians (at least in some circumstances and given special treatment as a consequence¹⁰⁵. Thus, following this definition, a number of people can be included in the category of ethnic Chinese, who regard themselves as Indonesians and have refused to align themselves in any sense with Chinese society, but whose Chinese ancestry or Chinese physical appearance has been treated as socially and political significant or relevant.

9.1 The Cultural Differences within the Ethnic Chinese

The cultural differences among ethnic Chinese further complicated the issue of their identification. This diversity made it difficult to differentiate among themselves. However, they can be differentiated according to citizenship, though only a tiny proportion is still aliens, according to wealth and also according to culture. Historically, they were divided between '*Peranakan*' and *Totok*. The terms themselves have been taken over from usage amongst the Indonesian Chinese themselves. The original division was a racial one.

The Peranakan Chinese is a racial group who used a local language, or local born non-natives or one having mixed ancestry, who are actually Indonesian-speaking Chinese with little or no orientation to China and a sufficiently strongly infusion of Indonesian cultural elements to make many aspects of their way of life strange to Chinese visitors

¹⁰⁵ Ibid, p. 5.

from other parts of South-east-Asian Countries. These were mainly Chinese makes who migrated for personal reasons, married indigenous females, assimilated to the regional social norms and became permanent settlers. In fact, the work Peranakan comes from the root 'anak', which literally means 'son', So who, one says he or she is locally born, or by extension, what could be called children of the Indonesian soil¹⁰⁶. Many members of this component have some Indonesian ancestry and because of their mixed origin and their hybrid culture¹⁰⁷. It also means any Chinese born in Indonesia was a *Peranakan*. These Chinese are locally rooted and many developed a distinctive culture which was heavily influenced by the culture of the particular Indonesian society in whose midst they had settled. One hallmark of these *Peranakan* communities is the use by their members in daily speech of the Indonesian language or of some regional Indonesian language rather than one or other of the various Chinese dialects spoken by Chinese immigrants on their arrival (principally Hokkien, Hakka, Cantonese and Teochiu) or in modern times, the national language, Kuo-yu¹⁰⁸.

In contrast, the '*totok*' or genuine or pure Chinese are those group of ethnic Chinese who speaks Chinese language and were oriented strongly towards Chinese who speaks Chinese language and were oriented strongly towards Chinese culture. Thus totok Chinese are China-born, or the group comprising of surviving immigrants and their offspring, who retain a distinctively Chinese way of life; keep Chinese culture & traditions alive through household shrines, celebrating Chinese festivals and private Chinese language instruction for their children and they are more emotionally; oriented towards China¹⁰⁹.

The term '*Peranakan*' itself has created a lot of confusion. Most writers have used it to refer to Indonesia-born Chinese, regardless of their cultural background, that is whether or not one uses Indonesian language or Indonesian dialect as one's daily;

¹⁰⁶ Minghuan, 2003, op. cit., pp.215-230

¹⁰⁷ Fryer and Jackson, 1977, op. cit., pp. 260-261.

¹⁰⁸ Coppel, 1983, op. cit., pp. 9-10.

¹⁰⁹ Fryer, 1997, op. cit., p. 260.

language. However, several others consider that to be born in Indonesia does not automatically make a Chinese a '*Peranakan*', It is when that person loses the command of the Chinese language and uses only Indonesian language at home that the Chinese becomes a *peranakan*. Otherwise, he or she is still a *totok*, which originally meant a foreign-born pure blood foreigner¹¹⁰. Further, it has been also argued that *peranakan* status only comes with conversion to Islam¹¹¹.

Thus, the term *peranakan* is used more in a stricter cultural sense, rather simply to denote place of birth or in a racial sense. It is true that, generally, *peranakan* Chinese were Indonesia-born, but not all Indonesia-born Chinese are *peranakans*. A Chinese speaking and China oriented¹¹². Likewise, a *totok* Chinese could be a *peranakan* if he/she speaks Indonesian language or emotionally oriented towards Indonesia and by heart he/she feels Indonesia is his/her motherland.

The cultural diversity among the Chinese is thus, clearly manifested in terms of language, ranging from those who still speak their several ancestral tongues, to those who know no Chinese language, in degrees of acculturation, varying from the essentially traditional Chinese to heavily Indonesianized and in occupations, political inclinations, and attitudes towards their present situation¹¹³.

This cultural diversity of Indonesian Chinese people is due to diverse in their origins timing and circumstances of immigration to Indonesia and level of ties to China. The diversity among Chinese communities are due to the policy of education by Indonesian government, by reason of their geographical separation from one another, by reason of their length of settlement, occupations of the settlers and the degree or isolations of one community from another, as well as differences related to the culture and relative size of the indigenous societies among which they settled¹¹⁴.

¹¹⁰ Suryadinata, 1978, op. cit., p.2.

¹¹¹ Mona, Lohanda, *The Kapitan Cina of Batavia 1837-1942: A History of Chinese Establishment in Colonial Society*, Diambatan, Jakarta, 2001, p.7.

¹¹² Ibid.

¹¹³ Fryer, 1977, op. cit., pp. 259-260.

¹¹⁴ Mackie and Coppel, 1976, op. cit., p.5.

In an attempt to overcome this complexity Leo Suryadinata, in his study, “Pribumi Indonesians, the Chinese Minority and China: A study of Perceptions and Policies”, identified that the terms ‘Chinese’, ‘ethnic Chinese’, ‘Local Chinese’ and Indonesian Chinese are used interchangeably to refer both citizen and alien Chinese while the *peranakan* and *totok* are applied to different cultural groups within the Chinese community in Indonesia. In fact, the cultural category of *peranakan* and *totok* and their contrast is nothing but a product of the history of Chinese settlement in Indonesia.

The question of ethnic Chinese identity can be best understood along with the common or popular perception about them. And on the basis of this perception, we can draw some main characteristics of ethnic Chinese in Indonesia. The division between *totok* and *peranakan* is obvious yet; many cannot even classify themselves as either *totok* or *peranakan* as these communities have no impact on their daily lives. Therefore, in reality this will only help us to draw the boundaries under which these ethnic Chinese will fall.

10. CHARACTERISTICS OF ETHNIC CHINESE

The Chinese in Indonesia can be differentiated by certain features they possess as a group. According to Coppel, the following features are clearly manifested in the ethnic Chinese in Indonesia.

10.1 Stereotypes Negative Attributes

In the words Coppel, the Chinese are clannish; they keep aloof socially and prefer to live in separate areas. They cling persistently to the culture of their ancestral homeland. Their loyalty to Indonesia is dubious at best; at worst, they are downright hostile to Indonesia. Chinese who apparently identify with Indonesia are not genuine; they are only pretending to do so for opportunistic reasons, rather than from a true sense of identification with the country and its people. This opportunism is characteristic of a people concerned with money, trade and business. They are not like Indonesians,

dedicated to ideals. Having been given a favored position by the Dutch, the Chinese dominant the Indonesian economy, oppressing the Indonesian masses and preventing the rise of a national entrepreneurial class. Not content with their dominate position, they also engage in economic subversion, since they expert in bribery and smuggling¹¹⁵. Followings points can be made about the stereotypes of the ethnic Chinese in Indonesia.

10.2 Residential Segregation

The second known attribute of ethnic Chinese in Indonesia is residential segregation. According to Coppel, the living pattern of ethnic Chinese can be better identified with ghettoism – i.e. they like to live separately in a group. The ghettos to which the Jews restricted their daily lives could be compared to the special living quarters, which the Chinese built for themselves in many towns. The Chinese population isolated themselves from the Indonesian population by building themselves special living quarters on ghettos in town. It is also true that most cities and town of any size in Indonesia have their Chinese are in and around the business center.

10.3 Urban Centric

Many people, outsiders and Indonesian believe that Chinese as a predominantly urban group. There are Chinese in virtually every urban center, but the major zones of Chinese settlement form an area around Singapore encompassing localities where economic development treated opportunities attractive to large-scale immigration; these include the plantation area of North Sumatra, the Riau Archipelago and the nearby ‘Tin Islands’ of Bangka and Belitung, the Northern Ports and Largern Inland center of Java and West Kalimantan¹¹⁶.

Since 1930s, the Chinese throughout Indonesia move away from the countryside and settled down in and around the town. A more obvious reason for this progressive

¹¹⁵ Coppel, 1983, op. cit., p. 5.

¹¹⁶ Fryer, 1977, op. cit., p. 258.

urbanization of the Chinese since 1930s has been insecurity. During the Japanese occupation and particularly the Indonesian revolution, which followed it, many Chinese who had lived in rural areas sought safety in the cities. And this process was further accelerated in the 1960s both as a result of Government regulations and the insecurity experienced by the Chinese in a period of political instability¹¹⁷.

10.4 Status Quoist

The feelings of once a Chinese is always a Chinese is another apparent characteristic among the ethnic Chinese in Indonesia. Generally, they are status quoists in the sense that they do not prefer to change their dialects or language, way of life, Chinese culture, settlement patterns, family structure, religious behaviour and dress etc. They keep intact these features despite their long living amidst the indigenous population. This gives a picture of 'changeless Chinese' in Indonesia.

But it does not mean there is no evidence that Chinese culture is not diluted or the Chinese community is very cohesive or homogenous. Rather Chinese Community in Indonesia is having their cultural diversity, speak mutually unintelligible 'dialects' of Chinese. This diversity was in fact compounded by the variable degree to which their descendants were influenced by indigenous Indonesia Cultures.

10.5 Exclusiveness and Superiority

The Chinese in Indonesia are separate and exclusive. And their exclusiveness was due to their superiority complex-a sort of feeling among ethnic Chinese about their superiority than the indigenous Indonesians. Much reason has been advanced for that.

Some believe that in general Chinese have more ability, intelligence and energy than Indonesians. This belief is also due to the higher socio-economic status of ethnic Chinese in comparison to Indonesians. For example according to Coppel, it has been

¹¹⁷ Coppel, op. cit., p.7.

very common for Chinese to have at least one Indonesian servant, while the reverse is very rarely seen. Likewise, in case of inter-marriage, it has usually been between a Chinese man and Indonesia women. This means it has been not possible and most unusual for a Chinese girl to enter into such a relationship with an Indonesian man. Thus, Chinese performed a note of employer, shopkeeper and creditor and the Indonesian that of employee, customer and debtor.

10.6 Economic Exploitation and Competition

The Chinese and trade are synonymous. By and large, they dominate the economic scene of Indonesia. That's why several authors called them as trading minority, middleman minority or commercial bourgeoisie¹¹⁸. They control the entire economic network of the country. Their monopoly in trade in fact earns them these epithets. Their economic superiority is clearly manifested because of their ownership of vehicles, good buildings, or own valuable real estate etc. This business centric Chinese community is largely profit oriented, thus prefer to live in town. Their monopolies in trade in term of ferries, abattoirs, and opium and gambling houses by License of the state and supplementing these activities with retain trade and money lending helps them to earn huge profit¹¹⁹.

10.7 Political Opportunism

Another common perception about ethnic Chinese, which according to Coppel, could be one of the major characteristics, is their political opportunism. Regarding their political loyalties, there is a common saying very often-used is- "The Chinese don't mind who holds the cow so long as they can milk it". In fact, the Indonesian Chinese are caught on the horns of a dilemma if they consider political activity. If they engage in the politics of dissent, they are labeled as subversive. If they support the authorities of the day, they are

¹¹⁸ Ibid, p. 19.

¹¹⁹ Williams, Lea, E., *Overseas Chinese Nationalism: The genesis of the pan Chinese Movement in Indonesia, 1900-1916*", The Free Press, Glencoe, Illinois, 1960, p.21.

labeled as opportunistic. And if they keep out of politics, they are also labeled as opportunistic because they are said to be only interested in profit. Therefore, they usually prefer to support the political parties in power.

CHAPTER II

RELATIONSHIP BETWEEN PRIBUMI AND ETHNIC CHINESE

The concept 'indigenous' has got varied connotations in the international law. There is no universal definition to describe the concept that applies to all countries of the world; rather it is largely influenced by the local socio-political and economic setting of the country. Anthropologists sometimes use the phrase '*indigenous*' to refer collectively to such people and to contrast them to the groups who dominate in terms of politics or economics.

The term '*indigenous*' has also become part of the legal discourse, as the coalitions working at the United Nations and elsewhere have made 'indigenous peoples' rights' a part of international customary law.¹ Thus, according to the international connotation of the word 'indigenous peoples' are those groups seen as distinct and vulnerable (usually nomadic or pastoral in mode of life groups labeled locally as 'tribes', or groups in rebellion against the states). Sometimes the idea of 'non-dominance' becomes the primary criterion to describe the people as 'indigenous people. But, this connotation cannot be applied to the country like Indonesia. Because, unlike other countries of the world, Indonesia is not a region of precisely those small-scale, economically and politically vulnerable societies. In contrast to the above connotation of the word 'indigenous' by the anthropologist, it is used to distinguish the foreign elements from the Indonesian people, who are neither vulnerable minority nor non-dominant; rather they are in majority and enjoy the dominant position in the Indonesian society.

Thus, the division of Indonesian societies into indigenous and non-indigenous category can be better expressed by the terms '*pribumi* and non-*pribumi*'. '*Pribumi*' is a term that refers to a group of people in Indonesia that shares a similar socio-cultural heritage. Translated from *islanders* in Dutch, the term was first coined by the Dutch colonial administration to lump diverse groups of local inhabitants of Indonesia's archipelago, mostly for the purpose social discrimination purposes. Dutch divided the whole population to three classes – the

¹ Bowen, John R., "Should We Have a Universal Concept of Indigenous Peoples' Rights'? Ethnicity and Essentialism in Twenty-First Century", *Anthropology Today*, Vol.16, No.4, Aug. 2000, p. 12.

first class race being Europeans, the second-class race being the "Foreign Orientals" (*Vreemde Oosterlingen*), which includes Chinese, Arabs and Indians, and the third class race being the "Inlanders" or natives. The system is very similar with South Africa's apartheid which prohibited inter-racial neighbourhoods (*wet van wijkensstelsel*) and inter-racial interactions were limited by "*passenstelsel*" laws². The term '*pribumi*' is having local renderings incorporating Sanskrit loan-words. '*Bhumi*' has the meaning of 'earth' or 'soil' in Indonesia. Thus the word '*pribumi*' means 'son of the soil'. The Javanese phrase '*wong*' (meaning person) '*pribumi*' (which combines the Javanese prefix 'pri' with Sanskrit loan-word) means indigenous person. The word '*pribumi*' was borrowed from the Javanese and in Indonesia it is used to refer to indigene or native or the original inhabitant of the country since time immemorial³.

Pribumi makes up about 95% of Indonesia's population⁴. In Indonesia the pribumi are not associated with any specific ethnic group or religion. Indonesia is the largest Muslim country in the world and close to 90 percent of its population professes Islam as their religion, yet there are regions and ethnic groups, mostly in the eastern part of the archipelago, in which people of other faiths are in the majority. For instance, the areas of southern Maluku and Irian Jaya (the western half of New Guinea Island) are predominantly Protestants; the province of East Nusa Tenggara is predominantly Catholic; and Bali is home to Indonesian Hindus. Despite the differences in religious beliefs compared with the Muslim majority, they are also considered *pribumi*. Sometimes the term '*asli*' is also used to indicate the indigenous Indonesian⁵. The word '*pribumi*' is also used in social science literatures to differentiate from the foreign elements in Indonesian society. In fact the term was used to distinguish indigenous from non-indigenous members of

² "Encyclopedia of Modern Asia", Macmillan Reference, USA, <http://www.bookrags.com/research/pribumi-ema-05/>

³ Sidique, Sharon and Suryadinata, Leo, "Bhumiputra and Pribumi: Economic Nationalism in Malaysia and Indonesia", *Pacific Affairs*, Vol. 54, (winter), 1981-82, pp. 662-663.

⁴ Encyclopedia of Modern Asia", Macmillan Reference, USA, <http://www.bookrags.com/research/pribumi-ema-05/>

⁵ Suryadinata, Leo, *Pribumi Indonesians, the Chinese Minority and China: A Study of Perceptions and Policies*, Singapore: Heinemann Asia, 1978, p.2.

colonial society and also popularized during 1920's and 1930s⁶. In other words, it refers to distinguish 'indigenous' Indonesian from the Chinese and other later immigrants. The phrase is the key term in political programmes aimed at depriving the Chinese of, what some Indonesians consider their dominance of the economic sector⁷. Although it can be argued that these terms were popularized because of a felt need to find a label which would distinguish oneself (indigenous) from other (non-indigenous), it is equally true that they were fostered by communal policies which we will discuss in the later part of this chapter. On the other hand, in contrast to the word '*pribumi*' or 'son of the Indonesian soil', the Chinese in Indonesia are referred to as a 'sons of yellow emperor'⁸.

According to Charles A Coppel, most of the Indonesian nationalists thought of the Indonesian nation (*Bangsa Indonesia*) as comprising the members of the various indigenous or *asli* Indonesian ethnic groups⁹. Even the Dutch administration was also classified these original people as 'Native or Islander in contrast to ethnic Chinese as 'Foreign Orientals' or *Vreemde Oosterlingen*. In fact, the ethnic Chinese were perceived by Indonesians as a separate *bangsa*, the *bangsa Tionghao*¹⁰. Thus, the term *bangsa* Indonesia or Indonesier was used to refer to indigenous status vis-à-vis the Dutch and the Chinese during this pre-independence period.

The constitution of 1945, also provide the same mental frame of reference-when it provided that 'citizens shall be native Indonesians' (*Orang-orang bangsa Indonesian asli*) and those of other races (*Orang-orang bangsa-lain*) who are confirmed as citizens by law. On the basis of that constitution, the citizenship was conferred automatically upon indigenous (*asli*) Indonesian but was unavailable to members of other groups unless they satisfied certain further conditions. Thus,

⁶ Sidiq and Suryadinata, 1981, op. cit., p.664.

⁷ Bowen, 2000, op. cit., p.14.

⁸ Minghuan, Li, "'From Sons of the Yellow Emperor' to the 'Children of Indonesian Soil': Studying Peranakan Chinese Based on Batavia Koan Archive", *Journal of South East Asian Studies*, 32 (2), 2003, p.215.

⁹ Coppel, Charles A., *Indonesian Chinese in Crisis*, Oxford University Press, Kuala Lumpur, 1983, p.3

¹⁰ Ibid.

according to Coppel, “the word *asli*, not only had the meaning of ‘indigenous, native, original’, but also had the sense of ‘genuine authentic’. Both the wording and substance of the constitution and the citizenship law therefore gave colour to the view that the real Indonesian were indigenous and that members of other groups who obtained Indonesian citizenship did so by favour of the Indonesian Nation”.

Thus, the concept of ‘*pribumi*’ owes its origin to the perception of the native people, but it was also a colonial category fostered deliberately by the colonial administration for ruling their subject with the policy of ‘divide and rule’ and which was further strengthened with the constitutional backing and citizenship law. This historic segregation of population into two polar opposite group is the mother of all sort of ethnic problems in Indonesia. Thus, distinguishing between the ‘indigenous’ and ‘non-indigenous’ within a society or state, it seems, have wide-ranging political consequences, depending on the colonial and post-colonial experience of the country in question¹¹.

The *pribumi* are mainly a socioeconomic category, especially in terms of true economic disparity. Although only a small percentage of the total population of Indonesia, the non-*pribumi*, especially the ethnic Chinese, control much of the country's manufacturing, financial and trading sectors. As a result, the non-*pribumi* is perceived as an affluent class, while the *pribumi* are considered economically disadvantaged.

¹¹ Bowen, 2000, op. cit., p.14.

PRIBUMI AND ETHNIC CHINESE: A HISTORICAL ANALYSIS

The relationship between *pribumi* and ethnic Chinese in Indonesia can be discussed in the colonial and post-colonial period. To study 'the Chinese Problem' in Indonesia, one needs to use the history of Indonesia to illustrate the dynamism of policy in the respective periods under consideration. It is the process within the society and the intervention of the state, which gives shape to the specific form to the Chinese-indigenes relationship in Indonesia. This perspective demands that the present relationship should be studied in its historical and social context. The particular form which the relationship has assumed today in Indonesia is conditioned by a complex variety of factors, including the nature of the pre-colonial social structure, the impact of colonialism on economy and society, the formation and disintegration of classes under colonial rule and the nature of political conflict in the post-colonial period.

1. RELATIONSHIP DURING COLONIAL ERA

The history of relationship in the colonial era can be broadly divided into two phases i.e. the Dutch period and the period of Japanese Occupation.

1.1 Dutch Period

During the 300 years of Dutch colonial rules, the relationship between *pribumi* and ethnic Chinese took several twist and turn. The conscious effort made by the Dutch as a part of their colonial policy for their advantages shaped the future relationship between ethnic Chinese and *pribumi* in Indonesia. As with the case of other colonial governments, the Dutch colonial government also used the principle of *divide et impera* ('divide and rule') to rule their colonies¹². With this, the seeds of ethnic problem were sown, that later grown into a major ethnic conflict and also governed the future relationship between *pribumi* and ethnic Chinese in Indonesia.

¹² Tjeng, Lie Tek, " 'The Chinese Problem' within the Framework of Political Stabilization" in Leo Suryadinata, (ed.), *Political Thinking of the Indonesian Chinese: 1900-1995*, Singapore University Press, National University of Singapore, Singapore , 1997, p.213.

During the colonial period, large numbers of immigrants arrived in what was called as Dutch East Indies, providing a labour pool for Dutch enterprises. Dutch welcomed these Chinese immigrants and allowed them to form a commercial middle class between native Indonesians and colonial elite. This was largely based on the Dutch perception towards Chinese community. From the very beginning Chinese were seen as an industrious and entrepreneur class. On the other hand, they consider the indigenous people as unfit for the business. This division between indigenous Indonesia and Chinese had been exaggerated by the Dutch colonial administration which created and supported the ideology that stressed the idea that service on behalf of the state was a noble profession for indigenous people who were otherwise identified as being, by nature, unfit as businessperson.¹³ In this context S. A. Brenner, has nicely described the nature of indigenous people (here it is Javanese) in the following lines:

“Real thrift is foreign to the modern-day Javanese, money rolls through their fingers, or burns in their hands: the Chinese is thrifty, frugal and cautious at the same time. In the matter of free will, of the spirit of enterprise, the native of Java has not come far either; his nature rather docile. Carefree also is the nature of the ordinary Javanese; they live from hand to mouth, and would rather think as little as possible about tomorrow; this source of a cheerful outlook on life, however, stands in sharp contrast with the inborn notion of the Chinese that people, as much as possible through material appearances, must uphold the sacred honor of their ancestors. Already in his one cardinal notion the Chinese possesses a mighty incentive to drive him to work, while the spirit of the Javanese knows nothing of his sort”¹⁴.

Besides this perception, the Dutch colonial rulers had the insight of practicality. In fact, they did not like the unity among *pribumi*; and the ethnic Chinese, because the very nature of unity among *pribumi* and ethnic Chinese could be the cause of their downfall. For example, if a coalition between the Chinese and indigenous Indonesian was formed, the colonial administration took action to eradicate the threat, even if this meant massacring thousands of lives, as occurred in the massacre of the Chinese in Batavia in October 1740. By 1740 there were about 15,000 Chinese within Batavia’s walls, representing at least seventeen percent of the

¹³ “The Vulnerable Citizen, Indonesian Chinese and Their Identity”, <http://www.daga.org/urum/upoo/cr-dsw.htm>

¹⁴ *Ibid.*

population. They constituted an important part of Batavia's economy, particularly as traders, skilled artisans, sugar millers and shopkeepers etc.¹⁵. Those Chinese grew rich and were assimilated into the indigenous noble community, through marriage and business, resulting in a significant domestic bourgeoisie. In this climate, integration effort was begun between indigenous political power and Chinese economic power. But for the practical reason, the colonial administration had seen this coalition as a threat to their position, because the rich traders collaborated with indigenous rulers who held political power. To restrain the increasing influence of the Chinese, the colonial administration took steps to restrict the number of Chinese migrants, but this did little to rectify the problem, because the Chinese easily circumvented the regulation with the help of 'corrupt and greedy officials'¹⁶, and newcomers continued to arrive. After recognizing that the regulation was useless, the colonial administration took action and imprisoned the head of the Chinese community and his family without any reason.

The violence that occurred in October 1740, due to mutual suspicions also has had direct bearing in the relationship between *pribumi* and ethnic Chinese. According to Ricklefs, in the October 1740, the widespread rumors percolated through the European Community (Dutch) at Batavia, that the Chinese were plotting a rebellion, for which was some evidence. On the other hand the Chinese believed that the colonial administration was going to ship excess Chinese out of Batavia and throw them into the sea as soon as they were over the horizon. This mutual suspicion led the Chinese bands outside the city to attack, killing several Europeans. At the same time the colonial administration feared that Chinese inside the city would join the attackers, so a curfew was imposed and a search of Chinese houses for weapons was ordered. The search of Chinese houses soon got out of hand, shots were fired and on 9th October and a general massacre of the Chinese began. Dutch soldiers and citizens rushed out onto the streets, entered the houses of the Chinese robbing and killing men, women, children, babies, prisoners, even Chinese patient in the hospitals were

¹⁵ Ricklefs, M.C., *A History of Modern Indonesia*, The Macmillan Press, London, 1981, p.87.

¹⁶ Heuken, A., *Historical Sights of Jakarta*, Times Books International, Singapore, 1989, p.47.

not spared. And at the end of the day something like 10,000 Chinese were killed¹⁷. The Chinese quarters burned for several days, and the looting was only stopped by paying the additional payment to the Dutch troops to return.

There was clear evidence of the involvement of the colonial administration. The Chinese who escaped the slaughter in Batavia headed eastwards along the coast and allied with the Javanese princes. Virtually a war was declared between a coalition of Chinese and Javanese trader princes against the alliance of the Javanese king of Mataram and Dutch, which lasted almost seventeen years without interruption. The Dutch were exhausted by this war and now they turned their attention to open tea, coffee and rubber plantations.

This war had severe repercussions on their future Chinese policies. To prevent the future interaction between *pribumi* and Chinese the colonial administration applied the divide and rule policy in a planned manner to divide the Indonesian society into three separate groups i.e. European, the Foreign Asiatic and the Indigenous Indonesian¹⁸. In fact this arbitrary division into 'racial' categories irrespective of their size is an important feature of colonial society. The division was not only based on ethnicity, but also on division of labour and wealth. The European controlled the lucrative large-scale export-import trade; the foreign Asiatic, mostly Chinese, kept the intermediate trade and small-scale trade remained in the hands of indigenous Indonesian (*Pribumi*). Consequently, the average per capita income in 1928 was: European, 4.439 guilders, foreign Asiatic, 298 guilders and indigenous Indonesia, 61.4 guilders¹⁹.

These groups had different legal rights and privileges. The difference in income, ethnicity and culture created barriers against the conglomeration of groups in the society. Thus, assimilation in this changed colonial perspective meant drop in social status and the loss of some privileges. Even if, the desire to assimilate were

¹⁷ Ricklefs, 1981, op. cit., p.87.

¹⁸ Ibid, p.88.

¹⁹ Maddison, A., "Dutch Income in and from Indonesia, 1700-1938", *Modern Asian Studies*, Vol. 23, No. 4, October, 1989, p. 647.

there, the colonial administration took action. In some case, where the population of the villages and 'the only things which recalled their Chinese origin was their queue', were forcibly removed into China-town and made to identify themselves as Chinese.

Following this anti-integrationist policies, as argued by Suryadinata, the Dutch made no attempt to integrate the Chinese into indigenous society; on the contrary, as in other colonies, the Dutch introduced a divide and rule policy towards the population. They perpetuated ethnic consciousness through social stratification and later by encouraging the development of ethnic based parties²⁰. As a consequence now the Javanese aristocracy in particular became deeply hostile towards the Chinese²¹. This hostility was exacerbated as many wealthy Chinese sought protection from Dutch or formed self-defense groups, in turn reinforcing growing notions that the Chinese were opposed to an increasingly popular nationalist movement. Therefore, it should not be forgotten that, the resentment in the Indonesia towards the Chinese as an ethnic groups dates back to early colonial times, and was strengthened throughout the Dutch period²². This conscious racial segregation according to Sharon Sidique and Leo Suryadinata brings in a more fundamental dichotomy: indigenous versus non-indigenous communities. This indigenous verses non-indigenous dichotomy is fostered by colonial powers in two ways: firstly by their encouragement of immigration or at least the importation of immigrant labour; second, through their various policies which encouraged both immigration and native to view themselves as two separate collective communities²³.

In the process of dichotomization the *pribumi* were encouraged to remain a rural peasantry. However, some attempts were also made to co-opt members of middle and upper classes into the lower echelons of the civil services. For example, the colonial administration, succeeded in channeling the Javanese ruling elite into

²⁰ Suryadinata, Leo, "Chinese Politics in Post-Suharto's Indonesia", *Asian Survey*, Vol.IXLI, No.3, May/June-2001, p.503.

²¹ Schwarz, A., *A Nation in Waiting: Indonesia in the 1990s*, Allen & Unwin, 1994, p.103.

²² Ibid.

²³ Sidique and Suryadinata, 1981-82, op. cit., p. 665.

the civil service that symbolically perpetuating if not recreating, the *priyayi* (administrative) class²⁴.

The cumulative effects of colonial policy according to Sharon Sidique and Leo Suryadinata, was thus to promote a category of indigenous who were encouraged to distinguish themselves from the non-indigenous population. Although the various ethnic groups in the Dutch East Indies retained their ethnic identities, they came to regard themselves collectively as indigenous in contrast to the non-indigenous Dutch and Chinese community.

The process of dichotomization was also occurring in the non-indigenous sector of the population where the Dutch policies were geared to preserving and promoting the racial identity of these immigrant groups. To materialize that, the colonial administration followed the following systems:

- a. **Wijkenstelsel or Quarter System:** By this system, the colonial administration imposed a regulation that forcing the Chinese to live in a specific area or special zone called *Pecinan* or China-town. As a result, the Chinese were effectively ghettoized and completely segregated from indigenous Indonesian²⁵.
- b. **Passenstelsel or Pass System:** The United East India Company issued an edict, called the *passenstelsel*, which specified that every ethnic Chinese was required to hold a special pass when traveling outside their residential district. This enabled the colonial administration to watch and control the social activities of ethnic Chinese and ensure that no economic, political and social interaction occurred between ethnic Chinese and the rest of the population²⁶.
- c. **Officer System:** By this system the Chinese were appointed to be headmen of their communities.
- d. **Separate School System:** By this system, separate schools were established for Chinese students at least at the primary level.

²⁴ Ibid.

²⁵ "The Vulnerable Citizen: Indonesian Chinese and Their 'Identity'", <http://www.daga.org/urm/up00/cr-dsw.htm>

²⁶ Green Left, "Indonesia: Discrimination against Ethnic Chinese", 24 May 2000.

Besides, the colonial administration was busy calculating the cost and benefits of its decisions. In fact the colonial administration was master in the divide and rule policy. Thus, sometime, it was favoring Chinese and sometime, the indigenous Indonesians. And from where it perceived threat, the administration without any delay tried to make balance by weakening the concerned group by making opposites strong. For example, the colonial administration restricted involvement of indigenous people in big or middle business activities, because their (Javanese) involvement in business was seen as serious threat. They perceived that, "if the Javanese have money power, soon they will threaten the Dutch". Under this perceived threat the colonial administration of the day applied a regulation in which all business with indigenous businessperson must be done in barter-style using Dutch products, such as textiles and consumer goods, as collateral. Meanwhile, the Dutch still paid their Chinese agents with money. In other cases, the colonial administration had also exercised tougher measures, such as in east Java; the majority of indigenous middlemen were forced to cease operating their businesses, which the Chinese appropriated, and quickly becoming the new compradors²⁷. Likewise the Dutch officials at Batavia ordered the shipping of Chinese slaves to Maluku in order to replace the indigenous middlemen in the plantation, and to act as middlemen between the Dutch and the indigenous smallholders or traders. The reason was that the Chinese were 'hard workers', smart and powerless.

By these measures, the colonial administration attempted to restrict the development of indigenous business class and replaced them with the Chinese. This also illustrated that the Dutch colonial administration actively discouraged the crossing of ethnic boundaries, and the colonial administration played central role in ensuring that a stable local-born Chinese society was formed and were not absorbed by the indigenous population.

²⁷ Kemasang, ART, "Overseas Chinese in Java and their Liquidation in 1740", *Southeast Asian Studies*, XIX, 2, 19, 1990, p. 125.

2. RELATIONSHIP DURING THE NATIONALIST MOVEMENT

The rise of nationalism (Chinese as well as Indonesian) and independence movements in Indonesia was further exacerbated the division of indigenous and non-indigenous people. The idea of nationalism during the colonial period was used tactfully to use one against other. For example, according to Sharon Sidique and Leo Suryadinata, it was used to promote a sense of indigenous homogeneity and identity which tended to exclude the participation of non-indigenous immigrant communities²⁸. On the other hand, the rise of Chinese nationalism in Indonesia was used against the indigenous Indonesia.

The Chinese question heated up from the 1900s, when a nationalist movement arose among the Chinese in Indonesia. The Tiong Hoa Hwee Koan (THHK) was founded on 17 March 1900 in Batavia and began establishing Chinese schools-54 by 1908 and reaching 450 by 1934²⁹. In January 1912, when Sun Yat Sen proclaimed the Republic of China, the Chinese all over the world started identifying themselves with the regime and the land, called republic of China. A sort of national consciousness arouses among themselves and they started united against oppression. With this wave of nationalism, the Chinese organizations in Indonesia which had earlier worked within the socio-cultural field began to turn toward politics. Their objective was also changed to eliminate the discrimination against Chinese in the East Indies in the areas of education, law and justice, civil status, taxation and restrictions on mobility and residence³⁰.

2.1 Ethical Policy

At the same time, the colonial authorities introduced a new policy known as “Ethical Policy”, aimed at improving the position of the indigenous population within the colonial framework. This was described by Dutch as an attempt to improve the status of natives. The Chinese economic interests, as well as education system were

²⁸ Sidique and Suryadinata, 1981, *op. cit.*, p.668.

²⁹ “The Chinese in the Collective Memory of the Indonesian Nation”, <http://www.rspas.anu.edu.au>

³⁰ *Ibid.*

under attack³¹. In implementing the 'ethical policy', the colonial government tried to improve education in the colony, but the Chinese were not included in the programme, despite the fact that they were subject to double taxation i.e. income tax and property tax. The income tax was otherwise imposed on *pribumi* who were not farmers, while the property tax (on houses, carts, motor vehicles and household appliances) was imposed only on Europeans and Foreign Orientals (including the Chinese)³². In conjunction with the growth of nationalist sentiment in Mainland China, these developments gave rise to the overseas Chinese nationalist movement elsewhere.

The Indonesian nationalist movement, appearing after the emergence of overseas Chinese nationalism, tended to exclude the Chinese. Even the *peranakans* (locally-born Chinese) were also barred from nationalist organization. And by the 1920s, the development of Indonesian "nationalism proper" had resulted in the widespread use of the term "Indonesia"

Along with the awakening of Indonesian nationalism an effort was made to indigenize the Indonesian economy. The first process of indigenizing the economy was started in Kudus, a town in the north-coast of Java, where many well-known indigenous businesspersons were born. In an economy mainly controlled by the Dutch and the Chinese, Kudus appeared to be one of the enclaves of successful indigenous entrepreneurship.

In 1909, the first organization, which involved indigenous entrepreneur was Sarekat Dagang Islamiyah (Islamic Commercial Union) founded by Raden Mas Tirtoadisurjo, in Batavia. In 1911 at Buitenzorg (Bogor) he set up another such organization. In fact, both these organizations were designated to support indigenous traders against Chinese competition. At the same time he encouraged a successful Batik trader in Surakarta named Haji Hamanhuji to found Sarekat Dagang Islam as

³¹ Sidique and Suryadinata, 1981, op. cit., p.668.

³² "The Chinese in the collective Memory of the Indonesian nation", <http://www.rspas.anu.edu.au>

an anti-Chinese Batik traders' cooperative³³. With this spirit, other branches were soon set up in other parts of the country. The Muslim identity was used to distinguish between Indonesians and the Dutch or the Chinese. By using Islam as a determinant of the Indonesian identity, Tirtoadisurjo easily garbed the support of most of indigenous people, particularly the Javanese, the West Sumatans, Sundanese and Madurese. More importantly, he also activated the largest traditional religious organizations in Java, pesantren (Islamic boarding school) and their traditional leaders Kyai. As a result, Sarekat Dagang Islam experienced spectacular growth, becoming the first Indonesian mass party and by 1919, claiming about two million members³⁴. Because of its spectacular growth, the organization had to move its focus away from commercial activities and eventually changed its name to Sarekat Islam (The Islamic Society).

The Sarekat Islam proclaimed loyalty to the Dutch regime, but as it spread in the villages, violence erupted. Because, the villagers seem to have perceived Sarekat Islam less as a modern political movement than as a means of self-defence against an apparently monolithic local power structure, in the face of which they felt impotent. It thus became an expression of group solidarity, united and apparently motivated by dislike of the Chinese, the 'priyayi officials', those who did not join Sarekat Islam, and the Dutch, approximately in that order³⁵.

By 1911, grievances against Chinese had become the central feature of the policy of the Sarekat Islam Congress, with calls to exclude all Chinese from the movement. Meanwhile, the tension between the indigenous Indonesian and the Chinese grew steadily. In Surakarta and Jogjakarta, it was widely felt that the Chinese were gaining a firmer control over the Batik industry, since the Chinese agents controlled the supply of cambric, dyes, waxes and the marketing of the finished products. The economic competition with the Chinese was interpreted by militant members of the Sarekat Islamic of Sarakarta as a racial threat that had to be

³³ Ricklefs, 1981, op. cit., p.158.

³⁴ Ibid.

³⁵ Ibid.

met by force. They began to attack Chinese in the street, burning their shops and warehouses. Consequently, on 10th August 1912, the Resident of Sarakarta issued a decree banning the organization. In Kudus, on October 1918 anti-Chinese riots occurred in which thousands of people attacked Chinese factories, shops, pawnshops, and houses. More than fifty houses were destroyed and about one hundred were wounded³⁶. Public opinion was divided along ethnic lines.

The indigenous press blamed the Chinese for the incidents while the Chinese blamed the indigenous Indonesians. A leader of the Central Sarekat Islam, Surjopranoto, issued a report presenting the view of his party, in terms of relations. He asserted that the Sarekat Islam was not involved in the riots, and claimed that the riots were result of the local Chinese behaviour; prior to the riots, he noted, the Chinese held a parade in which some Chinese, disguised as hajis and regents, were yelling, 'Ya Allah Ya prophet, Allah is the only God'³⁷.

The source of the hatred was principally economic, centered on the entrance of the Chinese into the Cigarette hands of indigenous entrepreneurs. This is apparent from the fact that of sixty-one revolted sentenced for their part in the riot, about twenty were manufacturers a further eight were traditional religious leaders (Kyai)³⁸. In fact, there was clear evidence of the involvement of Sarekat Islam in the riot.

The Indonesian revolution was a critical period for the formation of Indonesian nationalist attitude toward the Chinese. During the 1940–1945 war of independence and through the war to defend the independence from Dutch until 1950, surprisingly few Chinese Indonesians were involved in the liberation army. At that time, the economy plummeted and the taxes went sky high. Even everyday goods, such as soaps and spoons, were very rare as Dutch and Japanese confiscated many of them for their own army. Chinese Indonesian contribution in this era was in the smuggling of these goods.

³⁶ Castles, L., *Religion politics and Economic Behaviour in Java: The Kudus Cigarette Industry*, Southeast Asian Studies, Yale University, 1967, p. 85.

³⁷ Suryadinata, 1978, op. cit., p. 16.

³⁸ Ibid.

However, smuggling was increasingly difficult as Japan affirmed their foothold in Indonesia. This compelled them to think that, the Chinese gave no support to the Indonesian Independence movement. This perception of *pribumi* towards Chinese further exacerbated the relationship between them, as a result, the membership to the proto-Indonesian organizations, with the exception of the Indische Partij and the Partai Komunis (Communist Party), Indonesia was exclusive for 'indigenous' Indonesians. Besides, during the phase of Indonesian nationalism proper, the other major parties, such as the Partai Nasional Indonesia (Indonesian Nationalist party, PNI), Partindo, the New-PNI, and Parindra, closed their membership to the non-indigenous population. The exception was a minor leftwing party, the Gerakan Rakjat Indonesia (the Indonesian People's Movement, Gerindo), which welcomed 'peranakan Chinese'³⁹.

2.2 Japanese Period

Unlike Dutch colonial administration, Japanese occupation to Indonesia was for brief period of three and a half years. During this period the relationship between 'pribumi' and ethnic Chinese was simply driven by the situational compulsion. In other words, in some point of time the Indonesia Chinese were against the Japanese occupation of Indonesia and thus fought against the Japanese in supporting independence movement, while in some other point of time, the Indonesia Chinese collaborated with them. This dichotomy was nothing but the demand of the time, which can be explained, in the following lines.

Although, Japanese were number one enemy of Chinese all over the world due to Japanese occupation of China, the Chinese in Indonesia appeared loyal to them. This is because, the concession given to Chinese in Indonesia during the Japanese occupation in term of elevating their minority status in Indonesian society.

No doubt, the initial years of the Japanese occupation was seen the degraded status of the minority group in general and ethnic Chinese in particular. This was mainly because of the Japanese high policy of breaking up any regional or ethnic

³⁹ Ibid.

solidarity that existed earlier. Of course it also means enabling the Japanese to maintain effective control over these minority groups. Keeping all these point in mind, in the economic as well as in the political sphere, the various population groups in Indonesia were organized racially, religiously, and also by age and sex groups⁴⁰.

This racial segregation was simply meant to treat these minorities in a harsh way. But soon the Japanese authorities realized the mistake and forced to modify their initial harsh treatment to these minority groups. In fact the Chinese and other minority groups like Arab and Eurasian were immediately after the conquest, suffered violence and regimentation, far exceeding that meted out to indigenous people of Indonesia. But with the recalcitrance of ethnic Chinese and a possible bordering on sabotage or their usefulness, the ethnic Chinese effected a mitigation of this harsh treatment by mid of the 1944. Thereafter, according to Paul H. Kratoska, the puppet spokesperson on behalf of Chinese people, whose gratitude for Japanese benevolence was publicized with monotonous regularity, voiced their pleaser, without obvious irony, at being placed on the same footing as the Indonesians that is, they were freed from restrictions on travel and from payment of a registrations on travel and from payment of a registration fee⁴¹.

The obvious reason behind this sudden policy turns of Japanese towards ethnic Chinese lies in their usefulness to the Indonesian economy. On the one hand the Japanese realized that, even the stunted economic life of the occupation could not function without the Chinese middlemen who had previously made themselves so indispensable to the Dutch colonial economy. On the other hand when the Japanese joined in the war, it was found that, removed from the direct contact with the Chungking Government, only a minority of the Chinese resident in Indonesia were politically active⁴². In other words, the Japanese did not perceive any real threat from this Chinese minority. Thus, apparently the majorities of Chinese were not

⁴⁰ Kratoska, Paul H., (ed.), *South East Asia. Colonial History*, Vol. IV, Rutledge, London, 2001, p.266.

⁴¹ Ibid.

⁴² Lasker, Burno, "The Role of the Chinese in the Netherlands Indies", *The Far Eastern Quarterly*, Vol.5, No.2, Feb.1946, p.170.

seriously molested by the Japanese and were allowed to remain in their former position⁴³.

Besides, the Chinese business community was reverred to its old status of a cultural minority absorbed in the task of making a living, which they lost earlier. While surreptitious support of the Chinese cause continued to some extent and a majority of the Chinese residents probably were loyal to the Allied cause, there also was a tendency among them to accept the conquest as a *fait accompli* and to collaborate with the country's enemy⁴⁴. This temporary compromise by Chinese Indonesian also included acceptance of the Japanese-sponsored ideology of "*Asia for the Asiatics*"⁴⁵.

On the other hand, during the Japanese occupation of Indonesia also seen some Indonesian Chinese formed on Anti-Fascist League and stubbornly fought the Japanese. This was triggered by the official ban on all forms of Chinese political organization in Indonesia⁴⁶. This group of Indonesian Chinese was very active in supporting independence movement during the 1940s.

Therefore, the relationship between '*pribumi*' and ethnic Chinese in this brief period of three and half years was both cordial as well as hostile. The '*pribumi*' was cordial towards the ethnic Chinese group that was supporting the national independence movement but hostile to the other group as they were active collaborators with the enemy. The reverting back to the old status by the Chinese minority also added some fuel into the relationship between the Chinese and *pribumi* during the Japanese to the Chinese business community further earned the wrath of the "*pribumi*'.

⁴³ Kahin, George Mct, "The Chinese in Indonesia", *Far Eastern Survey*, Vol.15, No.21, Oct.23, 1946, p.326.

⁴⁴ Lasker, 1946, op. cit., p.170.

⁴⁵ Ibid.

⁴⁶ Suryadinata, Leo, "Chinese Politics in Post-Suharto's Indonesia", *Asian Survey*, Vol.IXLI, No.3, May/June-2001, p. 503.

3. RELATIONSHIP DURING THE POST-INDEPENDENCE ERA

Like colonial era, the history of relationship between '*pribumi*' and ethnic Chinese in post-independence era can also be broadly divided in a time framework i.e. Independence to New Order (1945-1965), New Order to Early Reform (1965-2000) and late Reform era to present day.

3.1 INDEPENDENCE TO NEW ORDER (1945-1965)

During the 1940-1945, the war of Independence was to defend the Independence from the Dutch until 1950, surprisingly few Indonesian Chinese were involved in the liberation army. This decided the kind of relationship would have between ethnic Chinese and '*pribumi*'. With the withdrawal of Japanese authority late in August 1945 and the coming to power of the Indonesian republic, the position of the Chinese deteriorated rapidly⁴⁷. The newly formed government was not strong enough to control the pen-up animosities of native elements, along the victim of exploitation by the Chinese middleman and moneylender. There is probably some truth according to George Mct. Kahin in the Indonesian claim that Dutch reports exaggerated their ill treatment of the Chinese, but there is no doubt that during the past years many Chinese have suffered at the hand of Indonesians. Irresponsible and relatively uncontrolled groups such as the Pemoeda (an Indonesian youth Organization) have frequently attacked Chinese and destroyed their property⁴⁸.

After independence, the Japanese and Dutch were routed. Their companies were vacant or sold in very cheap prices. As Indonesian Chinese were apt at trades, they quickly assimilated these companies. However, many *pribumi* were dissatisfied with the outcome and sought to curb this effort. They were rarely involved in armed conflicts and thereby the fledgling Indonesian government forced Indonesian Chinese to relinquish some of them. This upset the relationship between '*pribumi*' and ethnic Chinese. Some ethnic Chinese reduced their activities in politics, but some were still active and even served as ministers to newly established republic.

⁴⁷ Kahin, 1946, op. cit., p. 326.

⁴⁸ Ibid.

The *pribumis* still felt left out and discriminated as Indonesian Chinese increasingly dominated the economy. The *pribumis* described the government's lackluster effort to provide level playing field and sought even more aggressive predicaments. This further escalated the tension of the already uneasy relationship between *pribumis* and Chinese Indonesian. The *pribumis* always considered Indonesian Chinese as the agents of the colonials. The tendency of Indonesian Chinese flocking together in *Pecinan* or Chinatowns, segregated from *pribumis*, exacerbated it.

3.1.1 Doctrine of Pancasila

The year 1945 is also marked by the origin of one of the most liberal policy towards ethnic minorities called '*Pancasila*'. The '*pancasila*', which means 'five principles', was first, formulated by Sukarno, while he was the member of an Investigating Committee for Preparatory Work for Indonesia. In the investigating Committee, Sukarno urged that his version of religiously neutral nationalism should be adopted. In his historic speech of 1 June 1945, Sukarno laid out his doctrine of '*pancasila*', which were supposed to become the official philosophy of Independent Indonesia⁴⁹. It stress five elements supposed to be common in all Indonesian ethnic groups i.e. belief in God, nationalism, humanitarianism, social justice and democracy⁵⁰. According to Leo Suryadinata the first principle 'Belief in One God' (without specifying a particular belief) was aimed at embracing all religious Indonesians. However, it also denies a special position for Islam, reflecting the *abangan* (Javanese nominal Muslims) vision of an Indonesian State and culture. The last three principles- Humanism, Social Justice and Democracy- are ideas vaguely shared by all ethnic groups. Thus, the doctrine of '*Pancasila*' involves religious pluralism. Under the umbrella of '*Pancasila*' religious freedom was guaranteed⁵¹.

However, the era of religious pluralism was short lived, because of the staunch opposition from the pro-Islamic groups. With the dissolution of Parliament, once the date for Parliamentary election was fixed for September 1955 the Jakarta politician

⁴⁹ Ricklefs, 1981, op. cit., p.197.

⁵⁰ Ibid.

⁵¹ Suryadinata, 1997, pp.111-112.

now started working for building mass support to fetch the vote for their respective party. In their search for popular support they used hard ideological appeals, which contributed, to communal tensions in the villages. This vitiated the hitherto existed cordial relationship between '*pribumi*' and the ethnic Chinese based on the policy of religious pluralism as guaranteed under the doctrine of '*pancasila*'. Now onward, the Islamic party activists at lower levels openly called for a state based on Islamic law. Even the secular parties like PNI (Partai Nasional Indonesia, Indonesian Communist Party) and PKI (Partai Komunis Indonesia, Indonesian Communist Party), attempted to associate Masyumi (Majlis Syuro Muslimin Indonesia, Consultative Council of Indonesian Muslims) with Darul Islam and turned '*pancasila*' into a partisan anti-Islamic slogan rather than the umbrella philosophy⁵².

At the same time, the relationship between '*pribumi*' and ethnic Chinese were further conditioned by the following development in Indonesia. Mohammad Hatta, the Vice President, an influential figure during the liberal period, generally proposed Indonesian economic policies 1950-57. His attitude towards foreign-descent minorities was reflected in his Manifesto Politik (Political Manifesto), where he declared: "in our internal policy we will implement sovereignty of our people by formulating the nationality regulations in making peranakans, both Asian and European extraction, true Indonesians, that is Indonesian patriots and Indonesian democrats"⁵³.

Hatta's statement, however, clearly indicates that the government would accept Chinese and other minorities as citizens of Indonesia. Later his statement was interpreted to suggest that Hatta was proposing that Indonesian Chinese should be assimilated into the indigenous Indonesian population. Thus, in September 1956, Hatta guaranteed that the Chinese would have access to the same positions and have the same rights as indigenous Indonesians. Hatta's intentions were clear when he wrote that the Indonesian Chinese, 'no longer like to be called Chinese but only Indonesians'. Furthermore, Hatta added that: "the course of history in Indonesia has

⁵² Riklefs, 1981, op. cit., p. 234.

⁵³ Suryadinata, 1986, op. cit., p.25.

gradually made them (the Chinese) real Indonesians. Only their names remind one of the country from which their ancestors came, their language and way of life are Indonesian”⁵⁴.

The period shown several ups and down in the relationship between ‘pribumi’ and ethnic Chinese, because on the one hand there were doctrine like ‘pancasila’ and the personality like Sukarno and Mohammad Hatta, who were although having sympathy towards indigenous entrepreneurial class, were not at all in favour of discrimination on the basis of race. Instead, especially Hatta advocated that, the small entrepreneurs could be helped through the establishment of cooperatives under state protection. To realize this end he even launched a cooperative movement. He also pointed out that it was the duty of the Indonesian Chinese to contribute their economic expertise to promote Indonesia’s exports and urged them to take indigenous Indonesian as business partners. His intention was clearly reflected when he opposed the demand of Assaat Movement⁵⁵ in the following lines:

“If the Assaat Movement aimed at protecting weak national business against foreign business, especially Chimes, I would agree with that and would be ready to help. But I disagree with racial discrimination because this is against our constitution, which does not allow us to discriminate one citizen against another. If this is continued, we will not be able to create a homogenous nation because the nation would be fragmented”

3.1.2 Indigenist Policies

On the other hand, the period was also marked by the rise of the indigenist policies and the famous Assaat Movement, which were radically advocated for the discriminatory measures against the non-indigenes to strengthen the economic position of indigenous Indonesian.

The indigenist policies were nothing but the series of policies directed in the field of economy covering sectors such as trade, finance, agricultural estates, public

⁵⁴ Hatta, M. “One Indonesian View of the Malaysian Issue”, *Asian Survey*, Vol. 5, No. 3, March 1965, p.580.

⁵⁵ The Assaat movement was a movement aimed at upgrading the economic status of the Indonesian Chinese during the 1950s. Assaat was a lawyer and politician turned businessman.

utilities, manufacturing, mineral production and transportation. In short it was aimed at Indonesianisation of the economic system of the country. These policies has had direct bearing on the relationship between 'pribumi' and the ethnic Chinese, because, the prime targets of these policies were Europeans, particularly the Dutch, but soon, the Indonesian Chinese encountered a similar fate. The first discriminatory measures against non-indigenous, in general, and Indonesian Chinese, in particular occurred in early 1950 after the establishment of Republik Indonesia Serikat (the Republic of the United States of Indonesia). In April 1950, Djuanda, the Minister of Prosperity, announced that the Indonesian government would protect national importers so they could compete with foreign business person. In congruence to his announcement, several steps were taken to promote the development of an Indonesian business class through the granting of preference in the allocation of scarce bank credits or import and foreign exchange licenses, measures which tended to discriminate against their Chinese competitors as well as the Dutch⁵⁶.

Among several notorious schemes of racial discrimination in the economic field, the '*Benteng* (fortress) System⁵⁷' was the most notorious, under which certain categories of imports were reserved for 'national importers' in the hope of building up their capital backing by giving them a monopoly over commodities for which there were relatively secure profit margins⁵⁸. Thereafter the 'national importers' were defined as *bangsa Indonesia asli* or indigenous Indonesian or import firms whose capital was 70 per cent owned by indigenes. The term 'national importers' was defined with the mala fide intention to exclude the ethnic Chinese from the privileges of the schemes.

⁵⁶ Mackie and Coppel, "A Preliminary Survey", in, JAC, Macki., (ed), *The Chinese in Indonesia*, The university Press of Hawaii, Honolulu, 1976, p.13.

⁵⁷ Throughout the history of Java, the Benteng strategy had been used to recapture territory occupied by the enemies. According to the Benteng strategy, a circle of fortresses would be built around an occupied territory, with the circle gradually decreasing in size until the territory was recaptured. Indigenous Indonesians wanted to recapture the lost territory, in this case the economy that was in the hands of Chinese or foreigners. Using the *Benteng* regulations, the indigenous Indonesian hoped to gradually regain complete control of the Indonesian economy.

⁵⁸ Mackie and Coppel, 1976, op. cit., p.13.

Thus, the main purpose behind the *Benteng policy* was to encourage the growth of an indigenous entrepreneurial class, which would begin with 'the relatively simple problems of they import trade, and the branch out into other undertaking'⁵⁹. Another indigenist policy, promulgated by the Ali Satroamidjojo government, involved the regulation to control the rice-mills. In the 1950s, the Chinese controlled most rice-mills, borne out by figures from the East Java province where, in 1952, the Chinese owned 138 out of 154 mills⁶⁰. According to the regulation, no new license for rice-mills would be issued for foreigner (Chinese) and the existing rice-mills should be transferred to Indonesian control. Not surprisingly, the Chinese community opposed this measure.

3.1.3 Assaat Movement

The relationship between 'pribumi' and ethnic Chinese went to the down-grade with the radical campaign of *Assaat Movement*, which of the opinion that as long as the national economy is not in the hands of those labeled 'native' it is not possible to make it healthy⁶¹. In early 1956, Assaat organized a campaign, which demanded preferential economic treatment for indigenous Indonesians. This was in fact directed against the Chinese people with whom the entire economic system of Indonesia was revolving. His racist attack against the Chinese found an immediate echo throughout the country and the Assaat movement begins⁶². According to Feith 'the Assaat movement expressed with shattering directness feelings which Indonesians had long had, but hesitated to express in public'⁶³

In March 1956, at the Indonesian national Economic Congress in Surabaya, Assaat made an influential speech that demanded discrimination against all Chinese in Indonesia. He said "the Chinese as an exclusive group resist the entry of others, whether in the cultural, social, or especially the economic sphere. In the economic sphere

⁵⁹ Higgins, Benjamin and Jean Higgins, *Indonesia: the Crisis of the Milestones*, Princeton, Van Nostrand, 1963, p. 91.

⁶⁰ Suryadinata, 1986, op. cit, p.132.

⁶¹ Suryadinata, Leo, "Indonesia in 1979: Controlled Discontent," *Southeast Asian Affairs*, Vol. 1, no.12, Dec. 1980, pp.119-120.

⁶² Tas, S. *Indonesia: The Under Developed Freedom*, Pegasus, New York, 1974, p.261.

⁶³ Feith, Herbert, *The Decline of Constitutional Democracy in Indonesia*, Ithaca, 1962, p.481.

they are so exclusive that in practice they are monopolistic. The power of the exclusivist and monopolistic Chinese in the economic field is far more dangerous for the progress of the Indonesian people. We must face this danger together. The entire people and the government must face it consciously and systematically. Therefore, I urge the Congress to consider and eventually to accept three propositions as a basis for this struggle. These are:

1. The power of the exclusive Chinese group in the economic field especially in the trading sectors hinders the progress of Indonesian business in all sectors of economic life.
2. The economic life is not possible to differentiate between foreign Chinese and ethnic Chinese who are citizens of Indonesia according to the present citizenship regulations.
3. Native Indonesian citizens must receive special protection in all their endeavors in the economic field, from competition of foreigner in general and the Chinese in particular⁶⁴.

Thus, Assaat movement was nothing but a form of expression of the frustration of indigenous capitalist class to compete with the Chinese people in Indonesia. This racist campaign of Assaat movement was further expanded by efforts to revise the citizenship regulations in order to make citizenship more difficult to acquire, beginning by canceling the citizenship of those who received their Indonesian citizenship on the basis of regulations enacted at the beginning of the revolution⁶⁵.

In May 1959, Rachmat Muljosemino, the Trade Minister who was also a member of NU (Nahdatul Ulama, Muslim Political Party) and an ardent supporter of the Assaat Movement, issued a regulation to ban the involvement of 'foreigner' (here it is Chinese) in rural business, requiring that their business must be nationalized i.e. transferred to indigenous Indonesians by the 30 September of the same year⁶⁶. The Prime target of this regulation was the Totok Chinese who still

⁶⁴ Assaat, 'The Chinese Grip on Our Economy', in H. Feith and L. Castles (eds.), *Indonesian Political Thinking, 1945-1965*, Cornell University Press, Ithaca, 1970, p.346.

⁶⁵ Suryadinata, 1979, op. cit., p.120.

⁶⁶ Somers, M.F., *Peranakan Chinese in Indonesia*, Modern Indonesia Project, Cornell University, Ithaca, 1964, p.197.

held foreign citizenship. Before that date, in fact, the military commander had already declared rural areas are closed to all Chinese, either foreigner or Indonesian.

Further, the Presidential Decree, no. 10 was issued on 16 November 1959; reiterate the ban introduced by the former cabinet. In an attempt to loosen the grip of the Chinese on the rural economy, President Sukarno banned aliens, mainly ethnic Chinese, from engaging in retail trade in rural areas of the country. Secondly, the Chinese were prohibited from maintaining residences in rural West Java⁶⁷. The decree forced the Indonesian Chinese to close their businesses in rural areas and relocate into urban areas in the hope of giving a competitive advantage for the *pribumis* to open their business in rural areas, as the economy was agricultural driven. These racist measures of President Sukarno forced evacuation of thousands of Chinese to ghettos in major towns and cities. It was reported that approximately four to five hundred thousands Chinese were affected by the regulation⁶⁸. This upset many Indonesian Chinese. They felt betrayed that their nationalism and heroism were not reckoned with at all. Moreover, the enforcement was brutal; many of them were slaughtered in the effort. Those Chinese Indonesians who could not withstand the discrimination fled. The *Totoks* returned to Mainland China i.e. China, Hong Kong, or Taiwan —only to catch themselves trapped in Cultural Revolution—and the *Peranakans*, to the old masters' country, the Netherlands.

The record of the Department of Immigration of Indonesia shows that in 1960, 102,196 Chinese left Indonesia for China⁶⁹. The misery of these people was not ended here, as they were also not welcomed in their respective mainland either. Ironically, they were not regarded as 'pure Chinese' regardless of their effort of maintaining 'pure Chinese breed'. The unfortunate news of the early migrants was widespread among the ones in Indonesia. They soon found themselves as neither Indonesian nor Chinese and thus were in deep identity crisis. Some decided to move

⁶⁷ "The World Conference on Racism Report, 2006: A Case of the Pot Calling the Kettle Black," <http://www.hri.ca/partners/sahrdc/hrfeatures/HRF20.htm>.

⁶⁸ Somers, 1964, op. cit., p. 197.

⁶⁹ Skinner, G.W, "The Chinese Minority", in R Mcvey, (ed.), *Indonesia*, Yale University, South Asian Studies, 1963, p.98.

some other places, like Singapore or Malaysia, but some decided to stay in Indonesia.

3.1.4 Aftermath of the 1965 Coup

The failed Coup of the 30 September 1965 has also contribute to deteriorate the relationship between '*pribumi*' and the ethnic Chinese, because, the coup was alleged as the Communist Coup. The Army publicly blamed the PKI (the Indonesian Communist Party) for the coup attempt. This triggered an outbreak of violence against people associated with PKI. The Army supported the proclamation and collaborated with the zealots to identify PKI targets. Not only were PKI supporters eliminated, but other leftists were also killed. The Chinese, the most vigorous element in the Indonesian business class, were accused of being collaborator of the Communist revolution and were victimized by both soldiers and civilians.

3.2 NEW ORDER TO EARLY REFORM (1965-2000)

The establishment of President Suharto's new Order regime in 1966 and its consolidation of power fundamentally altered the relationship between the Indonesian Chinese and '*pribumi*'.⁷⁰ In fact, the "Chinese problem," a rather old problem that, however, did not exist like this before, became newly defined by the New Order. Suharto did not have to start from scratch; the Chinese as a minority and non-indigenous group were already defined and segregated long before. The tradition of exclusion goes back to colonial times in which the Chinese were positioned as middlemen. It was carried on by Sukarno's relatively successful attempts to build an Indonesian nation based on an imagined *pribumi* community, largely leaving out the non-*pribumi*.⁷¹

Like the previous era, the New Order has also witnessed a paradoxical relationship between '*pribumi*' and the ethnic Chinese. Because, the New Order

⁷⁰ Turner, Sarath, "Setting the Scene Speaking Out: Chinese Indonesian after Suharto", *Asiatic Ethnicity*, vol. 4, no. 3, Oct. 2003, p.3.

⁷¹ Chua, Christian, "Defining Indonesian Chineseness under the New Order", *Journal of Contemporary Asia*, vol. 3. No. 5, Oct. 2004, p. 235.

regime had also played an ambiguous policy towards Chinese minority. On the one hand they issued a series of tough measures against Chinese interest; however on the other hand, since the regime had adopted an economic growth oriented policy, they establish a coalition with the Chinese to utilize domestic capital. President Suharto saw ethnic Chinese like, Liem Sioe Liong⁷² having a place in the development of Indonesia as a modern industrial society with the added advantage that they represented no political threat because of their minority status. This paradox of new order was clearly visible as on the one hand in July 1968, the Indonesian Government issued a law on Domestic capital Investment which differentiated between national and alien enterprise. Under this law a national enterprise was defined as an undertaking in which Indonesian citizens owned 51 per cent of the capital and the percentage of Indonesian ownership should not less than 75 per cent by January 1974. And all enterprise which did not meet this requirement was classified as 'alien enterprises'⁷³. No doubt this law was discriminatory for the Chinese people. But on the hand the interest of the Suharto government in utilizing Chinese capital was also shown in the form of establishment of the "Indonesian Business Center" on June 6, 1968, Jakarta, which involved both high-ranking government official and Chinese private groups⁷⁴.

By the time Suharto came to power, Indonesian Chinese were increasingly discriminated against. Such discriminatory tactics included putting ban on using any Chinese characters, ban on Chinese literatures and Chinese cultural performance. The Chinese were also forbidden to have land in the rural areas. The discrimination even went into a point of banning Chinese script-in the process removing dozens of Chinese language news papers-forbidding Chinese cultural expression, and the

⁷² One of the country's biggest tycoons, Liem Sioe Liong, began his rise to fortune through meeting the former President Suharto while he was supply officer for an army division in central Java. Liem was one of a handful of ethnic Chinese who allowed to benefits from a string of financial favors including monopolies, state bank loans and special licenses.

⁷³ Suyradinata, Leo, "Indonesian Policies toward the Chinese Minority under the New Order", *Asian Survey*, vol. xvi, no.8, Agu.1976, p.772.

⁷⁴ *Ibid.*

eventual closing of Chinese language schools and education facilities⁷⁵. There was also restriction on the number of Chinese students in the public schools as '10 per cent' limit on university places for Chinese students imposed for courses in medicine, engineering, law and science⁷⁶. Use of Chinese language in public was discouraged. Not only was the Chinese language considered 'harmful', but even Chinese religion and customs were regarded as undesirable as the December 1967 Presidential Instruction stated that "Chinese religion, beliefs and customs (in Indonesia) originated in their ancestral land and their various manifestations may generate unnatural influence on the psychology, mentality and morality of Indonesian citizenships and therefore impede natural propensity⁷⁷. These highly discriminatory laws are believed by some as a concerted government effort at cultural genocide.

With the pretense of denouncing Chinese communism, Suharto not only closed communist-leaning parties, but also extended his reach toward all Indonesian Chinese parties and all aspects of Indonesian Chinese socio-culture. Suharto effectively stripped off Indonesian Chinese power, banned them from politics and military. He championed forced *assimilation* policy against Indonesian Chinese so that they would forget their ties to China. This policy springs forth many anti-Chinese legislations. Suharto passed and enacted very discriminatory citizenship laws, such as forcing Indonesian Chinese to register themselves as Indonesian citizens by renouncing their alleged Chinese citizenship regardless of the validity of the Indonesian citizenship they may already have.

During the widespread massacres that followed a failed coup in September 1965, which Suharto claimed China had helped to provoke, many Chinese in Indonesia were accused of being Communist sympathizers and according to some estimates, at least 500,000 people, a great number of whom were Chinese, were

⁷⁵ Heryanto, Ariel, "Ethnic Identities and Erasure, Chinese Indonesians in Public Culture", in Joel S. Khan., *Southeast Asian Identities, Culture and the Politics of Representation in Indonesia, Malaysia, Singapore, and Thailand*, Institute of Southeast Asian Studies, Singapore, 1998, pp. 113-114.

⁷⁶ Ibid.

⁷⁷ Suryadinata, 1976, op. cit., p.780.

killed in the anti-Communist purge⁷⁸. Allegedly, Suharto was also the mastermind of 1965 slaughter of millions Indonesian Chinese, purportedly to eradicate Communist Party of Indonesia (PKI). Group divisions among *Cina Babas*, *Qiao Shengs* and *Cina Totok* blurred because Suharto treated them alike. Furthermore, ethnic Chinese were all forced to change their names to 'Indonesian-sounding' one⁷⁹. This law is considered as one of the most humiliating ones to Chinese community in Indonesia since by doing so they are forced to lose their family name. In addition to this humiliation, Chinese Chambers of Commerce were banned, and 'identity cards that all Indonesians must carry contained a code that enabled the holder to be identified as either Chinese or not⁸⁰. In identity cards, all Chinese Indonesians were designated as "WNI" (Warga Negara Indonesia means Citizen of Indonesia), a euphemism for "ethnic Chinese" as opposed to just "Indonesian" for the *pribumi* Indonesians.

This made it easy for government officials to extract bribes and side payments, and has been compared to Jews under Hitler being required to wear the Star of David badge on their chests. Ethnic Chinese must hold certificates of having rejected Chinese citizenship, despite being native-born and their family having lived in Indonesia for generations. These highly discriminatory laws are believed by some as a concerted government effort at cultural genocide

Between 1965-1975, army and police officers were rampant in abusing Indonesian Chinese, such as openly robbing and raping their families without due justice. During this time, police may abuse any people using Chinese language. The only measure to survive during this period was by using bribes.

In addition to that, those who were considered as heroes of Indonesian Independence, such as Siauwi Giok Tjhan and Liem Koen Hian, were either, brutally executed or exiled, or jailed. Those who protested were silently murdered. None of

⁷⁸ Tarling, Nicholas, *Southeast Asia: A Modern History*, Oxford University Press, Melbourne 1998, p. 251.

⁷⁹ "After Years of Discrimination, Indonesia's Chinese Hopeful", *Associated Press*, 28 August 2001.

⁸⁰ Beckman, M., "Blame Indonesian Chinese?" *Far Eastern Review*, 5 March 1998, p. 45.

them were bestowed national hero status. It effectively discouraged any Indonesian Chinese of the time to dedicate their life of Indonesia.

Since Indonesian Chinese were banned from all aspects of life except from economy and industry, they concentrated their effort in those areas and became remarkably successful. It opened opportunities for government and military officers to levy bribes from Indonesian Chinese businessman. Bribes and corruption soon became a norm. This widened the gap between them and *pribumis*. The *pribumis* accused Indonesian Chinese colluding with the government and thereby opposing the entire political system. On the other hand, Indonesian Chinese felt that they were treated unfairly and the government was much more lenient toward the *pribumis*. But one of the terminological developments in the New Order era at least in theory given respite to the ethnic Chinese as it has replaced the word '*asli*' by the word '*pribumi*', to refer to indigenous Indonesians. This seems to be a gesture toward Chinese sensitivities, since although both carry the meaning 'indigenous', the word '*pribumi*' lacks the sense of 'genuine' or 'authentic, which '*asli*' also bears⁸¹.

Despite the terminological flexibility, the discrimination was not subsided. Because of discrimination, most Chinese Indonesians were not politically active and could not lobby for legislation to protect their own interests despite their economical affluence. And as more and more discrimination and enmity heaped up, the Indonesian Chinese increasingly identified themselves as a separate group and did not like to be called as 'Indonesians'. Although younger generations did not as strictly followed traditions as the older ones, they felt they were different from Indonesians.

During this era, younger generations adopted western culture more and more as they perceived it as being more superior. They were more aligned toward western countries such as United States, or United Kingdom. The westernization became so popular, as many parents sent their children abroad especially to western countries. Thus, this racial discrimination and paradoxical relationship between the '*pribumi*'

⁸¹ Coppel, 1983, op. cit., p.158.

and ethnic Chinese continued throughout the New Order and culminated with the Jakarta riot of May 1998. The riot of 1998 targeted many Indonesian Chinese. The rioters robbed and burned the Chinese houses, shops, factories, and warehouses. Moreover, they also attacked the Chinese in the streets and raped the Chinese women. (The details of the riots will be discussed in next chapter)

The riot itself drew condemnations from Chinese speaking countries. Suharto was allegedly the mastermind of this riot, but it misfired. Suffering from looting and arsons, many Chinese fled from Indonesia. Around 170,000 Chinese-Indonesians has fled the country in the wake of May's riots⁸². Ironically they found western countries were more accepting them than Indonesian, the country they were born. Even after the riot subsided, many of them did not want to return.

Those who decided to stay in Indonesia found not much relief as Suharto stepped down as President and his Vice President; B.J. Habibie became the acting President in May 1998. They never forget the two genocidal riots associated with Suharto, the one in 1965 and 1998. They hoped that the new President would restore their status and the enmity of centuries long will be ended soon. In congruence to their expectation, almost immediately he revoked laws governing the licensing of the press, as well as most restrictions on forming political parties, unions and professional bodies, demolishing at a stroke some of the central features of the New Order system⁸³. Habibie tried to restore law and order and visited China town to provide confidence and security to ethnic Chinese. He said that he would change the law to remove the differentiation between '*pribumi*' and non-*pribumi* and even argued that, in the current climate of reform, "the objective is that every person and every group, whether native or naturalized, indigenous or non-indigenous, minority or majority, should feel that he or she is a legitimate citizen on a par with anyone else within the body of this large nation of ours"⁸⁴.

⁸² Clemans, Miles, "Rais relations", *The Australia/Israel Review*, 27 Aug.-28 Sep. 1998, p.35.

⁸³ Bouchier, David and Vedi R. Hadiz, (eds.), *Indonesian Politics and Society: A Reader*, Rutledge Curzon, London and New York, 2003, p.20.

⁸⁴ *Ibid.*

However, his rhetoric and exhortations were not effective and violence continued, as he was not from the armed forces, his opinion did not carry much weight in the armed forces⁸⁵. But Habibie is still remembered for his holding of referendum in East Timor and conducting Indonesia's first free and fair general election since 1955 and Abdurrahman Wahid, took over as Indonesia's first democratically elected president on Oct. 1999.

Early in the reform era, the government focused on stabilizing the economy and security. Discrimination was still rampant. However, Indonesian Chinese gained courage to express themselves in limited ways, which were otherwise impossible in Suharto era in fear of his heavy-handed tactics. Unfortunately, there were still many officers loyal to Suharto who enforced the discriminatory laws. It was not for the ideology sake, but for their benefits. Thus, the ethnic Chinese suffered a lot during the New Order. In fact the history of relationship between the '*pribumi*' and the ethnic Chinese during the New Order was at its nadir.

3.3 REFORM ERA TO THE PRESENT DAY

Soon after Abdurrahman Wahid came to power, he quickly abolished some discriminatory laws in efforts to improve race relationships. He encouraged Indonesian Chinese literature and culture. Indonesian Chinese are now in the era of rediscovery. Following the Presidential instruction issued by Habibie in May 1999, to allow the teaching of the Chinese language experienced a revival in Indonesia. Among young ethnic Chinese, learning Mandarin has become a popular pursuit, triggering a proliferation of after-school and after-work Mandarin courses. These courses were in even grater demand after Abdurrahman Wahid lifted the 1978 official ban on the display of Chinese characters and the importation Chinese publication in Feb. 2001. The government's encouragement of use of Chinese language continued even after Wahid was ousted. In 2002, Megawati declared her support for Chinese education and for Sinology department to be established in

⁸⁵ Jha, Ganganath, *Indonesia: Society and Politics*, Shipra Publication, Delhi, 2003, p. 114.

Indonesian universities. Since then, many Chinese language tuition centers have sprung up in Indonesia's major cities. Chinese language as a subject has been included in some curricula and Chinese studies centers have been established in various universities.

Under Wahid administration, ethnic Chinese were also given greater freedom to assert their cultural and religious identity. Presidential Decree No. 6/2000 annulled the discriminatory regulation (Presidential Decree No. 14/1967) banning public displays of Chinese beliefs, customs and traditions. In issuing this decree, president Wahid assured ethnic Chinese of their right to observe their cultural practice in the same way that other ethnic Chinese groups had enjoyed theirs. Stores now can openly show Chinese characters. Dragon dances and Lion dances are shown in public in many places without special permits or supervisions. Following the amendment of the official cultural policy, ethnic Chinese were able to celebrate *Imlek* (Chinese New Year) publicly and without restrictions for the first time in over three decades. In January 2001, Wahid went a step further, declaring *Imlek* an optional holiday. In February 2002, Megawati declared *Imlek* a national holiday beginning in the year 2003. This was warmly welcomed by many Indonesian Chinese.

The Chinese culture is starting to be embraced by even the popular media, who widely covers Chinese New Year celebrations and even broadcasts TV shows on Feng Shui and news in Chinese language in Indonesia television and radio, like Metro TV and Cakrawala broadcast radio. Some of them regained the courage to get involved in politics and created new political parties. Chinese Indonesians adopted the term *Orang Tionghoa* (Zhong Hua, Central Glory) to identify themselves. The term '*Orang Cina*' is deemed derogatory today due to unfortunate derogatory use in the past. Thus, soon after the fall of Suharto the term '*Orang Tionghoa*' started to be reinforced even in mass media to substitute for the offensive and officialized term

'*Orang Cina*'. As a result many of them believe that they are now distinct part of Indonesia⁸⁶.

After the election of 2004, many Indonesian Chinese were worried about the outcome as the elected Vice President, Jusuf Kalla was known as openly discriminatory toward Indonesian Chinese. He espoused discriminatory treatments against Indonesian Chinese businessmen in order to level off the playing field. He considered that the May riot of 1998 was the result of people's anger and it was all because of the Indonesian Chinese fault. In a 12 October 2004 *Sinar Harapan* newspaper interview, Kalla said to Indonesian businessmen, 'which one do you prefer: to be discriminated or burnt out?' Although Kalla denied discriminatory allegations, Indonesian Chinese still feel uneasy today.

Thus, the history of relationship between '*pribumi*' and ethnic Chinese in Indonesia, down from the colonial era to the present day, were conditioned by colonial policy of construction of invented categories of indigenous versus others, carefully implemented through state policies in economic, cultural and educational spheres. These constructions were further sharpened by economic differences between the Chinese and 'natives.' However, the Chinese-native relations had undergone through phases of cooperation and compromise followed by a phase of extreme hatred and suspicion. Even today, when the Chinese cultural markers began to be salient in the streets and houses of Indonesia, the deep rooted hostility between Indonesian Chinese and native continues to linger.

⁸⁶ Aguilar Jr., Filomeno V., "Citizenship, Inheritance, And the Indigenizing of 'Orang Chinese' in Indonesia", *East Asia Cultures Critiques*, Vol. 9, No. 3, Winter, 2001, p. 504.

CHAPTER III

CONSTITUTIONAL STATUS OF THE ETHNIC CHINESE IN INDONESIA

The discussion about the relationship between *pribumi* and ethnic Chinese is incomplete without the debate of the constitutional or legal rights conferred upon them and the actual status of the ethnic Chinese enjoy in Indonesia. In this context, this chapter is an attempt to explore various constitutional provisions made in favour of ethnic Chinese in Indonesia. Besides, this chapter will discuss various constitutional rights granted and guaranteed to the ethnic Chinese as a citizen of Indonesia, various government policies towards ethnic Chinese and change in their status if any, and will also have a look on their actual social, economic and political position in Indonesian society.

The protection of a citizen's life is the responsibility of the state, and this right is guaranteed by the Indonesian constitution too. As the constitutional government provides an ideal home for the fundamental freedom enjoyed by citizen or resident of the country, the Indonesian government has such provisions in its written constitution. Constitutional government is otherwise defined as 'Limited Government' and 'Rule of Law'. Therefore, the constitutional government supposed to be limited by the law provided by the constitution. It also means the rights granted and guaranteed to the people of the country by the constitution must not be violated by either organ of the government. In pursuance to the above spirit of the constitutional government the very foundation of the Indonesia constitution was based on the principle of *Pancasila*¹ and the characteristics of *Pancasila* are almost same with the principles applied in 'Rule of Law'. It sounds great in theory, but when the actual status of the ethnic Chinese in Indonesia, the high soundness of the above mentioned spirit of constitutionalism as the harbinger of fundamental freedom dissolve like a water bubble. Thus, in this chapter first we will have a survey of the rights theoretically granted in the constitution to the

¹ Pancasila means five principles i.e. 1) Belief in one God; 2) Justice and civility among people; 3) the unity of Indonesia; 4) Democracy through deliberation and consensus among representatives; and 5) Social justice for all. See Chapter-II for elaborate principles of *Pancasila*.

people of the country and then to examine the rights what they enjoy in their real day to day life.

1. INDONESIAN CONSTITUTION & FUNDAMENTAL RIGHTS

1.1 Human Rights in the 1945 Constitution

The 1945 Constitution was drafted by Badan Penyelidik Usaha-usaha Persiapan Kemerdekaan (Committee for the Examination of Efforts for the Preparation of Independence or 'BPUPK') and was eventually adopted as the Constitution for the newly independent state of the Republic of Indonesia on 18 August 1945 by Panitia Persiapan Kemerdekaan Indonesia (Committee for the Preparation of Indonesia's Independence or 'PPKI').

It is interesting to note that even though the 1945 Constitution was drafted well before the adoption and proclamation of the Universal Declaration of Human Rights (10 December 1948), the 1945 Constitution does contain a number of provisions promoting and ensuring respect for some basic human rights and fundamental freedoms, including:

1. Article 27 paragraph (1) envisions that 'All citizens are equal before the law and in the government and obliged to respect the law and government without exception';
2. Article 27 paragraph (2) declares that 'Every citizen is entitled to work and a reasonable standard of living';
3. Article 28 provisions that 'The freedom of association and assembly, to express opinion orally, in writing or otherwise stipulated by law';
4. Article 29 paragraph (2) reiterates that 'The state guarantees the freedom of every citizen to profess and practice their own religion and belief;
5. Article 30 paragraph (1) provides that 'Every citizen has the right and is obliged to take part in the national security and defense;
6. Article 31 paragraph (1) guarantees that 'Every citizen has the right to education'.

In view of the circumstances and period in which the 1945 Constitution was drafted, the very brief provisions on human rights in the 1945 Constitution are reasonable. It was drafted in a very short time when Indonesia was still under the Japanese occupation and struggling for independence. The Indonesian founding fathers promised to draft a new constitution for the independent Republic of Indonesia after a certain degree of stability has been achieved. Thus, it only contains the most basic provisions whilst other implementing rules will be stipulated in lower laws and regulations. Perhaps it is also important to briefly discuss, in comparison, the human rights provisions in two other constitutions which were promulgated during the period of 1949 -1959 prior to the reinstatement of the 1945 Constitution.

Under the constitution of 1949, there are 35 articles which guaranteed fundamental freedoms including duties and responsibilities of the national authorities to promote and protect the welfare of the people. The constitution of Federal Republic of Indonesia incorporated the Human Rights and fundamental freedoms originally taken from the Universal Declaration of Human Rights 1948 and ensured that those rights and freedom were constitutionally based.

1.2 Rights under Constitution of the Federal Republic of Indonesia of 1950

The Constitution of 1950, unlike the 1945 Constitution, was a long and detailed one and its provisions were drafted in relatively long sentences. Of the total 197 articles, some 35 articles (from article 7 to 41), or some eighteen per cent of the total number of articles, were devoted to human rights and fundamental freedoms. The essence of most of the human rights and fundamental freedoms listed in the Universal Declaration of Human Rights (UDHR), 1948 was incorporated in the relevant articles on human rights and fundamental freedoms of the Constitution of the Federal Republic of Indonesia. It is noted that a number of provisions there of stipulate certain duties and responsibilities of the national authorities for the promotion and protection of the welfare of the people. The incorporation of such a large number of provisions on human rights and fundamental

freedoms, most of them originate from the UDHR of 1948, was certainly intended to ensure on the recognition, respect, protection and implementation of their human rights and fundamental freedoms, as such rights and freedoms are constitutionally-based. Unlike the 1945 Constitution (in its original form), the Constitution of 1950 followed the system of incorporating several human rights and fundamental freedoms in the Constitution itself. Although such a listing would never be exhaustive, the Constitution of the Federal Republic of Indonesia did not contain any provision which stipulate that such listing should not be construed as denying, disparaging or abridging any human rights and/or fundamental freedoms not therein referred to that may have existed and have been recognized at the time of the Constitution being taken into effect.

1.3 Rights under the Provisional Constitution of the Republic Indonesia 1950

The Provisional Constitution of the Republic Indonesia, which was promulgated by the Act No. 7 of 1950 (State Gazette No. 50 of 1950; Supplementary State Gazette No. 37), was of a similar format as the Constitution of the Federal Republic of Indonesia of 1950, in the sense that it was also long (146 articles plus one procedural provision) with its substantive articles written in detailed manner. Of its 146 substantive articles, the Provisional Constitution of the Republic of Indonesia, 1950 devoted 37 articles (some twenty-five per cent of the total number of articles) to human rights and fundamental freedoms (Articles 7-43). These provisions were, practically, similar to those provisions of the Constitution of the Federal Republic of Indonesia which relate to human rights and fundamental freedoms (Articles 7-41), with some additional provisions, such as recognition of the right to demonstrate and to strike, stipulation that property has a social function, duty of the authorities to prevent private monopoly, affirmation of the principles of “economic democracy” (similar to Article 33 of the 1945 Constitution) and affirmation that the State shall care for poverty-stricken people and neglected children. As in the case of the Constitution of the Federal Republic of Indonesia, 1950, the human rights and

fundamental freedom referred to in the Provisional Constitution of the Republic of Indonesia.

Under the “Guided Democracy”, between 1959 and 1965, the issues of human rights and fundamental freedoms were not very much of public interest. During this period, internal political problems, economic and financial crises, national mobilization to liberate west Irian (now Papua) from the Dutch occupation and “confrontation” with Malaysia were the then government’s top most priorities. Human rights and fundamental freedoms of the citizens continuously worsened with the change of the nation’s political system from “Guided Democracy” to the so-called “New Order” regime which started in March 1966. For the subsequent thirty-two years, Indonesia was under an authoritarian, oppressive and repressive regime. Disrespect for and violation of rights and individual freedom were the orders of the day during this period which the international community dubbed as “gross violation of human rights.”

The situation witnessed a change in 1998 with the fall of the “New Order” regime following a national reform movement aiming at transforming Indonesia to a democratic regime based on rule of law and respect for human rights and fundamental freedoms.²

1.4 Decree of the People’s Consultative Assembly No. XVII/MPR/1998

In response to and reflecting people’s aspiration for democratic life based on rule of law and respect for human rights and fundamental freedoms, the People’s Consultative Assembly, the highest state institution and the highest political decision making power under the (original) 1945 Constitution, on 13 November 1998, issued Decree No. *XVII/MPR/1998 on Human Rights*³ which includes two annexes as integral parts of the

² Soeprapto, Enny, “Development of Indonesia’s Policy on Human Rights and Fundamental Freedoms since 1945”, notes prepared for the Panel Discussion on Indonesia and its Human Rights Policy, Geneva, Switzerland, 5 April 2005.

³ Human Rights (Stipulation of the People’s Consultative Assembly No.XVII/MPR/1998), *Business News*, 1998, No. 6248, pp. 6A-11A.

Decree, namely, “the Views and Position of the Indonesian Nation towards Human Rights” and “the Human Rights Charter”.

The 1998 Human Rights Charter, which may be considered as an “Indonesian National Declaration of Human Rights” consists of forty-four articles, taken mostly from the 1948 *Universal Declaration of Human Rights*⁴. They are grouped under ten main themes, namely right to life, right to form family, right to self-development, right to justice, right to freedoms, right to freedom of information, right to security, right to welfare, duties and protection and promotion. The Decree, which was issued under the national high spirit and determination to create a democratic national life based on the rule of law and respect for human rights and fundamental freedoms, gave an impetus for the recognition, protection and promotion of human rights and fundamental freedoms in Indonesia. The main body of the instrument stipulates that the implementation of education, studies, monitoring, research and meditation on human rights shall be carried out by a Human Rights National Commission to be established by Act (Article 4) whilst the Human Rights Charter provides, inter alia, that protection, promotion, upholding and fulfillment of human rights are, primarily, the responsibility of the Government (Article 43). The Human Rights Charter further states that to uphold and protect human rights in accordance with the principles of democratic state based on law, the implementation of human rights shall be, stipulated, guaranteed and set forth in legislations (Articles 44)⁵.

⁴ The Universal Declaration of Human Rights is the cornerstone of the wide-ranging body of human rights law created over the decades. It's Articles 1 and 2 states that “all human being are born equal in dignity and rights” and is entitled to all the rights and freedoms set forth in the Declaration “without distinction of any kind such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or status”. Besides it also includes civil and political rights (Article 3-21), Economic, Social and Cultural rights (Article 22-27). Finally Article 28-30 recognize that everyone is entitled to a social and international order in which the human rights set forth in the Declaration may be fully realized; that these rights may only be limited for the sole purpose of securing reorganization and respect of the rights and freedoms of others and of meeting the requirements of morality, public order and the general welfare in a democratic society; and that each person has duties to the community in which she or he lives (For detail see- Universal Declaration of Human Rights, UNHRC).

⁵ Soeprapto, 2005, op. cit, p 4.

1.5 Act No. 39 of 1999 on Human Rights

In order to implement the stipulations of the Decree of the People's Consultative Assembly No. XVII/MPR/1998 referred to in the preceding paragraph and, at the same time, to transform the Human Rights Charter, which was of a declaratory nature, to legal norms, Act No. 39 was declared on 23 September 1999 (Act No. 39, 1999). This Act, in essence, contains two main groups of provisions, namely: (a) List of human rights and fundamental freedoms (which are recognized and which should be respected, protected, promoted, upheld and fulfilled); and (b) Provisions on Human Rights National Commission to replace the one established under Presidential Decision No. 50 of 1993 (objectives, membership, mode of elections of members, organs, mandate, function, etc.) The promulgation of Act No. 39 of 1999 has the following two significant implications: (a) It transformed the declaratory instrument on human rights and fundamental freedoms (proclaimed by the People's Consultative Assembly) to legal norms; and (b) It strengthens the legal foundation of the Human Rights National Commission and, at the same time, strengthening its position as an independent institution of the same level as other state institutions⁶. Thus a foundation was laid down to give a real feel on the protection of ethnic minorities in Indonesia through the above mentioned Act.

2. AMENDMENTS TO THE 1945 CONSTITUTION

On 18 August 2000 the People's Consultative Assembly decided to make a second amendment to the 1945 Constitution⁷. The amendment relates to the provisions on regional governments, House of Representatives, citizens and population, and human rights. The second constitutional amendment was improvement over the earlier status enjoyed by the ethnic minorities by virtue of the provision under the constitution. Thus

⁶ Ibid.

⁷ Second Amendment to the 1945 Constitution of the Republic of Indonesia, Dept. of Information, Republic of Indonesia, 2000.

the amendment brought a new look in the form of Article 26 clause (2) & (3), Article 27 clause (3), and Chapter XII Article 30 clause (1) & (4) and also added a new Chapter XA comprising Articles 28 A to 28 J on Human Rights hitherto unknown to Indonesia and said to be the harbinger of minority rights. The amendment relating to human rights was drawn up in the form of incorporating new provisions to the 1945 Constitution as earlier amended in the first amendment on 19 October 1999. This amendment is spelled out in 27(3), 28A through 28J and 30(1). These were further completed by the fourth amendment of 10 August 2002 which, as far as human rights questions are concerned, set forth in Articles 31(1) and 32(1). The new provisions on human rights incorporated in the amended 1945 Constitution referred in the preceding paragraph.

Consequently, there are, at present, a large number of human rights legal norms of basic nature stipulated in two national legislations, namely a constitution (the highest level of national legislations) and an act (the second level of national legislations after the constitution). Hence, there are a large number of the same human rights and fundamental rights are incorporated in two different levels of national legislations, namely Act No. 39 of 1999 (enacted prior to the Second and Fourth Amendment of the 1945 Constitution) and the 1945 Constitution as amended by the Second Amendment (2000) and Fourth Amendment (2002).

2.1 Second Constitutional Amendment

The second amendment modified the existing Article 26 clause (2) which declares that the inhabitants consist of Indonesian citizens and foreigners who reside in Indonesia. It has added a clause (3) to the Article 27 which enjoins that every citizen shall have the right and duty to participate in the defence of state efforts. The major changes brought by the second amendment included a chapter on human rights through the Articles 28A to 28J.

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2.2 Act No. 26, 2000

In order to deal with “gross violations of human rights”, an act called Act No. 26 of 2000 on Human Rights Courts⁸, was promulgated on 23 November 2000. For the purpose of the Act, “gross violations of human rights” refer to crime of genocide and crimes against humanity (Articles 1.2 and 1-9). Under this Act, the Human Rights National Commission is conferred with a mandate as pro *justitia* inquirer for gross violations of human rights as well as competence and duties related thereto (Articles 18-20). It is pertinent to note here that the criminal judicial process in Indonesia consists of four phases of actions, namely inquiry (*penyelidikan*), investigation (*penyidikan*), prosecution (*penuntutan*) and court examination (*pemeriksaan di pengadilan*). In cases of ordinary crimes, the inquiry and investigation functions are carried out by the police.

However, with a view to ensuring the objectivity of the results of the inquiry, the competence of inquiry for gross violations of human rights is entrusted to the Human Rights National Commission only, considering that it is an independent body (Elucidation of Article 18(1)). Armed with these constitutional provisions as well as some legislations, it is a general expectation to see the ethnic minorities in Indonesia to enjoy life without any discrimination. But in practice, it is not possible in Indonesia. An ethnic Chinese has to face discrimination wherever and whenever the situation arises.

⁸ Law on Court of Human Rights (No. 26/2000), *Business News*, No. 6564, 2001-01-12, pp. 24A-26A.

Thus, it is imperative to discuss the actual status the ethnic Chinese people enjoy as constitutionally or legally granted vis-à-vis in their day to day life while interacting with the indigenous people.

2.3 Fourth Constitutional Amendment Act

The process of constitutional development culminated with the 4th constitutional amendment act 2002,⁹ which made the existing articles of 31 and 32 livelier with regard to the fundamental freedoms and human rights of the citizens of the country. Thus, at least theoretically, it guaranteed following rights to the people of Indonesia including the ethnic Chinese. These rights include:

Clause 2 of Article 31 declares that every citizen has the obligation to undertake basic education, and the government has the obligation to fund this. According to clause (3) of the same article, the government shall manage and organize one system of national education, which shall increase the level of spiritual belief, devoutness and moral character in the context of developing the life of the nation and shall be regulated by law. Clause (4) of Article 31 further enjoins the state to prioritize the budget for education to a minimum of 20% of the State Budget and also of the Regional Budgets for implementation of national education. Further, according to clause (5) of article 31, the government shall advance science and technology with highest respect for religious values and national unity for the advancement of civilization and prosperity of mankind (4th Amendment, 2002). Likewise the amendment made some changes in the clause 1 of the Article 32 which enjoins the state to ameliorate the national culture of Indonesia and disseminate its essence across the world by assuring the freedom of society to preserve and to develop cultural values. And clause 2 of Article 32 enjoins the state to respect and preserve local languages as national cultural treasures (4th Amendment, 2002).

⁹ "The 1945 Constitution", Republic of Indonesia ,
http://www.indonesia.nl/articles.php?rank=2&art_cat_id=22

3. POLITICS OF THE 1945 CONSTITUTION

Prior to 1998, no one could think about the amendment of the 1945 Constitution. The 1945 Constitution was a product of nationalist who had hard fought for independence from the Dutch colonization. This historical background made it the symbol of independence of the Indonesian nation. Thus, it has been considered as forbidden to touch the contents of the 1945 Constitution whereas political leaders have legitimized their authoritarian position by utilizing a symbolic character of the Constitution.

The Indonesian modern state has applied the 1945 Constitution as the basic law since its independence in 1945, except for around 10 years in the 1950s. In the period of independence struggle, contrary to the constitutional provision that a kind of presidential system is employed, a cabinet responsible for the Central National Committee was installed. Politics under this institution was in practice a parliamentary system of government. After the Dutch transferred sovereignty to Indonesia in 1949, West European constitutionalism and party politics under a parliamentary system was fully adopted with the introduction of two new constitutions: the 1949 Constitution of Federal Republic of Indonesia and the 1950 Provisional Constitution of Republic of Indonesia. Since a return from the 1950 Constitution to the 1945 Constitution was decided with the Presidential Decree in 1959, the 1945 Constitution had supported two authoritarian regimes of Sukarno's "Guided Democracy" and Suharto's "New Order" as a legal base. When the 32-year Suharto's government fell down and democratization started in 1998, the 1945 Constitution was not replaced with a new one, as seen in many other democratizing countries, but successively reformed to adapt itself to a new democratic regime. In the result of four constitutional amendments in 1999-2002, political institutions in Indonesia are experiencing a transformation from an authoritative structure, in which the executive branch monopolized power along with incompetent legislative and judicial branches, to a modern democratic structure, in which the legislative branch can maintain predominance over the executive. However, as observed

that President Abdurrahman Wahid, the first president ever elected democratically in Indonesian history, was impeached after one and a half years in office, democratic politics under a new political institution has never been stable.

4. ACTUAL POSITION OF ETHNIC CHINESE

The actual status of ethnic Chinese vis-à-vis what is theoretically granted is a complex issue in Indonesia. The ethnic Chinese in Indonesia are treated very badly both at the hands of government as well as by the public. These discriminations are widespread. For example, a person with an Italian ancestry applying for Indonesian citizenship is allowed to keep his Italian name. A person born in Indonesia by a Mexican parentage is allowed to carry a Mexican name on his Indonesian citizenship form. A Russian is allowed to keep his Russian name as well. Only the Chinese are prohibited from having Chinese name. Thus, the law in Indonesia only applies to the ethnic Chinese.

Likewise, in Indonesia, ethnic Chinese are not allowed to learn the Chinese language. In Indonesia, a couple from Nigeria can teach their children the Nigerian language. Anyone interested in learning French can enroll into French courses offered in several Indonesian colleges and universities. But if a Chinese is caught learning the Chinese language in Indonesia, he/she may be incarcerated for violating the anti-Chinese law. A person caught teaching Chinese language in Indonesia is dubbed as an act of subversion and may face death penalty. Even the international travelers are not allowed to bring in any materials written in Chinese into Indonesia. Indonesian custom officials perform thorough search especially if the passenger is from China, Hong Kong, or Taiwan to ensure that they don't carry anything Chinese.

In Indonesia, Muslim holy month Ramadan is celebrated besides Christian holidays like Christmas and Easter. But the Chinese Indonesians are prohibited from celebrating the Chinese New Year. Further, people from Brazil or Germany are not

barred from working in the Indonesian government offices. But the ethnic Chinese who are even born in Indonesia is not allowed to work in any Indonesian government office. In Indonesia, the ethnic Chinese are even not permitted to have permanent land title and also prohibited from obtaining government scholarship. The same restriction neither applies to Caucasians from the United States, nor from the sub-continent. Thus, in the following discussion an attempt will be made to include these problems at length and also the recent developments (if any) which help in improving the status of ethnic Chinese in the eyes of Chinese themselves.

4.1 With Regard to Citizenship

The legal or constitutional status as enjoyed by the ethnic Chinese can be traced back to the colonial period when the Dutch classified the ethnic Chinese as a distinct group in their policy of *divides et impera*, which later exacerbated the already existing problem. After independence, China considered overseas Chinese as their nationals by virtue of the *jus sanguinis* (blood law) principle. Later, China shifted it to *jus soli* (law of the land) which is the basis of nationality in most of the world. A Sino-Indonesian treaty was signed in 1955, under which the ethnic Chinese in Indonesia had to choose between Indonesian or Chinese nationalities between January 1960 to January 1962. An estimated 65 to 75% opted for Indonesian nationality¹⁰. However, the relation with China was suspended in 1965 because of alleged complicity of China in the aborted coup *d'etat* by the Indonesian communist party. Suharto unilaterally abrogated the treaty on nationality in 1969. On 8 August 1990, a Memorandum of Understanding was signed to mark the restoration of relations between the two countries. This was to settle the citizenship issue of remaining 300,000 ethnic Chinese still holding Chinese passports¹¹. It is found that a huge number of ethnic Chinese are not having Indonesian citizenship. Despite being born

¹⁰ Ocorandi, M. "An Analysis of the Implication of Suharto's Resignation for Chinese Indonesians" Worldwide HuaRen Peace Mission, 28th May 1998, http://www.hartford-hwp.com/arc_h_i_v_e_s/sub/083.html

¹¹ Ibid.

and brought up in the Indonesian soil, the ethnic Chinese still hold the status of the “foreign national”.

Even the ethnic Chinese who are having valid Indonesian citizenship face some sort of discrimination in their day to day life. In the following paragraph, we can see the kind of treatment meted out to the citizens in their own country.

According to the preamble of the 1945 Constitution, the state is obliged to protect *every citizen*, regardless of his ethnicity, socio-economic strata, religious background and political stance. However, a frequently debated, the 1945 Constitution is not sufficient to protect and uphold the rights, particularly, those of the minority ethnic Chinese (who are also legally the citizen of the country like any other *pribumi*). The constitutional arguments for discriminating between Indonesians of different racial origin are advanced by the saying that Article 6 of the 1945 Constitution itself makes a distinction between ‘*asli*’, native or indigenous and other Indonesians for appointment as President¹².

Despite the new articles on Human Rights and Fundamental freedoms as included through the Second Amendment act 2000, the discriminatory provisions still exist in the 1945 Constitution. The Second Amendment only amended and made changes to Chapter X on Citizens and Residents in Article 26 of Clause 2 and 3: Clause 2 declares that, residents shall consist of Indonesian citizens and foreign nationals living in Indonesia. Clause 3 was amended to state that any other matters concerning citizens and residents shall be regulated by law’. Yet no change was made to clause 1 of the Article 26 of the original 1945 constitution which describe, Citizens shall consist of indigenous Indonesian peoples and persons of foreign origin who have been legalized as citizens in accordance with law¹³. Thus, to ethnic Chinese disappointment, the very basic article on Citizens

¹² Thoolen, Hans, (ed.), *Indonesia and Rule of Law*, Frances Pinter, London, 1987, p.151.

¹³ Winarta, Frans Hendra, “Ethnic Chinese in Indonesia: Would it be Better?”, Paper presented in the International Symposium: ‘Constitutions and Human Rights in a Global Age: an Asia Pacific Perspective, Australian National University, Canberra, Australia, 1-3 December 2001, pp. 5-6.

and Residents in the 1945 Constitution still retains the term “Indonesian indigenous people’ which is seen by the Chinese community as a way to justify discrimination¹⁴.

Further, the 3rd Amendment to 1945 constitution declares that any candidate for President or Vice-President shall be a citizen of Indonesia since birth, shall never have acquired another citizenship by his/her own will, shall never have betrayed the country, and shall be mentally and physically capable of implementing the duties and obligations of President or Vice-President¹⁵. The word ‘betray’ particularly is used in this article to keep the Chinese out of the race as they are stigmatized and dubbed as ‘the betrayer’ irrespective of their role in the freedom struggle. The Chinese are suspected as the collaborators of the failed coup of 1965. Therefore, according to the very *pribumi* notion, the ethnic Chinese are not at all eligible for the high office of the country like President and Vice-President.

Suharto’s regime asked the ethnic Chinese to carry a distinctive mark on their identity cards (*Kartu Tanda Penduduk*, or KTP) to distinguish them from the indigenous Indonesians despite the fact that they were Indonesian citizens. They were even ignorant of the fact that they had been issued cards bearing a special code along with former political prisoners, most of whom were members of the PKI, the Communist Party of Indonesia¹⁶. During the period from 1980s to 1990s in Jakarta, the badge of alienation for Chinese was the code “0” at the start of the KTP serial number, a strategically located *no!* (nil) that nullified the Indonesianness of the card holder¹⁷.

Further, the SBKRI, (certificate of citizenship for the Republic of Indonesia) requisite for school admission, business activity and marriage was not issued to those of Chinese descent. No mitigation of these prohibitions occurred during the three

¹⁴ Ibid.

¹⁵ Third Amendment to the 1945 Constitution of the Republic of Indonesia, Dept. of Information, Republic of Indonesia, 2001.

¹⁶ Aguilar Jr., Filomeno V., “Citizenship, Inheritance, And the Indigenizing of ‘Orang Chinese’ in Indonesia”, *Position: East Asia Cultures Critiques*, Vol. 9, No. 3, Winter-2001, p.517.

¹⁷ Ibid.

generations of New Order governance. Even after Suharto's fall from power, the practice persists unquestioned. Despite some modification of the legal codes today, many discriminatory regulations remain as reminders that ethnic Chinese yet to attain full citizenship.¹⁸ In other words, although the government has annulled the Indonesian Citizenship Certificate required solely by ethnic Chinese, in practice it is still required in day-to-day administrative process¹⁹.

The SBKRI requirement has been perpetuated through a new citizenship law, although the original intent was to provide proof that a foreigner had been naturalized as an Indonesian citizen.²⁰ The government still requires Chinese-Indonesians to produce the SBKRI for issuance of documents such as Identity cards, passports and birth certificates. Unlike other ethnic groups such as Indians and Arabs, Chinese-Indonesians are required by law to apply for the SBKRI to be officially recognized as Indonesian citizens. Chinese Indonesian citizens are still required to submit the SBKRI for enrolment in certain universities, particularly state universities²¹. Karawang and Bekasi still issue national identity cards that specify *keturunan*, which indicates persons of Chinese descent.²² Obtaining the SKBRI can cost claimants a good deal of money because of bureaucratic corruption and claimants are frequently not able to obtain the documents, leaving them with no proof of citizenship²³.

The year 2006 brought some optimism about the improvement of the status of ethnic Chinese. One of the main reasons for this is a fundamental change in Indonesia's citizenship law. The country has redefined what it means to be a "native" by adopting *jus*

¹⁸ Fischer, Clare Benedicks, "Chinese Indonesians: Possibilities for Civil Society", Paper presented at a Beijing conference entitled *Faithful/Fateful Encounters Religion and Cultural Exchanges between Asia and the West*, pp. 5 -17, 2000.

¹⁹ Jakarta Post "Chinese New Year Euphoria and Political Trauma", 24 January ,2004.

²⁰ Ibid.

²¹ Saraswati, Muninggar Sri, "Chinese-Indonesians Long for End to Discrimination", *Jakarta Post*, 21 January, 2004.

²² Jakarta Post, 24 Jan., 2004.

²³ Saraswati, 2004, op. cit.

*solii principes*²⁴. The citizenship law passed by the House of Representatives in July 2006 proclaims that “an indigenous Indonesian is someone who is born in Indonesia as well as the children (under 18) whose parent(s) are already Indonesian citizens.” This is a radical departure from a society that separated the Chinese in one way or another during colonial times and more recently during Suharto's 33-year reign that ended after the riots in 1998²⁵. The law abolished the notorious Indonesian Citizenship Certificate (SBKRI), which means that obtaining Indonesian citizenship should now be much easier for many “stateless” Indonesians whose citizenship status in this republic is still ambiguous due to their inability to present (and pay for) an SBKRI and other documentation²⁶.

In spite of its imperfections, the law will undoubtedly help the lives of many Chinese-Indonesians, along with many other people of “foreign” descent (such as those of Arab or Indian background) whose citizenship status is unclear. Most notably, the law marks the official end (at least on paper) of the long-disputed *pribumi* (indigenous)/non-*pribumi* dichotomy. Now it depends on the government to implement this new law and to eradicate corruption from the highest to the lowest levels in the process and no more SBKRIs should also mean no more “fees” needed to “ease” the release of citizenship documents right.

Today, instead of using the word “*pribumi*,” some politicians assert they are “*putra daerah*,” or local sons, and contrast that with “*pendatang*” or newcomers²⁷. Other laws have also erased the preferential treatment for “*pribumi*,” or indigenous groups in bank lending and awarding of government contracts, a policy that still prevails in Malaysia, where racial tensions are creeping higher.²⁸ Thus, now it has been expected to get the real thrill of citizenship by the ethnic Chinese. No doubt, the ethnic Chinese are

²⁴ Tjhin, Christine Susanna, “Minority participation and Democratization” *The Jakarta Post*, September 3, 2004.

²⁵ Fuller, Thomas, “A Golden Age for Indonesian Chinese”, *International Herald Tribune: Asia Pacific*, Jakarta, 13 Dec. 2006.

²⁶ Tjhin, 2004, op.cit.

²⁷ Ibid.

²⁸ Fuller, 2000, op. cit.

rejoicing about their newly achieved status and even some scholar like, Thomas Fuller calling it as the “Golden Age for Indonesian Chinese”. Writing about the level of satisfaction, Fuller narrated the feelings of Benny Setiono (head of the Chinese Indonesian Association, a non-profit group that represents the community) in the following lines: “The situation of the Chinese has never been as good as today, we feel freer and more equal”. There have been other important landmarks in the "quest" for eradication of all forms of discrimination and achieve equal rights for all Chinese-Indonesians.²⁹

4.2 With Regard to Political Status

It is true that now many of the cultural rights of the ethnic Chinese have been restored. However, the government is still far from going all the way in recognizing the human rights of the ethnic Chinese and requires a discussion on the existing political discrimination which is tantamount to deny the ethnic Chinese of their political rights.

There are several discriminatory laws, which are legitimized on numerous grounds within the Indonesian legal system, most notably on grounds of political affiliation. The People's Assembly Decree (TAP MPRS) No XXV of 1966, while declaring the prohibition of the communist party and related activities, is commonly interpreted to include a ban on all individuals with links to persons in any way previously affiliated with communism. Similarly, numerous laws and regulations discriminate against those having 'direct or indirect involvement' with the communist party such as article 7 of Law No 14 of 1985, article 13 (1) (d) of Law No 7 of 1989 and article 23 (5) (b) of Law No 43 of 1999. Discrimination and violence against ethnic or religious minorities is also rife throughout the country. Many past violations of human rights, including the massacre of nearly one million civilians alleged to be communists during 1965-66 and the indiscriminate killing of ethnic Chinese during the May 1998 riots are

²⁹ Ibid.

yet to be addressed, largely due to Indonesia's ineffective legal system as well as the absence of political will³⁰.

Such restrictive encompassing political pressure as suffered by Chinese-Indonesians during the Suharto regime has caused a section of the Indonesian community to lose their identity. Many ethnic Chinese have tried to deny their identity in various ways due to this political pressure that, at times, associated their “Chineseness” with Communism, betrayal, disloyalty, insularism with their ancestral country and various other undesirable attributes that added to the political pressure and stigma weighted against them. The result is that the Chinese community is still afraid to become engaged in or even talk about politics, and even to become politician themselves. There are few communities in the world as apolitical as the Indonesian Chinese.³¹

The original text of the 1945 Constitution only contains six provisions that explicitly talk about human rights along with 15 Human Rights Principles.³² Human rights provisions in the 1945 Constitution are also problematic because there were too many further regulations delegated to laws/statutes. Thus, they could be easily ‘twisted’ according to those in power. For instance, there was a law regarding mass organisation (Law No. 8, year 1985) imposing ‘*Pancasila*’ as the only principle for every organisation as a further regulatory provision of ‘the right to organisation’ provided in Article 28 of the 1945 Constitution. Without having ‘*Pancasila*’ as its principle, a group was never allowed to establish an organisation³³.

³⁰ Asian Human Rights Commission, “Indonesia: Ratification of key human rights instruments must be followed by legal reform, 22 March, 2006, <http://www.ahrchk.net/statements/mainfile.php/2006statements/457/m>.

³¹ The Jakarta Post, Jan. 24, 2004, op. cit.

³² Lubis, Todung Mulya, *In Search of Human Rights: Legal-Political Dilemmas of Indonesia's New Order, 1966-1990*, Singapore Eastern University press, Singapore, 1994, p. 22.

³³ Susanti, Bivitri, “Constitution and Human Rights Provisions in Indonesia: an Unfinished Task in the Transitional Process”, Paper presented in Conference on ‘Constitution and Human Rights in a Global Age: An Asia-Pacific History,’ 30 November - 3 December 2001, *The Australian National University*, Canberra, 2001, pp 3-4.

Thus, citizens were still not allowed the freedom to organize groups and to participate in politics³⁴. Indonesians Chinese have joined together to form their own race-based political parties to compete in the 1999 parliamentary election, including the National Democratic Party, or PND³⁵. Chinese-Indonesians were particular targeted of the violence, and the government estimates that 100,000 have fled the country since the end of Suharto era³⁶. But much has changed in the past few years. One of the immediate step of the new President, B.J. Habibie was to walk through the ruins of Jakarta's Chinatown, urging ethnic Chinese to stay in the country. He also repealed several discriminatory laws, including a ban on the use of the Chinese language.

Thus in the recent years the ethnic Chinese got some political rights by which they started searching for a new political format and strategy. The opening up of the political system in the post-Suharto era has resulted in spread of political pluralism that has made the Chinese parties to make a mark at the national political level. As a result, Forty-eight parties contested the election.³⁷

While analyzing the changing political environment of political participation of *Daniel S. Lev and Benny Subianto* indicated five political trends among the Chinese Indonesians in the recent years. These are:

- First, there are those who have become very conscious of their ethnic identity and seek new channels to struggle for their rights; hence they set up Chinese-based political parties.
- Second, there are those who staunchly struggle against all types of discrimination against the Chinese. To guarantee their basic rights, they try to

³⁴ Green Left, "Indonesia: Discrimination against Ethnic Chinese", 24 May 2000.

³⁵ Ressa, Maria, "Battered ethnic Chinese form parties for Indonesia vote, CNN World, June 3, 1999, <http://edition.cnn.com/WORLD/asiapcf/9906/03/indonesia.chinese.vote/index.html>

³⁶ Ibid

³⁷ Ibid.

create movements for equal treatment, but their movement is not based on ethnic identity.

- Third, those who keep struggling for the interest of the Chinese set up various forums or institutions to function as pressure group.
- Fourth, there are those who prefer to establish community organizations based on their Chineseness.
- Fifth, some Chinese prefer to join one of the inclusive political parties because they think that these parties are the best way to channelize their political aspirations.³⁸

Since the 1999 presidential election, Indonesians Chinese have relatively been more confident in expressing their political aspirations. There are some encouraging signs such as increasing membership of Chinese in political parties; an increase in the number of political discussions and seminars hosted by Chinese-Indonesian associations with assertive members; and informal presidential campaign teams that generated various social activities in different localities. Each of these activities showed the physical and public presence of Chinese-Indonesians. This presence at this early stage of democratic consolidation has been enough to erode the apolitical stigma, and regular media coverage of their presence has helped greatly in drawing a different picture of the Chinese-Indonesian. Even if it is not yet comprehensive, at least to the general public, their political participation has increasingly become evident³⁹. Further, since the election to legislative bodies in April 2004, more Chinese-Indonesians have been engaged in the country's democratization process, and this degree of enthusiasm is a new precedent for their future participation⁴⁰.

³⁸ Lecv, Daniel S, and Benny Subianto, "Extract from the Discussion of 96 Session: A Critical Review of the 1999 Indonesian Elections", *Organized by Columbia University*, <http://www.aasianst.org/absts/2000abst/Southeast/SE-96.htm>

³⁹ Tjhin, 2004, op. cit.

⁴⁰ Ibid.

Although the above political trend shows some political flexibility yet the approach of indigenous Indonesian towards ethnic Chinese is critical. Commenting on the critical approach of the indigenous people, Leo Suryadinata cites an example of an editorial review of one of the largest Indonesian newspapers, *Kompas*, which recognizes the need for the ethnic Chinese to be involved in politics, was unsure whether ethnic Chinese parties constituted the proper format for political participation⁴¹. Thus, still the attitudes of the *pribumis* are not conducive for the full-fledged participation of ethnic Chinese in Indonesia's political affairs. As a result, there is another trend taking shape in the form of emergence of non-political organisation in the recent years. For some ethnic Chinese, this has been considered a more appropriate avenue through which their energy and passions can be channelized. Suryadinata argues that despite such movements into the political arena, many ethnic Chinese still suffer from political phobia. They felt that party politics was dangerous and an ethnic party would not be effective. They preferred to work with associations and pressure groups to fight discrimination. They wanted to establish NGOs that would promote ethnic Chinese interests⁴².

4.3 With Regard to Cultural and Educational Status

Over three decades of cultural and political repression, Chinese Indonesians are now being given the opportunity to express their identity. In September 1998, President B.J. Habibie brought about legislative reforms to end the official use of the discriminatory labels *pribumi* and *non-pribumi*, a move many saw as an aim to erase the distinction between 'indigenous-ness' and 'foreignness'. In May 1999, Habibie issued a presidential decree to allow the teaching of the Chinese language and abolished a regulation requiring ethnic Chinese to produce certificates of citizenship meant for registration for schools or writing official applications. Following this decree, Chinese language ushered in a revival

⁴¹ Suryadinata, 1999, op cit., p.7.

⁴² Suryadinata, Leo, "Chinese Politics in Post-Suharto's Indonesia", *Asian Survey*, Vol.IXLI, No.3, May/June-2001, p.512.

in Indonesia. Among young ethnic Chinese, learning Mandarin has become a popular pursuit, triggering a proliferation of after-school and after-work Mandarin courses. These courses were in even greater demand after Abdurrahman Wahid lifted the official ban on the display of Chinese characters and the importation of Chinese publications in February 2001, which was prevailed since 1978. Many ethnic Chinese families now send their children to schools that impart education on Chinese dialects, mainly Mandarin. With the rise of China as a world power, learning Chinese is becoming popular among Indonesians irrespective of all ethnicities⁴³.

The government's encouragement of the use of Chinese language continued even after Wahid was ousted. In 2002, Megawati supported Chinese education and Sinology departments were established in Indonesian universities. Since then, many Chinese language tuition centers have sprung up in Indonesia's major cities. Chinese language as a subject has been included in some school curricula, Chinese studies centers have been established in various universities, and the Chinese language press has blossomed⁴⁴.

New literary expressions by the Chinese in Indonesia are developing rapidly as well. During Suharto's period, there was restriction on Chinese literature within Indonesia. But after Suharto's resignation, two organizations of Chinese Indonesian writers made efforts by which Chinese Indonesian literature underwent something of a renaissance⁴⁵. Stories depicting friendships between Chinese and *pribumi* Indonesian are increasingly appearing in fictional literary works. In addition, television dramas and soap operas such as *Cina Terhalang Tembok* (Obstructed Love) and *Don't Call me Chinese*- although not supported by all ethnic Chinese due to often assimilationist storylines- have picked up on such themes to highlight the need for greater understanding across ethnic

⁴³ Fuller, Thomas, "Fear Subsides for Indonesia's Ethnic Chinese Community", *International Herald Tribune: Asia Pacific*, 17 Dec. 2006.

⁴⁴ Frost, Nicola, *Indonesia*, Oxfam, Hong Kong, 2002, p. 44.

⁴⁵ Suryadinata, 2001, op. cit., p. 512.

boundaries, 'mirroring a greater willingness to allow the open expression of ethnic culture in the years since the fall of Suharto'⁴⁶.

Further, from about June 1998, or just a short while after Suharto's fall, the term *Orang Tionghoa*⁴⁷ started to be re-introduced in mass media to substitute for the offensive, but officialized term *Orang Cina*⁴⁸. The ethnic Chinese people whole heartedly welcome its introduction because for them, *Tionghoa* is undoubtedly the polite and proper term. For the ethnic Chinese, *Cina* is a foreign word which is in use for the derogatory purposes thus resented by them, while the term *Tionghao* is having indigenous flavor thus it is polite. Further, the word has been remembered in the name of a new political party, the Partai Reformasi Tionghoa Indonesia (*Parti*), which aims at harmonizing the relations of Chinese-Indonesians with all Indonesians.

Similarly, the ethnic Chinese media in Indonesia has also undergone a reawakening since the fall of Suharto. Dozens of new newspapers have emerged throughout Indonesia in Chinese and Indonesian languages catering to the growing demands of the ethnic Chinese community. These have provided a space for Chinese to discuss the visions that they have for their future in Indonesia, with many newspapers stressing the need for acknowledgement of the country's diversity regarding religion and ethnicity, besides protesting the discriminatory practices against ethnic Chinese.

Under Wahid's administration, ethnic Chinese were also given greater freedom to assert their cultural and religious identity. Presidential Decree No. 6/2000 annulled the discriminatory regulation (presidential Decree No. 14/1967) banning public displays of Chinese beliefs, customs and traditions. In issuing this decree, President Wahid assured the ethnic Chinese of their rights to observe their cultural practice in the same way that

⁴⁶ Cohen, M., "Exploring a Painful Past", *Far Eastern Economic Review*, 19 Sept. 2002, p. 64.

⁴⁷ Aftermath of 1965 coup, the word *Tionghao* was effectively banned by the military from the public use in Indonesia and instead introduce the word *Cina*, as the official term to call the Chinese. One of the main reasons given by the army for this change was "to remove inferiority on the part of the Indigenous people, while on the other hand removing the feeling of superiority on the part of the local Chinese within the state".

⁴⁸ Aguilar Jr., 2001, op. cit., p. 505.

other ethnic groups had enjoyed theirs. A traditional Chinese dragon dance, which was banned earlier, was part of Indonesian Independence Day celebrations in 2006.⁴⁹

Following the amendment of the official cultural policy (President Wahid revoked the 1967 Decree in 2000), ethnic Chinese were able to celebrate *Imlek* (Chinese New Year) publicly and without restrictions for the first time in over three decades. In January 2001, Wahid went a step further, declaring *Imlek* an optional holiday⁵⁰. In 2002, many Chinese-owned factories in Surabaya a city with a large Chinese population were closed throughout the holiday period, and even the President took the day off. There are calls to give *Imlek* the same status as other religious holidays⁵¹. Thus, in February, Megawati declared *Imlek* a national holiday beginning in the year 2003. This edict further established the cultural rights of the ethnic Chinese and marks a landmark decision. Since then President Megawati Soekarnoputri officially declared *Imlek* a national holiday, *Imlek* has been regarded as the ultimate expression of Chinese-Indonesian ethnic identity. Even *Imlek* was celebrated on a national scale with the *Imlek Nasional Indonesia Bersatu* on 28 February 2007.

Further the 4th Constitutional Amendment to the 1945 constitution amended suitably to provide a constitutional basis to the existing cultural diversity of Indonesia. For example, according to Article 31 clause 2 “The government shall establish and conduct a national educational system which shall be regulated by law. Likewise, Article 32 declares that “the government shall advance the national culture”. In explaining the national culture, the constitution says “the national culture is the product of the mental and spiritual activities of the entire Indonesian people. The old and indigenous cultures which were the essential parts of cultural life in all the regions of Indonesia together form the national culture. Cultural activities should lead to the advancement of civilization and culture, and the strengthening of unity without rejecting new elements of foreign cultures

⁴⁹ Fuller, 2006, op. cit.

⁵⁰ Frost, 2002, op. cit., p. 44.

⁵¹ Ibid.

which can develop or enrich the own national culture and raise the human dignity of the Indonesian people (4th Constitutional Amendment, 2002).

However, despite these positive signs of Chinese cultural freedoms, racial discrimination in Indonesia still prevails. At least 50 discriminative laws and ordinances were still in force in 2004. For instance, despite government declarations to the contrary and unlike other Indonesians, ethnic Chinese are still required to produce certificates of citizenship every time they apply for official documents such as identification cards and passports. In February 2002, prior to *Imlek*, the Chinese were warned by Jakarta's Governor, Sutiyoso, to celebrate the festival in a 'low-key' way, in order to avoid jealousy from society. This statement implied that anti-Chinese sentiment is still present and is fuelled by perceptions of inequalities of wealth⁵². Still insecurity is the part of everyday life for Chinese Indonesians and buying protection is as customary as buying rice.

4.4 Religious Status

Therefore, while the Government generally respected freedom of religion, restrictions continued on some types of religious activity on unrecognized religions including Confucian religion of which Chinese constitute of 92 percent. The Government sometimes tolerated discrimination against and the abuse of religious groups by private actors, and often failed to punish perpetrators. The situation was changed in 2006 for the ethnic Chinese as the Confucian religion was officially recognized by government⁵³. With this, currently, the Indonesian State only recognizes six major religions: Islam, Christianity, Catholicism, Buddhism, Hinduism and Confucianism. Thus, it seems the Government alleviated the religious status of the ethnic Chinese, but in actual practice, still there are some restrictions on certain religious activities of the ethnic Chinese. The

⁵² Hoon, Chang-yau, "How to be Chinese", <http://www.indonesia.org>

⁵³ International Religious Freedom Report 2006, Released by the Bureau of Democracy, Human Rights, and Labor, US Department of State, 2006.

International Religious Freedom Report, released by US Department of State in 2006 enumerated several religious based discrimination as well as exploitation in the following point:

- The Government tolerated extremist groups that used violence and intimidation against religious groups, and it often failed to punish perpetrators of such violence.
- Faith-based social organizations sometimes reportedly extracted financial contributions from non-Muslim merchants, particularly before major Islamic holidays. Most commonly, these actions relied on social pressure from Muslim-majority communities. Many of those targeted were ethnic Chinese, who generally practiced Buddhism, Christianity, or Confucianism of which majority of the people belonging to ethnic Chinese.
- In late July 2005, MUI (Council of Ulemas) issued a fatwa denouncing pluralism, secularism and liberal forms of Islam, along with inter-faith marriage and inter-faith prayer. While the fatwa generated heated debates and served as a factor behind subsequent militant actions, it produced no perceptible substantive impact on the law.
- Article 156 of the criminal code makes spreading hatred, heresy, and blasphemy punishable up to five years in jail. Although the law applies to all officially recognized religions, it is most often applied to cases involving Islam.
- Although there is the provision for national holidays for all major religion, yet we can find certain discriminatory treatment to other religion by the state government. Further, while the Muslim holidays includes the “Ascension of the Prophet”, “Id al-Fitr”, “Id al-Adha”, the Muslim New Year, and the Birth

of the Prophet Muhammad, only recently Chinese New Year, celebrated by Confucians and was declared as national holiday.

- During the Muslim fasting month of Ramadan, many local governments ordered either the closure or a reduction in operating hours of various types of entertainment establishments. A Jakarta decree ordered the month-long closure of non-hotel bars, discos, nightclubs, sauna spas, massage parlors, and venues for live music. Billiard parlors, karaoke bars, hotel bars, and discos operated for up to four hours per night. These orders are nothing but to infringe the rights of other minority religious groups.
- The Government did not take any steps to implement controversial provisions of the 2003 education law that required private elementary and secondary schools to provide students with religious instruction in their own faith. Under preceding laws, students had to choose religious instruction from five types of classes, representing only Islam, Catholicism, Protestantism, Buddhism, and Hinduism.
- Religious groups and social organizations must obtain permits to hold religious concerts or other public events.
- The Government requires all adult citizens to carry a National Identity Card (KTP), which identifies, among other things, the holder's religion. Until February 2006 when the Government began providing administrative services to Confucians, some Confucians received Buddhist KTPs. Even some Protestants and Catholics received KTPs listing them as Muslims. It appears that Civil Registry staff used Islam as the "default" category for many members of unrecognized faiths. Islam remained the only recognized religion that could be claimed without proof and was administratively the least burdensome. Some citizens without a KTP had difficulty in finding work.

- The law does not discriminate against any religious group in employment, education, housing, or health care; however, some Christians and members of other religious minority groups believed they often were excluded from prime civil service postings and graduate student positions at public universities.
- After the Government promulgated the Regulation on Building Houses of Worship in 2006, a revision of the 1969 decree, militant groups forcibly closed two churches without police intervention despite a two-year grace period contained in the revised regulation for houses of worship to obtain permits per the new requirements. At the end of the reporting period, these churches remained closed. Another twenty churches, closed under pressure from militant groups the promulgation of the revised decree, also remain closed. Though often present, police almost never acted to prevent forced church closings and sometimes assisted militant groups in the closure⁵⁴.

On the issue of the current situation regarding the treatment of ethnic Chinese in Indonesia, the experts from the INS Resource Information Center say that although conditions for ethnic Chinese in Indonesia have improved considerably since 1998, when a wave of arson attacks in Jakarta and other major cities leveled many Sino-Indonesian businesses (check the sentence), ethnic Chinese fear that they would be targeted again if the Southeast Asian country goes through another deep economic crisis.⁵⁵

Therefore, the actual status enjoyed by ethnic Chinese in respect to the right to religion includes both conflict and cooperation. On the one hand, it is witnessing violent ethnic conflict where by and large the ethnic Chinese are victims. On other hand, it is also witnessing some change in the official ideology of the government in respect to the religious freedoms and tolerance. The improvements and positive developments in

⁵⁴ Ibid.

⁵⁵ Information on Treatment of Ethnic Chinese, INS Resource Information Center, May 17, 2002, <http://www.unhcr.org/home/RSDCOI/402d14217.pdf>

respect for religious freedom can be derived from the speech made by the Indonesian President in 2006 on the occasion of the Chinese New Year. In his speech, the President promised the Government to provide services to Confucians as the members of an officially recognized religion. Further in early 2006, the President instructed the Religious Affairs and Home Affairs Ministries to fulfil his promise. As a result, Confucians could obtain identity cards that reflected their religious affiliation and register Confucian marriages and births⁵⁶. Therefore, the actual position of ethnic Chinese with regard to religion although has seemed improving, we have to wait till the day when the *pribumi* and ethnic Chinese will cooperate irrespective of their religious affiliation and Indonesia will be evolved into a multicultural society, not in theory but also in practice.

4.5 The Current Economic Status Enjoyed by Ethnic Chinese

Therefore, while the Government generally respected freedom of religion, restrictions continued on some types of religious activity on unrecognized religions including Confucian religion of which Chinese constitute of 92 percent. The Government sometimes tolerated discrimination against and the abuse of religious groups by private actors, and often failed to punish perpetrators. The situation was changed in 2006 for the ethnic Chinese as the Confucian religion was officially recognized by government⁵⁷. With this, currently, the Indonesian State only recognizes six major religions: Islam, Christianity, Catholicism, Buddhism, Hinduism and Confucianism. Thus, it seems the Government alleviated the religious status of the ethnic Chinese, but in actual practice, still there are some restrictions on certain religious activities of the ethnic Chinese. The International Religious Freedom Report, released by US Department of State in 2006 enumerated several religious based discrimination as well as exploitation in the following point:

⁵⁶ International Religious Freedom Report, 2006, op. cit.

⁵⁷ Ibid.

- The Government tolerated extremist groups that used violence and intimidation against religious groups, and it often failed to punish perpetrators of such violence.
- Faith-based social organizations sometimes reportedly extracted financial contributions from non-Muslim merchants, particularly before major Islamic holidays. Most commonly, these actions relied on social pressure from Muslim-majority communities. Many of those targeted were ethnic Chinese, who generally practiced Buddhism, Christianity, or Confucianism of which majority of the people belonging to ethnic Chinese.
- In late July 2005, MUI (Council of Ulemas) issued a fatwa denouncing pluralism, secularism and liberal forms of Islam, along with inter-faith marriage and inter-faith prayer. While the fatwa generated heated debates and served as a factor behind subsequent militant actions, it produced no perceptible substantive impact on the law.
- Article 156 of the criminal code makes spreading hatred, heresy, and blasphemy punishable up to five years in jail. Although the law applies to all officially recognized religions, it is most often applied to cases involving Islam.
- Although there is the provision for national holidays for all major religion, yet we can find certain discriminatory treatment to other religion by the state government. Further, while the Muslim holidays includes the “Ascension of the Prophet”, “Id al-Fitr”, “Id al-Adha”, the Muslim New Year, and the Birth of the Prophet Muhammad, only recently Chinese New Year, celebrated by Confucians and was declared as national holiday.
- During the Muslim fasting month of Ramadan, many local governments ordered either the closure or a reduction in operating hours of various types of

entertainment establishments. A Jakarta decree ordered the month-long closure of non-hotel bars, discos, nightclubs, sauna spas, massage parlors, and venues for live music. Billiard parlors, karaoke bars, hotel bars, and discos operated for up to four hours per night. These orders are nothing but to infringe the rights of other minority religious groups.

- The Government did not take any steps to implement controversial provisions of the 2003 education law that required private elementary and secondary schools to provide students with religious instruction in their own faith. Under preceding laws, students had to choose religious instruction from five types of classes, representing only Islam, Catholicism, Protestantism, Buddhism, and Hinduism.
- Religious groups and social organizations must obtain permits to hold religious concerts or other public events.
- The Government requires all adult citizens to carry a National Identity Card (KTP), which identifies, among other things, the holder's religion. Until February 2006 when the Government began providing administrative services to Confucians, some Confucians received Buddhist KTPs. Even some Protestants and Catholics received KTPs listing them as Muslims. It appears that Civil Registry staff used Islam as the "default" category for many members of unrecognized faiths. Islam remained the only recognized religion that could be claimed without proof and was administratively the least burdensome. Some citizens without a KTP had difficulty in finding work.
- The law does not discriminate against any religious group in employment, education, housing, or health care; however, some Christians and members of other religious minority groups believed they often were excluded from prime civil service postings and graduate student positions at public universities.

- After the Government promulgated the Regulation on Building Houses of Worship in 2006, a revision of the 1969 decree, militant groups forcibly closed two churches without police intervention despite a two-year grace period contained in the revised regulation for houses of worship to obtain permits per the new requirements. At the end of the reporting period, these churches remained closed. Another twenty churches, closed under pressure from militant groups the promulgation of the revised decree, also remain closed. Though often present, police almost never acted to prevent forced church closings and sometimes assisted militant groups in the closure⁵⁸.

On the issue of the current situation regarding the treatment of ethnic Chinese in Indonesia, the experts from the INS Resource Information Center say that although conditions for ethnic Chinese in Indonesia have improved considerably since 1998, when a wave of arson attacks in Jakarta and other major cities leveled many Sino-Indonesian businesses (check the sentence), ethnic Chinese fear that they would be targeted again if the Southeast Asian country goes through another deep economic crisis.⁵⁹

Therefore, the actual status enjoyed by ethnic Chinese in respect to the right to religion includes both conflict and cooperation. On the one hand, it is witnessing violent ethnic conflict where by and large the ethnic Chinese are victims. On other hand, it is also witnessing some change in the official ideology of the government in respect to the religious freedoms and tolerance. The improvements and positive developments in respect for religious freedom can be derived from the speech made by the Indonesian President in 2006 on the occasion of the Chinese New Year. In his speech, the President promised the Government to provide services to Confucians as the members of an officially recognized religion. Further in early 2006, the President instructed the

⁵⁸ Ibid.

⁵⁹ Information on Treatment of Ethnic Chinese, INS Resource Information Center, May 17, 2002, <http://www.unhcr.org/home/RSDCOI/402d14217.pdf>

Religious Affairs and Home Affairs Ministries to fulfil his promise. As a result, Confucians could obtain identity cards that reflected their religious affiliation and register Confucian marriages and births⁶⁰. Therefore, the actual position of ethnic Chinese with regard to religion although has seemed improving, we have to wait till the day when the *pribumi* and ethnic Chinese will cooperate irrespective of their religious affiliation and Indonesia will be evolved into a multicultural society, not in theory but also in practice.

In the recent years, Indonesian government has a favourable tilt towards human rights. The Indonesian government's commitment to ratify two key human rights instruments, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) in May 2006, is a welcome step. The ratification of these two covenants, which are central to the international bill on human rights, is a good opportunity for Indonesia to improve its dismal human rights track record. This cannot be done by ratification alone, it needs proper implementation. The effective implementation of these two covenants requires two elements: One is domestic legislation corresponding to the international provisions, and the second is functioning institutions to monitor the enforcement of this legislation. Indonesia at present has neither of these elements. Many years of authoritarian rule and political suppression under the Suharto regime have resulted in a repressive legal system and the degeneration of justice institutions, particularly the police, prosecution and judiciary⁶¹.

Soeprapto listed Indonesia's so far ratified important international treaty and agreement which will provide a basis to protect the human rights and fundamental freedoms of the ethnic Chinese. These are⁶²:

(a) Convention on the political Rights of Women, 1952 (Act No. 68 of 1958);

⁶⁰ International Religious Freedom Report, 2006, op. cit.

⁶¹ Asian Human Rights Commission, 2006, op. cit.

⁶² Soeprapto, 2005, op. cit., pp. 5- 11.

(b) Convention on the Elimination of All Forms of Discrimination against Women, 1979 (Act No. 7 of 1984);

(c) International Convention against Apartheid in Sports, 1985 (Presidential Decision No. 45 of 1993);

(d) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984 (Act no. 5 of 1998);

(e) International Convention on the Elimination of All Forms of Racial Discrimination, 1965 (Act No. 29 of 1999). It is worth noting that Act No. 39 of 1999 (on Human Rights) states in its *preambular para d* that "... the Indonesian nations as a member of the United Nations has moral and legal responsibilities to uphold and implement the Universal Declaration of Human Rights proclaimed by the United Nations and various other international instruments on human rights which have been accepted by the Republic of Indonesia". It is significant to note in this connection that, even though the 1948 UDHR is not a legally binding international instrument, by incorporating a statement in an act referred to in para 52 above, Indonesia considers itself both morally and legally bound by the provisions of the 1948 UDHR.

It is important to note here that under the Indonesian National Plan of Action on Human Rights for 2004-2009, Indonesia is planning to ratify the following human rights international instruments with their respective time frame for the completion of the drawing up of the ratification bill concerned:

(a) International Covenant on Economic, Social and Cultural Rights, 1966 (2004);

(b) International Covenant on Civil and Political Rights, 1966 (2004);

(c) Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution 1949 (2004);

(d) International Convention on the Protection of the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990 (2005);

- (e) Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, 2000 (2005);
- (f) Optional Protocol to the Convention on the Elimination of All Forms Discrimination against Women, 1999 (2005);
- (g) Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflicts, 2000 (2005);
- (h) Convention on the Prevention and Punishment of the Crime of Genocide, 1948 (2007);
- (i) Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 2002 (2008);
- (j) Rome statute of the International Criminal Court, 1998 (2008);
- (k) Convention relating to the Status of refugees, 1951 (2009);
- (l) Protocol relating to the Statutes of refugees, 1967 (2009).

The listing of eleven human rights international instruments referred to in the preceding paragraph for ratification from 2004 through 2009 seems too ambitious. Nonetheless, it demonstrates, at least, the intention of the Government to further promote the respect for and protection of human rights and fundamental freedoms in broader aspects by making a commitment at the international plane through ratification or accession to those human rights international instruments. Besides, the government is also considering amending Law No. 62/1958 so as to avoid a sense of discrimination and to allow Indonesians to enjoy dual citizenship, a possibility that previous governments would not even consider. Another aspect to be reviewed includes the citizenship of children, which will be broadened to allow the mother's nationality to be conferred on her children. With regard to ethnic discrimination, in February of 2002, President Megawati Soekarnoputri acknowledged Chinese Indonesians by declaring the Lunar New

Year a national holiday⁶³. And since then, the Chinese New Year is celebrated with much of fun fare.

Local police in Central Sulawesi were more active in punishing those allegedly involved in violence that may be related to inter-religious strife. In June 2005, police arrested eighteen suspects in the May 28, 2005, Tentena bombing. The head of Poso prison, Hasman, was also arrested, but police subsequently released Hasman and all other suspects for lack of evidence. In Central Sulawesi, police arrested Papa Siti, suspected in the 2004 shooting of prosecutor Ferry Silalahi, on July 17, 2005, in Malino village of Tojo Una-Una Regency. On March 15, 2006, Central Sulawesi police detained Andi Makasau, the alleged mastermind of a series of armed robberies, fatal shootings, and bombings in the province, along with six other persons allegedly involved in violence there and still the case is pending. On May 7, 2006, police arrested five men in connection with acts of terrorism and other violent crimes in Central Sulawesi. Local police in Central Sulawesi continued to protect local churches and other prayer houses during religious services⁶⁴.

The mentalities of *pribumi* are also changing gradually, especially the notion that all Indonesian Chinese are rich, a common perception during the Suharto years, when a select group of Chinese cronies controlled large, and high-profile businesses⁶⁵. Fortunately, this "doomsday scenario," which many feared was likely after the anti-Chinese riots of May 1998, has so far failed to materialize. In fact, the relationship between indigenous Indonesians and their Chinese compatriots is improving. Pessimists see this as "the calm before the storm." Optimists, on the other hand, see it as an indication that Indonesian society, if given a chance to deal with its diversity, will come

⁶³ "Promotion and protection of Human Rights in Indonesia: A Reflection on Developments in the Period 2001-2002", <http://www.indonesiamission-ny.org/humanR/promotionham.htm>

⁶⁴ International Religious Freedom Report, 2006, op. cit.

⁶⁵ Fuller, 2006, op. cit.

up with the best solution. Yet no matter how one views the situation, there is clearly a need for a coherent public policy to address this problem.

CHAPTER IV

POLITICIZATION OF ETHNIC CHINESE IN INDONESIA

Politicization is a process which manipulates various socio-political institutions of a society to achieve the political goal. The instrumental view on ethnicity stresses on the politicization of primordial characteristics by the political leader to appeal the ethnic communities for their advantages. It is a sort of elite manipulation of ethnic symbol. They simply use these attachments as an instrument that provides an effective means of political mobilization. And a country with multitude of ethnicity can become an easy playground of political manipulation. As a result the ethnic scapegoating of ethnic minority became a regular affair. All political parties want to take the political mileage out of every issue where ethnic minorities are indirectly or directly involved. Some political parties want to be identified with the cause of ethnic minority. However, it's only to make the issue a complex affair because of the inherent political motive involved with that issue which politician extracts in due course. In the process of setting the political agendas, leaders often manipulate the socio-political institutions of a particular society. Hence, the politicization of ethnicity not the ethnicity per se, is responsible for social conflict in a country. The other factors obviously play the role, but it is politicization of ethnicity which makes the situation complex by mixing politics with ethnicity. In such a vitiated atmosphere every political groups try to take the political mileage by either increasing favoritism to concern ethnic group or by advocating forced assimilation in the name of nationalism.

Chinese identity is constructed and re-constructed many times throughout the Indonesian history. And every time there has been a political motive behind the every government action or policies. The successive Indonesian governments have often reduces the three wings of government i.e. executive, legislative and judiciary to an instrument of political manipulation just to gain the mileage out of every issue. Construction of categories as an instrument of state polity by the colonial Dutch has resulted in the ethnicisation of the issue of Chinese collectivity in the colonial period which was further accentuated in the post independent period for legitimisation of

military regimes. In spite of the presence of many ethnic groups in Indonesia- Balinese Hindus, Christians in the north-west etc, the construction of ‘indigenous’ as ‘we’ versus the Chinese who came and settled in Indonesia later as ‘others’ was a deliberate state policy through instruments such as census and various other state policies. This issue of construction of ‘we’ versus ‘others’ has been dealt comprehensively in Chapter II. Chapter III deals with the state laws which reinforce further the policy of exclusion of the Chinese in the post-independent period.

The present Chapter explores the nature of politicization of ethnic Chinese in Indonesia that eventually led to numerous anti-Chinese riots or anti-Chinese violence. The shift from stigmatization of the Chinese in the Suharto period to emphasis on multiculturalism as a state policy now is also a major theme of the Chapter. The Chapter also tries to explore the Chinese responses to this policy shift in political assertion and participation, cultural freedom. The development of the politicization of ethnicity in Indonesia can be better understood by analyzing colonial administration and nation building policies of successive government after independence.

1. POLITICS OF CHINESE IDENTITY: A COLONIAL LEGACY

First seed of politicization of ethnic Chinese sown during the colonial period through its policy of divide and rule. It was a deliberate attempt to segregate the Chinese minority from the rest by advocating different measures. Therefore, this section would be a systematic exploration of the process of politicization of ethnic Chinese in the hand of colonial administration.

The Chinese immigrants who settled in the archipelago before the establishment of Dutch colonial rule were mostly absorbed into local society. However, in the nineteenth and early twentieth century, the Chinese found assimilation into native society virtually impossible. This was largely due to the structure of colonial society and Dutch *apartheid* policies. In the Netherlands East Indies, the population was divided into three “racial” groups with different legal rights and privileges: the Europeans were at the top,

the Foreign Orientals (mainly Chinese) were in the middle and the natives were at the bottom.¹ This was the beginning of the stereotyping of Chinese as a “homogeneous” group. Before the end of the nineteenth century, the Chinese were granted monopoly privileges to engage in profitable but “immoral” activities such as the selling of opium and the operation of gambling establishments and pawnshops. In granting the Chinese these licenses, the government collected license fees in return which proved to be an inexpensive and simple means of raising official revenues.² The privileges given to the Chinese contributed to the construction of the stereotype that the Chinese dominate the economy.

Under these politicization conditions, for the Chinese to assimilate into indigenous society would have meant a drop in social status and the loss of some of these privileges. It can be seen that the Europeans had separated the Chinese, who, in turn, separated the natives, and vice versa. This othering process was by no means a one-way traffic. The *pribumi* resented the revenue farmers and perceived the Chinese as “natural enemies of the indigenous, sucking their blood and exploiting them, thwarting their economic development”³. In 1900, in order to protect the natives’ rights, the Dutch implemented the Ethical Policy for “native betterment”, but it came at Chinese expense just because of politicization of issue. The grievances of the Chinese at that time include the ban on revenue farming; paying higher taxes; and the restrictions resulting from the pass and zoning systems, which required them to live in specific urban ghettos and to obtain visas if they wanted to travel.⁴ The Ethical Policy discriminated against the

¹ This categorization was implemented in the mid twentieth century. The 1930 Netherlands Indies census tabulated the Chinese as Foreign Orientals. For details see Coppel, Charles, A., *Studying Ethnic Chinese in Indonesia*, Singapore Society for Asian Studies, Singapore, 2002, pp. 157-58.

² Williams L E., *Overseas Chinese Nationalism: The Genesis of the Pan-Chinese Movement in Indonesia, 1900-1916*, The Free Press, Glencoe, Illinois, 1960, p 25.

³ Phoa, Liong Gie, “The Changing Economic Position of the Chinese in Netherlands India”, in M. R. Ferando and David Bulbeck (eds), *Chinese Economy Activity in Netherlands India : Selected Translations from the Dutch*, , Institute of Southeast Asian Studies, Singapore, 1992, p.14.

⁴ Williams, 1960, op. cit., p.24.

Chinese, destroyed assimilation processes and changed the Chinese position from being the “protégés of the rulers to becoming the foremost enemy of the state”.⁵

1.1 Chinese nationalism

The growth of Chinese nationalism in Indonesia which started with the increasing consciousness of their Chineseness was provided a sound ground of further political manipulation. As a result, there was a quickening of interest in Confucianism in Chinese history, customs and current events in China. The rise of Chinese nationalism was manifested in the emergence of the Tiong Hoa Hwe Koan (THHK or the Chinese Organisation) which fostered educational and cultural nationalism; the Sianghwee (Chinese Chamber of Commerce) which encouraged commercial nationalism; and a *peranakan* Chinese newspaper, *Sin Po*, which promoted political nationalism.⁶ The THHK was established to reform the “corrupt” Chinese customs practiced by the *peranakan*, to promote Confucianism and to provide Chinese schools with a modern curriculum. A Chinese language press catering to the need of increasingly literate and self-conscious Chinese community sprang up and flourished. Chambers of commerce was founded which not only defended Chinese economic interests but also performed political and quasi-consular functions to link the Overseas Chinese to their homeland⁷.

The consciousness of Chinese as nationality was given further shape when the Chinese imperial government promulgated its Nationality Law of 1909, by which statutory effect was given to the principle that a child of a Chinese father, wherever born, would be considered a Chinese national. At this juncture, the ethnic Chinese allowed themselves to be complicated by Peking’s politics in addition to their lack of central

⁵ Phoa., 1992, op. cit, p 14.

⁶ Wilmott, Donald E., *The National Status of the Chinese in Indonesia*, Modern Indonesia Project, Cornell University, Ithaca, 1956, p 6.

⁷ Salmon, Claudine, “Ancestral Halls, Funeral Associations, and Attempts at Racinisation in Nineteenth-Century Netherlands India”, in Anthony Reid (ed.), *Sojourners and Settlers: Histories of Southeast Asia and the Chinese*, ASAA Southeast Asia Publications Series, Allen and Unwin, St Leonards, 1996, pp. 199-205.

leadership. Thus, the nationality problem was created for the Chinese, which, in turn, added fuel to the politicization of ethnic Chinese minority and created a new beginning of domestic problems in Indonesia.

Some scholars argue that, the Chinese have become stateless because of their own lack of political loyalty to neither China nor Indonesia. According to Heryanto, the modern nation is anything but an affinity constituted exclusively or primarily by ethnicities, descent, or geographic ties.⁸ In the words of Benedict Anderson, “the nation was conceived in language, not in blood, and one could be ‘invented into’ the imagined community”⁹, hence, the universal practice of “naturalization”. Paradoxically, all nations have a universal tendency to construct some sort of authentic origins “in blood”, in something seemingly natural, native, or primordial. Nation-ness, and hence the distinction between Indonesia and non-Indonesian are only a step away from the ethnic dichotomy of *pribumi* and non-*pribumi*¹⁰ which itself is a product of politicization of ethnicity.

In the past, the overseas Chinese could maintain two nationalities. Since mainland China has turned communist and colonial countries in Southeast Asia including Indonesia have achieved independence, these newly independent countries only allow the overseas Chinese to have a single nationality: either Chinese or local citizenship. This has given rise to nationality problem, as many people are not certain whether to retain the nationality of Republic of China or to obtain Indonesian nationality¹¹. The lack of political loyalty towards Indonesia is also conditioned by a series of events, which occurred in Indonesia since the colonial administration. Since almost half of the Chinese people in Indonesia do not have loyalty for China that is why in the time of crisis, all

⁸ Heryanto, Ariel., “Ethnic Identities and Erasure: Chinese Indonesians in Public Culture” in Joel S. Kahn (ed.), *Southeast Asian Identities*, Institute of Southeast Asian Studies, Singapore, 1998, pp. 95-114.

⁹ Anderson, Benedict, *Imagined Communities: Reflections on the Origins and Spread of Nationalism*, Verso, London, 1991, p. 12.

¹⁰ Heryanto, 1998, op cit., p. 100.

¹¹ Cheng-ou, Ch’iu, “The Overseas Chinese Problem and its Solution”, in Leo Suryadinata, (ed.), *Political Thinking of the Indonesian Chinese: 1900-1995*, Singapore University Press, Singapore, 1997, p.209.

ethnic Chinese are in danger.’ This fact reinforces the recurrence of Chinese affection for the motherland.

Chinese identities in the pre-war period were far from unified one. Not all the *peranakan* saw that orientating politically towards China would serve their best interests. The establishment of the Dutch Chinese Schools in 1908 to meet the challenge posed by Chinese nationalism won many *peranakan* from Chinese Schools. Suryadinata observes that in the mid- 1920s, the Dutch-educated *peranakan* elite made an attempt to re-orient *peranakan* Chinese toward the Indies. They established the first *peranakan* political party, the Chung Hua Hui (the Chinese Association, CHH).¹² Instead of relying on China as a source of protection, this group attempted to work within the existing colonial framework. The CHH group advocated the acceptance of Dutch citizenship, actively participated in the Volksraad for the interests of the Chinese community, and specifically excluded *totok* from membership. Although they viewed the Dutch East Indies as their homeland, they still looked to China in cultural matters and remained advocates of cultural nationalism.¹³

A third Chinese group identifiable during the colonial era was the Partai Tionghoa Indonesia (the Chinese Indonesian Party, PTI), founded in 1932. This group identified itself with a future Indonesia rather than China or the Netherlands. This group of *peranakan* perceived their fellow *pribumi* as “Self” and the Dutch and the *totok* Chinese as the “Other”. In the view of Liem Koen Hian, the first president of PTI who later became an Indonesian nationalist, the *totok* were opportunists who just aimed to make money and return to China, while *peranakan* “continued to live and think as the indigenous ‘Indonesians’, speak Bahasa Indonesia. And will be buried here as well”.¹⁴ The PTI advocated racial equality and that *peranakan* should maintain their cultural

¹² Suryadinata, Leo , *Pribumi Indonesians, the Chinese Minority and China: A Study of Perceptions and Politics*, Heinemann Educational Books, Singapore, 1978, p 54.

¹³ Wilmott, Donald E. 1956, *op cit*, pp. 8-9.

¹⁴ Suryadinata, Leo. (ed.), *Political Thinking of the Indonesian Chinese: A Sourcebook*, Singapore University Press, 1997, p. 51.

identity but be politically assimilated into a future Indonesia.¹⁵ However, according to Somers, this group was never fully accepted by Indonesian nationalists who still regarded them as alien and thought of “Indonesian” as meaning “indigenous” only.¹⁶

As shown above, Chinese identities manifested in three national outlooks during the late colonial era. The *totok* who manifested Chinese national identity were entirely orientated towards China in educational, cultural and political matters. The CHH group was politically pro-Dutch but culturally remained as Chinese. Finally, the PTI invested all its interest and hope in Indonesia alone. However, there were also Chinese who did not belong to any of these three categories.

Chinese identities in Indonesia are negotiated and reflected through the development of the local Chinese press at different historical junctures. These negotiations first took place between the *totok* and *peranakan* Chinese identities during the colonial era; then between *huaqiao* (sojourners) and newly “imagined” Indonesian citizens’ (*huaren*) identities during the early Independence period when political and ideological competition had reached its climax in Indonesia.

1.2 Chinese language Press: A cultural protector in Colonial Period

It is a fact that the Chinese are heterogeneous and can be grouped differently in different periods. Conventionally, they have been divided by scholars into two main groups, the China-oriented *totok* and the acculturated *peranakan*. During colonial times and up until the early period of Indonesia’s Independence, the term “Chinese press” referred to publications in the Chinese-Malay language (also known as the *peranakan* press) as well as those published in the Chinese language. In fact, the *peranakan* press first emerged in the archipelago in the early 1900s, that is, a decade before the first Chinese-language press was published. The emergence of the *peranakan* press was

¹⁵ Suryadinata, 1978, op cit., p. 57.

¹⁶ Somers, Mary, F., *Southeast Asia’s Chinese Minorities*, Longman, Hawthorn, 1974, p 75.

inspired by the rise of pan-Chinese nationalism at the end of the nineteenth century. The *peranakan* press experienced a reawakened sense of Chinese identity whereby the Chinese people were attempting to rediscover their roots by demanding “Chinese stories or something about China and about themselves in a language that they were familiar with”. Chinese-language newspapers were published as part of the growing Chinese-speaking *totok* community.¹⁷

From the emergence of the first *peranakan* newspaper in 1900 up to the Japanese Occupation, there were at least 45 *peranakan* newspapers and seven Chinese-language newspapers published in Indonesia.¹⁸ Almost half of the *peranakan* press appeared in the 1920s. During the 1920s and early 1930s, there were three different political streams within the *peranakan* community that were represented by three major newspapers: *Sin Po*, *Siang Po* and *Sin Tit Po*. *Sin Po* promoted Chinese nationalism and anti-Dutch colonialism and represented the orientation of both China-oriented *totok* and *peranakan*. *Siang Po* was a pro-Dutch colonial government paper and represented the interests of the upper-class pro-Dutch Chinese business organizations. *Sin Jit Po*, which changed its name to *Sin Tit po* in 1929, promoted Indonesian nationalism among *peranakan* Chinese.¹⁹

The *peranakan* press during the Dutch colonial era was characterized not by their business interests but by their idealism and engagement with political orientations. As Pandiangan describes, the *peranakan* Chinese press did not simply report events; it opened up a space for a dialogue”.²⁰ Hence, this press was an extremely powerful instrument that not only documented what was happening but actively engaged in the construction of discourses and development of the Chinese society in that period. In fact, most of the famous *peranakan* Chinese figures that fought for the rights and shaped the

¹⁷ Suryadinata, Leo, *Peranakan Chinese Politics in Java: 1917-1942*, Singapore University Press, Singapore, 1981, p. 131.

¹⁸ Pandiangan, Andreas. “Chinese Press after the New Order: Caught between the Continuity of Idealism and the Logic of the Market”, *Asian Ethnicity*, Vol.4, No.3, 2003, pp.4011-13.

¹⁹ Suryadinata, Leo., *The Culture of the Chinese Minority in Indonesia*, Marshall Cavendish Academic, Singapore, 2004, p. 134.

²⁰ Pandiangan, 2003, op. cit., p. 408.

national identity of the Chinese, and joined hands with Indonesia's nationalists to struggle for the nation's Independence, had a prominent role in the press.

2. POLITICIZATION OF ETHNIC CHINESE IN SUKARNO'S "OLD ORDER"

The process of politicization or political manipulation of ethnic Chinese issue continues even after the independence. Different policies were advocated to keep ethnic Chinese identity separated from the mainstream Indonesian. In this process of political manipulation the ethnic Chinese become the sole victim. The issues of political manipulation of ethnic Chinese can be discussed in the following head: politics of citizenship, politics of segregated economic policies and politics of identity.

2.1 Politics of Citizenship

In the post independence Indonesia the Chinese identities were divided not only according to their political and cultural orientations but also along the lines of citizenship. Both the 1946 Citizenship Act and the 1949 Round Table Agreement were promulgated based on the *jus soli* principle²¹ and the passive system. Under these provisions, those *peranakan* Chinese who has been Dutch subjects and who did not reject Indonesian citizenship were regarded as dual national of China and Indonesia. Some *peranakan*, however, rejected Indonesian citizenship. Some were responding to the call for Mainland Chinese nationalism and others were affected by the painful memory of anti-Chinese incidents during the revolution. They were thus considered as Chinese nationals.²²

For many Indonesian nationalists, dual nationality meant that the political loyalty of the Chinese must be divided between Indonesia and China. Hence, in 1958 a new Citizenship Act was implemented, adopting an "active system" by which Indonesian citizens of Chinese descent would lose their citizenship if they failed to make an official

²¹ *Jus soli* is the principle by which nationality is determined by one's place of birth in Indonesia.

²² Somers, Mary, F, *Peranakan Chinese Politics in Indonesia*, Ph.D Dissertation, Cornell University, 1965, p. 230.

declaration to reject Chinese citizenship. This Act aimed at a demonstration of loyalty to Indonesia and was a means of restricting citizenship.²³ When this Act was fully implemented in 1960, there were two main categories of Chinese in Indonesia: the *Warga Negara Indonesia* (or Indonesian citizens, WNI) who were mainly *peranakan* and the *Warga Negara Asing* (or foreign citizens, WNA) who were mainly *totok*. The WNA Chinese were further divided into citizens of the People's Republic of China (PRC) and "stateless" Chinese who were Twaiwan nationals or those two dissociated themselves from PRC and Taiwan.²⁴ Wang Gungwu argues that the question of legal identity was more significant to the government than to the members of the ethnic Chinese community.²⁵ He pointed out that it was possible to see the members of one family as having different nationalities: some being Indonesian, some Chinese and others stateless but the family bond was likely to override considerations of legal identity. However, as a result of the historic division and prejudices between the Indonesians and Chinese, in many instances both *totok* and *peranakan* alike, regardless of their nationality, were considered as undesirable "aliens" by government officials and *pribumi*, and were discriminated against.²⁶

2.2 Politics of segregated economic policies

Multiple discriminations against the Chinese, irrespective of their nationality, were evident in postcolonial Indonesia's economic policies. The move to "Indonesianise" the economy should more correctly be described as the "indigenization" of the economy. Many discriminatory measures that were implemented against the WNA, including the Dutch, equally affected the WNI Chinese. These policies drew a line between *pribumi* and non-*pribumi* instead of between Indonesians and non-Indonesians. This Othering of

²³ Coppel, Charles, A, *Indonesian Chinese in Crisis*, ASAA, Oxford University Press, Kuala Lumpur, 1983, pp. 26-27.

²⁴ Suryadinata, 1978, op. cit., pp. 122-124.

²⁵ Wang, Gungwu, *Community and Nation: Essays on Southeast Asia and the Chinese*, ASAA Southeast Asian Publications Series No.6, Heinemann Educational Books (Asia) Ltd, and George Allen and Unwin Australia, Sydney, 1981, p. 264.

²⁶ Wilmott, 1956, op. cit., p. 56.

the Chinese as a whole became clear in a campaign known as the “Asaat Movement”. This campaign urged the government to give preferential treatment in economics to *pribumi* rather than WNI Chinese to compensate them for their weak positions created by colonial Dutch policy.²⁷

Perhaps the regulation that hit the Chinese the hardest was the law prohibiting retail trade by WNA in rural areas. This regulation known as the Presidential Decree No.10 (PP-10) was promulgated in November.²⁸ Since the 1958 Citizenship Act was only fully implemented in 1960, the nationality of most Chinese was still ambiguous when the PP-10 was promulgated in 1959. Hence, although the PP-10 was only officially directed at WNA, the WNI Chinese experienced similar distress and insecurity as the line of distinction between foreigners and citizens was still unclear. Nonetheless, some WNI Chinese, especially the *peranakan*, supported the PP-10 to show their loyalty to Indonesia and their separateness from the *totok*.²⁹

2.3 Politics of Identity

In the political life of Independent Indonesia, there were two main streams of identity preference within the *peranakan* community. On the one hand, there was the “integrationist” group led by Baperki, which advocated a separate Chinese identity within the Indonesian nation. On the other hand, the “assimilationist” group led by LPKB wanted the complete assimilation of the Chinese-Indonesians into the indigenous Indonesian population. Baperki (Indonesian Citizenship Consultative Body) was formed in 1954 with the aim of promoting the proper understanding of Indonesian citizenship and eliminating discrimination against the WNI Chinese.³⁰ It identified itself politically and legally with Indonesia but not culturally. Baperki’s leader, Siauw Giok Tjhan, took

²⁷ Somers, 1965, op. cit., pp. 154-57.

²⁸ Mackie, J.A.C. “Anti-Chinese Outbreaks in Indonesia, 1959-68”, in J.A.C. Mackie (ed.), *The Chinese in Indonesia: Five Essays*, Thomas Nelson, in association with the Australia Institute of International Affairs, Melbourne, 1976, pp. 82-97.

²⁹ Suryadinata, 1978, op. cit., p. 136.

³⁰ Coppel, 1983, op. cit., p. 43.

the view that the WNI Chinese should be treated as another ethnic group (*suku*) in multi-ethnic Indonesia, as much entitled to maintain their own culture and traditions as the Javanese or Balinese.³¹ As a sympathizer of communism, Siauw favoured the “integration” of the WNI Chinese into Indonesian left-wing politics and maintained that complete assimilation would only be possible in an Indonesian socialist state of the future. On the contrary, some right wing Chinese who were associated with Christian groups and/or the military believed that “Chineseness” was primarily responsible for discrimination against the WNI Chinese. They later joined the government-sponsored LPKB (The Institute for Promotion of National Unity) which advocated the complete assimilation of the Chinese into indigenous society.³²

While the *peranakan* were concerned to find their identity in the new Indonesian “imagined community”, the *totok* were mainly concerned with the politics of one of the two rival Chinese regimes. Most Chinese schools promoted loyalty to either the Beijing (Communist) or Taiwan (Kuomintang) government, with flags, pictures, songs and textbooks attuned to this purpose.³³ G. L. Tan notes that, even though there was no participation in activities related to Beijing or Taipei, some *peranakan* felt a certain pride in the fact that China had risen to become one of the powerful nations of the world. This sense of pride is referred to by Wilmott as “cultural nationalism”.³⁴ According to G. L. Tan., those *peranakan* thought that it would be “natural” to have feelings for one’s country of origin but these sentiments were unrelated to political loyalty. However, in the eyes of *pribumi*, *peranakan* who favoured Chinese cultural nationalism were no different to the *totok*, whose loyalty remained to Communist China, not Indonesia.

In the process of nation building, “Chineseness” had not been included in the construction of a cohesive Indonesian national identity. Somers observes that, “*bangsa*

³¹ Somers, Mary, F., *Southeast Asia's Chinese Minorities*, Longman, Hawthorn, 1974, p. 82.

³² Somers, Mary, F., *Peranakan Chinese Politics in Indonesia*, Interim Reports Series, Modern Indonesia Project, Cornell University, Ithaca, 1964, pp. 38-39.

³³ Tam, Giok Lan., *The Chinese of Sukabumi: A Study in Social and Cultural Accommodation*, Monograph Series, Cornell University Modern Indonesian Program, Ithaca, 1963, pp. 240-43.

³⁴ Wilmott., 1956, op. cit., p. 68.

Indonesia ordinarily referred to those with the legal and ethnic status of native". Thus, although many Chinese had adopted Indonesian citizenship, they were still viewed as foreigners, external to the *pribumi* "Self", and were thus Othered. As demonstrated above, this Othering process took the form of multi-pronged discrimination against the Chinese. In many instances the accumulated prejudice and suspicions of the *pribumi* erupted in anti-Chinese violence.

Mackie views that "the Chinese have been vulnerable targets for looting or mistreatment at times when established authority has been shaken".³⁵ The best illustration of this phenomenon was when President Sukarno's regime collapsed in 1965 due to an abortive coup attempt known as the 30th September Movement (G30S). This coup attempt provided the legitimacy for a military offensive against the Indonesian Communist Party (PKI) and ethnic Chinese. After the coup, a surge of anti-Communist and anti-Chinese sentiment swept through the country as Communists and Chinese were held responsible for the alleged role of the PRC in the abortive coup.³⁶ In the process, Indonesia witnessed one the "worst bloodbaths in modern Asian history". This period also marks the end of Chinese "political" organisations, as the left-wing Baperki was closed and most of its members were caught, tortured, jailed or killed. And the oppression of Chinese identity increased after 1967 under the pretext of "anti-Communism", as part of the Suharto regime's political agenda.³⁷

³⁵ Mackie, 1976, op. cit., p. 77.

³⁶ Suryadinata, 1978, op. cit., p. 138.

³⁷ Williams, Michael., "China and Indonesia Make Up: Reflections on a Troubled. Relationship", in *Indonesia: The Role of the Indonesian Chinese in Shaping Modern Indonesian Life*, Symposium at Cornell University, 1991, p.149.

2.4 Politics & Press in Sukarno's Era

After the establishment of the People's Republic of China, Chinese language newspapers were polarized into pro-Beijing and pro-Taiwan camps. *Xin Bao* and *Shenghuo Bao* belonged to the former camp while *Tiansheng Ribao* and *Zhonghua Shangbao* represented the voice of the Kuomintang and were robustly anti-Communist. These newspapers' different political orientations often involved them in a "war of words". *Sin Bao* mainly reported news related to the building of the new China and of Chinese societies in Indonesia. It still strongly identified itself as a "huaqiao" (sojourner) press and encouraged the local Chinese to unite and show their support for China. In the cultural sphere, *Xin Bao* still actively promoted Chinese culture and education, especially through the supplementary section (*fu kan*) of its newspaper.

The supplementary section of the Chinese press played a crucial role in the development of language and culture. It provided a space for writers to contribute their articles or stories. These writings often represented the discourses that were dominated in the society at that time. Many Chinese who later became important figures in politics and literature in Indonesia were contributors to either the Chinese or Indonesian version of *Sin Po* or other Chinese newspapers.

The ideological struggles between right-wing and left-wing Chinese language newspapers continued until February 1958 when a regional rebellion took place in central Sumatra against the central Indonesian government. Taipei was accused of giving its support to this rebellion. Consequently, all Chinese language newspapers were banned in April 1958, although left-wing Chinese language newspapers were allowed to republish a month later.³⁸ In 1960, all Chinese language newspapers were once again banned following a major anti-Chinese violence in Indonesia. The ban was only lifted when

³⁸ Suryadinata, 1978, op. cit., p. 139.

Sino-Indonesia relations had improved. However, the status of the Chinese-language press after 1960 was very uncertain and always subject to closure by the government.

During the Guided Democracy period (1959-65), *peranakan* newspapers were under pressure to employ more indigenous Indonesians and to change their newspaper's name to an Indonesian name. *Sin Po* first changed its name to *Panca Warta*, and later changed it to *Warta Bakti* – a name given by President Sukarno. This change of name also represented a shift in identity for *Sin Po*: from promoting Chinese nationalism and embracing a “*huaqiao*” identity to espousing Indonesian nationalism and endorsing Indonesian nationality. By this time many Chinese had already become Indonesian citizens.³⁹

Xin Bao only reemerged in November 1963 after having been forced by the government to close down in 1958. It changed its name to *Zhongcheng Bao* (which literally means “loyal newspaper”), the Chinese translation of *Warta Bakti*. The reemergence of *Xin Bao* gave the Chinese-language press in Indonesia a facelift. After 1963 it had to forsake its “*huaqiao*” mentality and shift its orientation and loyalty entirely to Indonesia, as it was now owned by Indonesian nationals. *Zhongcheng Bao* published the President's speeches and political thoughts every day on the front page of the daily.⁴⁰

However, the Chinese-language press was short-lived after 1960. On 30 September 1965, the PKI (Indonesian Communist Party) and Beijing were allegedly involved in a coup attempt. Together with left-wing *peranakan* papers such as *Warta Bakti*, all Chinese language newspapers were indiscriminately branded pro-PKI and banned in October 1965. Most directors, editors and journalists were arrested and detained on Buru Island without due legal process, marking the end of *Sin Po* and the other Chinese newspapers in Indonesia.⁴¹

³⁹ Ibid, p. 136.

⁴⁰ Ibid.

⁴¹ Pandiangan, 2003, op. cit., p. 413.

3. POLITICIZATION DURING SUHARTO'S PERIOD

Politicization of ethnic Chinese issue during the Suharto's regime is in fact systematic de-linking of ethnic Chinese community from the political domain and restricting their activities to the economic field. Thus, with the establishment of New Order, the ethnic-based parties and socio-political organizations were banned. And those individuals who wanted to get involved in politics under this New Order regime had to join one of the three existing indigenous-dominated parties - *Golkar* (Functional group), the *Partai Persatuan Pembangunan* (PPP, Development Unity Party), the *Partai Demokrasi Indonesia* (PDI, Indonesian Democratic Party) or a government affiliated organization such as the Center for Strategic and International Studies (CSIS) or the LPKB⁴².

Thus, it was a deliberate plan of Suharto to make the political system discriminatory in which it was difficult to find any credible socio-political leaders to represent Indonesia's Chinese minority. Turner, thus rightly states that since Suharto effectively barred ethnic Chinese from the political spectrum, direct political representation of the Chinese during the Suharto regime was non-existent.⁴³

Although it can be argued that the majority of Indonesians did not gain political representation during this period and that the problem was not limited to the Chinese yet there was no single government representatives were from ethnic Chinese, whereas certain other ethnic groups did have some representation. Because of this discriminatory nature of political institutions, most of the Chinese Indonesians were not politically active and could not lobby for legislation to protect their own interests despite their economic affluence. In other words, during the Suharto regime, they enjoyed great economic power, but had no commensurate political power or protection. Sometimes they even became the political scapegoats of the Suharto regime. In a sense, they had surrendered

⁴² Ibid.

⁴³ Turner, Sarah., "Speaking Out: Chinese Indonesians after Suharto", *Asian Ethnicity*, Vol. 4, No. 3, 2003, pp.337-340.

their political rights in return of an access to economic privilege.⁴⁴ The fear of repercussions from participating in political activity has resulted in the Chinese pursuing non-political activities and their isolation from the rest of Indonesian society⁴⁵ exacerbates the ethnic conflict in Indonesia. Under Suharto, Indonesian politics and institutions attempted to force ethnic Chinese to assimilate, while continuing to identify them as 'different' from indigenous Indonesian groups.

The allegations that the ethnic Chinese in Indonesia were linked to the People's Republic of China and that both were involved in the September 1965 abortive Coup determined the fate of the Chinese in New Order Indonesia. After assuming power in 1966, Suharto systematically repressed any expression of Chinese ethnic, cultural and religious identities. "Chineseness" during the New Order was an imposed rather than a self-identified identity. Chinese identity was artificially constructed by the regime and juxtaposed as an internal and hostile "Other" to the "true" indigenous Indonesian.⁴⁶ Freedman notes that not all Chinese wanted to be identified as part of a Chinese "community".⁴⁷ But the dominant society and state institutions persisted in viewing them as outsiders, and imposed discriminatory policies against them regardless of how they self-identified. In maintaining this ethnic "Other", "Chineseness" was carefully and continually reproduced and was never totally wiped out. After years of such discrimination, the younger generation ethnic Chinese learned to internalize and reproduce the so-called "Chineseness" constructed by the New Order.⁴⁸

⁴⁴ Lecv, Daniel S and Benny Subianto, Extract from the Discussion of 96 Sessions: A Critical Review of the 1999 Indonesian Elections, Columbia University. <http://www.aasianst.org/absts/2000abst/Southeast/SE-96.htm>

⁴⁵ "Indonesia: Discrimination against Ethnic Chinese", Green Left, 24 May 2000, <http://www.greenleft.org.au>

⁴⁶ Aguilar Jr., Filomeno, V. "Citizenship, Inheritance, and the Indigenizing of 'Orang Chinese' in Indonesia", *Positions: Position: East Asia Cultures Critiques*, Vol.9, No.3, 2001, p. 505.

⁴⁷ Freedman, Amy L., *Political Participation and Ethnic Minorities*, Routledge, New York, 2000, p.5.

⁴⁸ Heryanto, 1998, op. cit., pp. 100-4.

In the process of making the ethnic Chinese an internal “Other”, the New Order imposed a social stigma on the Chinese as exclusive, asocial, rich and China-(hence, Communist) oriented. This stigmatization of the ethnic Chinese was manifested in the reformulation and institutionalization of the “Chinese problem” in Indonesia. The ethnic Chinese – their culture, their religion, their role in the nation’s economy and their very existence – were labeled by New Order politicians as a “Chinese Problem”.⁴⁹ The marginalization of the ethnic Chinese in all social, educational, political and religious arenas was legitimized and justified by the government’s attempt to solve the “problem”. Hence the ethnic Chinese were conveniently victimized in various episodes of social unrest in Indonesia, including the May 1998 riots.

Hence, it is important to examine the New Order’s political motive of “stigmatization”, “marginalization” and “victimization” of the ethnic Chinese. This will help in understanding why the ethnic Chinese in Indonesia remained visible and “blamable” as a distinct ethnic group especially during times of social unrest, despite signs that they had been assimilated.

3.1 The Stigmatization of Ethnic Chinese

From the beginning of Suharto’s regime, there was a popular belief that the Chinese did not have a nationalist sentiment. They were considered to be more loyal to their ancestors’ land than to Indonesia. Arief Budiman states that, “The political events of 1965 had proven this in the imaginations of many other Indonesians”.⁵⁰ The ethnic Chinese were suspected of having supported leftist politics because the PRC was Communist. Hence, there was a general essentialising identification of this ethnicity with Communism. The stigma of being Chinese and hence ideologically “unclean”, and the

⁴⁹ Allen, Pamela., “Literature and the Media Contemporary Literature from the Chinese ‘Diaspora’ Indonesia”, *Asian Ethnicity*, Vol.4, No.3, 2003, p. 387.

⁵⁰ Budiman, Arief, “Rethinking Ethnicity and Nationalism: Anti-Chinese and Anti-Australian Sentiment in Indonesia”, in Damien Kingsbury and Arief Budiman (eds), *Indonesia: The Uncertain Transition*, Crawford House Publishing, Adelaide, 2001, p. 274.

state of being Chinese having been involved in the 1965 communist coup were declared contagious and hereditary.⁵¹ This imposed stigma on the ethnic Chinese was manifested in the 1967 official banning of the term “Tionghoa” from public use and substituting it with an offensive and derogatory term “Cina”. The military that promulgated the term argued that the change of name was necessary in order to remove a feeling of inferiority on the part of our own people- pribumi, while on the other hand removing the feeling of superiority on the part of the ethnic Chinese within our State.⁵² This label had a detrimental effect on the Chinese as the word “Cina” also implied a “connection with an alien state and fundamental linkage with another polity”.⁵³ Thus the sincerity of their choice of Indonesian citizenship and their loyalty to Indonesia were questioned.

The suspicion of Chinese-Indonesians’ link with China was strongly felt during the cold war period. The suspicious climate resulted in local governments’ and *pribumi*’s distrust of ethnic Chinese and justified their discrimination and cultural oppression. Tan C.B. asserts that, “It was a difficult period for ethnic Chinese who were then still trying hard to be accepted by the indigenous people”.⁵⁴ He further argues that the Chinese overseas generally identify with the great civilization of China – not with the state of China – and this does not reduce their loyalty to their respective countries. However, this understanding was not shared by the New Order, which viewed anything related to “Chineseness” as linked to the Communists and thus as threatening to national interests. Even though this paranoia faded after the Cold War and Sino-Indonesian relations were normalized in the early 1990s, it never disappeared completely. Heryanto argued that

⁵¹ Heryanto, 1998, op. cit., p. 98.

⁵² Coppel, Charles and Suryadinata, Leo. , “The Use of the Terms ‘Tjina’ and ‘Tionghoa’ in Indonesia: A Historical Survey”, in Leo Suryadinata, *The Chinese Minority in Indonesia: Seven Papers*, Chopmen Enterprises, Singapore, 1978, p. 221.

⁵³ Aguilar Jr., 2001, op. cit., p. 511.

⁵⁴ Tan, Chee Beng. , “Chinese in Southeast Asia and Identities in a Changing Global Context”, in M. Jocelyn Armstrong, R. Warwick Armstrong and Kent Mulliner (eds), *Chinese Populations in Contemporary Southeast Asian Societies: Identities, Interdependence and International Influence*, Curzon Press, Richmond, 2001, pp. 221-23.

there was a softening of anti-Chinese sentiment in the 1990s after the normalization of Sino-Indonesian relations.⁵⁵

In 1969, the New Order regime froze both the continued implementations of the Dual Nationality Treaty as well as diplomatic relations with the PRC. After the Dual Nationality Treaty was renounced, the children of WNA Chinese could only become Indonesian citizens through “naturalization”.⁵⁶ This entailed a procedure that was costly and complex and involved stringent security screening of the applicant’s background. Despite these hindrances, a significant number of alien Chinese applied for naturalization. In 1979 the regime conducted a “re-registration” of everyone of Chinese descent, whether WNA or WNI. This procedure greatly offended the WNI Chinese as they were treated the same way as the WNA Chinese. The official discrimination against the Chinese was further reinforced by distinctions made in the form of identity cards (*kartu tanda penduduk*, or KTP) and census registration cards (*kartu cacah jiwa*) which identified whether the holder was pribumi or of Chinese descent.⁵⁷ The Chinese Indonesians were issued KTP with a special code on them to identify their foreignness despite the fact that they were Indonesian citizens. By carrying these cards they shared the ignominy of former political prisoners, most of whom had been members of the Communist Party of Indonesia. This coding system was like a stigma attached to the Chinese which constantly exposed them to discrimination and exploitation by the bureaucracy, police and military.⁵⁸

In 1991, Siswono, the then State Minister for People’s Housing, issued a paper listing nine “sins” of the ethnic Chinese which he thought had “marred their image”.⁵⁹

⁵⁵ Heryanto, 1998, op. cit., p. 105.

⁵⁶ Suryadinata, 1978, op. cit., p. 125.

⁵⁷ Coppel, 1983, op. cit., pp. 156-157.

⁵⁸ Aguilar Jr., 2001, op. cit., p. 517.

⁵⁹ Tan, Mely G., “The Ethnic Chinese in Indonesia: Issues and Implications”, in Leo Suryadinata (ed.), *Southeast Asian Chinese: The Socio-Cultural Dimension*, Times Academic Press, 1995, pp.16-17.

The nine “sins” of the ethnic Chinese which he listed are nothing but the result of politicization of ethnic Chinese issues in Indonesia. These are:

1. They live exclusively in their own area;
2. Some companies have a preference to recruit people of Chinese descent;
3. Some companies discriminate in salary in favour of the ethnic Chinese workers;
4. There are some who discriminate between ethnic Chinese and ethnic Indonesians in their behaviour towards clients, in their business relations.
5. They do not show social solidarity and togetherness with the ethnic Indonesians in their neighbourhood.
6. There are those whose sense of national identity is still very weak, and who treat Indonesia solely as a place to live and earn a living;
7. There are those who in their daily life still speak Chinese and who adhere to their traditions, and do not even know Indonesian customs, and who make no effort to speak Indonesian well;
8. There are those who view their Indonesian citizenship as a legality only;
9. There are those who feel superior towards other population groups.

Three of these “sins” are related to Chinese-Indonesians’ business practices. The prominent role of the ethnic Chinese in Indonesia’s economy contributed to negative stereotyping. This is also due to the reason that a disproportionate number Chinese became very wealthy under the New Order and some of them seemed to flaunt their wealth in extravagant lifestyles – a circumstance that was perceived as a problem by the *pribumi* when juxtaposed to the poverty of many Indonesians.

In designating the Chinese to the economic arena, state policies in Indonesia fostered an image of the Chinese as “economic creatures”. Commercial success unwittingly demonized the Chinese and stirred up anti-Chinese sentiments as they were

identified with greed and other negative values and as villains who secured their gains through exploitation, corruption and collusion to the detriment of the *pribumi*. The latent hostility and sense of insecurity resulted in the Chinese “clinging on to their ethnic identity and developing an in-group solidarity that only reinforces their ‘internal outsider’ identity”.⁶⁰

The New Order did not follow in the footsteps of Sukarno’s policy in indigenizing Indonesia’s economy. Instead, the development-oriented Suharto government utilized Chinese business skills to recover the sinking economy.⁶¹ The government’s embarkation on a market-oriented economic strategy could not have succeeded without opening the way for the Chinese to participate as fully as possible in economic life because they alone had the commercial experience and ready access to foreign capital. Mackie notes that their contribution to the economic transformation of the country since 1966-67 has far exceeded that of the *pribumi* businessmen and state enterprises.⁶² Privileges and opportunities provided by the New Order bolstered the positions of Chinese business interests, contributing to the rapid growth of Chinese economic power. The ethnic Chinese business community had developed close ties with the military regime under the *Cukong* system.⁶³ These personal ties served to protect the Chinese from potential harassment as a non-*pribumi* ethnic minority identified with commercial monopoly power. The logic was this: since the Chinese had a weak political base and were in a vulnerable position, allowing them to dominate the economy would not pose a political

⁶⁰ Tan, Eugene, K.B. “From Sojourners to Citizens: Managing the Ethnic Chinese Minority in Indonesia and Malaysia”, *Ethnic and Racial Studies*, Vol. 24, No.6, 2001, p. 951.

⁶¹ Mackie, J.A.C. , ‘Changing Economic Roles and Ethnic Identities of the Southeast Asian Chinese: A Comparison of Indonesia and Thailand’, in Jennifer Cushman and Wang Gungwu (eds.), *Changing Identities of the Southeast Asian Chinese Since World War II*, Hong Kong University Press, 1988, p. 243.

⁶² Mackie, J.A.C. “Towkays and Tycoons: The Chinese in Indonesian Economic Life in the 1920s and the 1980s”, in *Indonesia: The Role of the Indonesian Chinese in Shaping Modern Indonesian Life*, Symposium at Cornell University, 1991, p. 91.

⁶³ *Cukong* is a Hokkien term for “master”. In Indonesia, *Cukong* refers to a Chinese businessman who collaborates with members of Indonesian power elite, usually a member of the military. The *Cukong* provides skills and capital in running the business while the *pribumi* partner gives protection and various facilities to the *Cukong*. For details see- Suryadinata, Leo., “Chinese Economic Elites in Indonesia: A Preliminary Study”, in Jennifer Cushman and Wang Gungwu (eds), *Changing Identities of the Southeast Asian Chinese Since World War II*, Hong Kong University Press, 1988, pp. 261-288.

threat to the military's rule in the way an independent indigenous business class might. With this arrangement, the ruling regime could ensure that they had a certain degree of control over the private sector.⁶⁴ However, in this kind of relationship individual Chinese business people did exercise *some* influence in government economic decisions. Coppel states that members of the Chinese community who wished to see the implementation of certain policies by the government would try to work through these *cukong* both because of their prevalence and because of the absence of effective alternative channels.⁶⁵

On many occasions, Chinese-Indonesian conglomerates were criticized for "capital flight" because of their reportedly massive investments in China, especially in infrastructure, which Indonesia also desperately needed.⁶⁶ It has not helped that the most prominent Indonesian businessmen investing in China were *totok* Chinese. In fact, most of the *cukong* or conglomerates were *totok*. Mackie notes that *totok* were almost solely responsible for the expansion of Chinese business across Indonesia in the early twentieth century when they carried out small business in the more remote rural areas where *peranakan* had been reluctant to operate.⁶⁷ Few *peranakan* were attracted towards the risks and discomforts of such activities; their greater access to education and more settled lifestyle inclined them toward salaried and professional jobs. Also, only *totok* still had a good command of Chinese and hence were able to communicate with other Chinese in the region. The expression of Chinese culture, use of the Chinese language and lavish celebrations at Chinese New Year by some rich *totok* also heightened doubts about the "loyalty" of the Chinese community as a whole, since the *pribumi* often viewed the Chinese as a homogeneous group. According to Cohen, many *pribumi* do not distinguish the act of Chinese conglomerates from small shopkeepers. She quoted a young Muslim as

⁶⁴ Lim, Linda and Peter Gosling. "Strengths and Weaknesses of Minority Status for Southeast Asian Chinese at a time of Economic Growth and Liberalization", in Daniel Chirot and Anthony Reid (eds), *Essential Outsiders: Chinese and Jews in the Modern Transformation of Southeast Asia and Central Europe*, University of Washington Press, Seattle and London, 1997, p. 298.

⁶⁵ Coppel, Charles, A. "Patterns of Chinese Political Activity in Indonesia", in J.A.C. Mackie (ed.), *The Chinese in Indonesia: Five Essays*, Thomas Nelson, in association with the Australia Institute of International Affairs, Melbourne, 1976, p. 66.

⁶⁶ Lim, Linda and Peter Gosling, 1997, op. cit., p. 299.

⁶⁷ Mackie, 1991, op. cit., pp. 88-89.

saying that, “They [the Chinese] will follow what the conglomerate say, both in their political and economic stance”.⁶⁸ The behaviour of these big business *totok* conglomerates even caused apprehension among the *peranakan*, who feared that, being less politically protected, and more confined to the Indonesian home economy, they were the ones who would bear the brunt of any violent anti-Chinese backlash.⁶⁹

3.2 The marginalization of the ethnic Chinese

Suharto’s government perceived that “Chineseness” was incompatible with the national personality and problematic for national integration and unity. A host of harsh measures was introduced to coercively assimilate the ethnic Chinese into the wider Indonesian population, to make them lose their “Chineseness” and “exclusiveness”. For instance, Chinese people were not allowed to form their own exclusive political party during Suharto’s rule, and no Chinese were appointed to high state positions (with the exception of Bob Hasan in the last years of the regime), because their loyalty to the country was under suspicion.⁷⁰ Also, entry to public service, the armed forces and state-run educational institutions was made extremely difficult. The use of Chinese language in public places was strongly discouraged. Printed matter in Chinese characters fell under the category of prohibited imports like narcotics, pornography and explosives when entering Indonesia. No Chinese language press was permitted except the government-sponsored “Indonesia Daily” which aimed to convey the official voice of the government. One other “assimilationist” policy was the name-changing regulation introduced in 1966. Under this regulation, Chinese were encouraged to change their Chinese names into Indonesian-sounding ones, in order to “speed up assimilation”. Although most Chinese had adopted Indonesian names, government officials still always asked about their

⁶⁸ Cohen, Margot. 1998, “Us’ and ‘Them”, *Far Eastern Economic Review*, February 12, Vol. 161, Iss. 7, pp. 16-17.

⁶⁹ Lim, Linda and Peter Gosling, 1997, *op. cit.*, p. 299.

⁷⁰ Budiman, 2001, *op. cit.*, p. 274.

Chinese names. This shows the government's strategy of carefully eradicating "Chineseness" but never allowing it to be totally wiped out.⁷¹

Indonesian citizens of Chinese descent were not allowed to attend Chinese-medium schools after 1957. The remaining Chinese-medium schools which catered the needs of students who were not Indonesian citizens were closed in 1966. All Chinese were urged to enter Indonesian-medium schools, both private and public. Chinese schools had been important sites for transmitting Chinese culture and maintaining "Chineseness". After the closure of Chinese schools, it was argued that the dichotomy between *totok* and *peranakan* broke down as many younger generation *peranakan* were "Indonesianised" while their *totok* counterparts were "*peranakanished*". However, some wealthy Chinese families who wished their children to retain their "Chineseness" sent them abroad to study in Singapore, Malaysia, Taiwan or even China.

The New Order administration actively promoted religious affiliation in order to prevent the re-emergence of Communism. Every Indonesian was required to register a religion to which they adhered. The New Order government's attitude toward Chinese religion was ambivalent. In 1965, Confucianism was officially recognized as a religion together with Islam, Catholicism, Protestantism, Balinese Hinduism and Buddhism. However in 1967 the government issued a policy to prohibit the public celebration of Chinese religious and cultural festivals, such as Chinese New Year (Imlek) and the lion (*barongsai*) or dragon dance. In 1979, the Ministry of Religion declared that Confucianism was not a religion. In fact, most *peranakan* who were influenced by both Western and Indonesian culture converted to religions that were also observed by *pribumi* such as Christianity and Islam, as these religions did not have the stigma of being "alien". Conversion to Islam was seen by assimilationist advocates as a finishing touch to assimilation (*pembauran secara tuntas*).⁷² In fact, it was noted that most Chinese

⁷¹ Suryadinata, 1978, op. cit., pp. 163-64.

⁷² Suryadinata, Leo, 1978, op. cit., p. 160.

converted to Islam because they wished to liberate themselves from the status of non-*pribumi*, and to escape social discrimination.

It remained unclear how ethnic Chinese could fully “become Indonesian” given that Indonesia’s national identity was defined in indigenist terms. The ethnic Chinese were perceived to have originated from a land “outside” the boundaries of the Indonesia. In the light of the essentialist version of the past, the ethnic Chinese were “indelibly linked to the first-generation immigrants and, in an unbroken chain, remain forever aliens”.⁷³ By emphasizing this version of history as an unchanging truth, the New Order government conveniently created a dichotomy to distinguish between the *pribumi* “Us” and the non-*pribumi* “Them”. Heryanto states that the labeling of Chinese as non-*pribumi* was a “colonial legacy that postcolonial dominant groups decided to impose upon silent others in order to assert an identity of the Self in a binary opposition”.⁷⁴ Under this dominant, indigenist ideology of origin, ethnic Chinese were seen as outsiders and intruders to the Indonesian united “native” nation-state.⁷⁵ Hence, obtaining Indonesian citizenship did not suffice for ethnic Chinese to “become Indonesian”. Premised on native indigeneity, the quest for national unity was based on the imagination of a unified *pribumi* identity. For Chinese-Indonesians, citizenship only gave a nominal identity of belonging which was subservient to the *pribumi* identity. Even the assimilated ethnic Chinese were not fully accepted as *pribumi* – they were still considered as second-class citizens. Mackie contends that the state’s insistence on the irremediably “alien” nature of the Chinese made it hard for them to forget their minority status and to identify fully and unselfconsciously with the wider national community.⁷⁶

⁷³ Aguilar Jr., , 2001, op. cit., p. 517.

⁷⁴ Heryanto, 1998, op. cit., p. 100.

⁷⁵ Nonini, Donald M. “Diaspora Chinese in the Asia-Pacific: Transnational Practices and Structured Inequalities”, in M. Jocelyn Armstrong, R. Warwick Armstrong and Kent Mulliner (eds), *Chinese Populations in Contemporary Southeast Asian Societies: Identities, Interdependence and International Influence*, Curzon Press, Richmond, 2001, p. 254.

⁷⁶ Mackie, J.A.C. ‘Changing Economic Roles and Ethnic Identities of the Southeast Asian Chinese: A Comparison of Indonesia and Thailand’, in Jennifer Cushman and Wang Gungwu (eds), *Changing Identities of the Southeast Asian Chinese Since World War II*, Hong Kong University Press, 1988, p. 224.

The above discussion shows that the New Order adopted a policy toward the Chinese similar to the divide-and-rule policy introduced by the Dutch colonial regime. Essentially, it was a paradoxical policy of privileging the Chinese business communities in an effort to expand the nation's economy, and concomitantly marginalizing the Chinese minority to near pariah status in all social spheres: culture, language, politics, education and public service and employment. Heryanto argues that in the history of Indonesia, never before had the Chinese business elite enjoyed such prosperity, but ironically, never before had they seen so deprived of civil rights. This strategy aimed "to keep the Chinese dependent, politically powerless, and easily controllable". Since the Chinese were marked out from the pribumi by their assumed wealth, their jobs their lifestyles, it was fairly easy to arouse anti-Chinese feelings based on either resentment or jealousy of economic status.⁷⁷

However, in emphasizing a developmentalist ideology, the New Order administration suppressed issues related to SARA (ethnicity, religion, race and class differences) to assure national stability and security necessary for development. Thus, anti-Chinese sentiment went underground and was uncontrolled though on the surface the problem was contained.⁷⁸ By prohibiting the discussion of SARA, the government reserved the right to manipulate sensitive issues that could cause social unrest, when needed to serve its interests. The other side-effect of assimilation, uniformity and the prohibition of SARA was that people were never educated to accept the existence of difference. Hence, "the emergence of the slightest difference would be transformed into a major conflict, always accompanied by violence and always claiming human lives".⁷⁹ Being placed in a paradoxical position, the Chinese were an easy target of racial and class hostility in the New Order.

⁷⁷ Mackie, 1991, op. cit., p. 92.

⁷⁸ Budiman, 2001, op. cit., p. 264.

⁷⁹ Zhou, Fuyuan. 2003, "Where Do We Belong?", *Asian Ethnicity*, Vol. 4, No. 3, p. 456.

3.3 The victimization of the ethnic Chinese

In the 1990s, after the Cold War and the decline of Communism, there was reportedly a softening in the government's anti-Chinese stance and a reduced anti-Chinese sentiment in Indonesian society.⁸⁰ This can be seen as evidence of the success of the government's assimilation policy, which had effectively diluted the "exclusiveness" of the Chinese. However, anti-Chinese riots once again broke out in May 1998 when the nation was in the midst of its economic crisis. The devastating effects of the financial crisis brought anti-Chinese sentiment of the surface. The Chinese were taken as scapegoats and held responsible for the national crisis which was partly "the result of massive corruption and the state's mismanagement of the economy".⁸¹ The riots, triggered by the killing of four student protesters at Trisakti University, turned into a violent anti-Chinese pogrom. Properties owned by the Chinese were ransacked, looted, and burnt; many Chinese were attacked, tortured and killed; and an estimated 152 Chinese women were raped. Many middle-and upper-class Chinese families panicked and fled the country to seek refuge in "safer" places overseas. The result was a capital flight which cost the Indonesian economy dearly and hampered its recovery from the crisis. This behaviour attracted much criticism from the *pribumi* community who denounced the Chinese for being unpatriotic and called their nationalism into question.⁸²

One might pose the question: How were the ethnic Chinese identified and targeted, if there were palpable signs that they had been assimilated? In fact, it was clear that the New Order's "assimilationist" policy had failed to solve the "Chinese Problem" and accommodate the Chinese into Indonesian society. Suharto's divide-and-rule policy also unwittingly reproduced "Chineseness" ready to be manipulated in times of political crisis. It has been argued that the riots were systematically instigated by the state to divert

⁸⁰ Purdey, Jemma. , *Anti-Chinese Violence in Indonesia, 1996-1999*, Asian Studies Association of Australia, in association with Singapore University Press, Singapore, 2006, pp. 209-210

⁸¹ Budiman, 2001, op. cit., p. 264.

⁸² Van Dijk, Kees., *A Country in Despair: Indonesia between 1997 and 2000*, KITLV Press, Leiden, 2001, p. 360.

mass' anger away from Suharto and his cronies and towards the Chinese.⁸³ The Joint Fact-Finding Team (TGPF) established that much of the violence was instigated by provocateurs who incited the local masses, leading the crowds to run amok and start looting and rioting.⁸⁴ Heryanto argues that the riots were not provoked by spontaneous racism and that the media propagated the economic-gap theory during the riots, escalating racist attacks on the Chinese.⁸⁵ However, others argued that the rioters would not have attacked the Chinese had there been no anti-Chinese sentiment to manipulate in the first place.⁸⁶ In her detailed study of anti-Chinese violence in Indonesia between 1996 and 1999, Purdey identified that the violence “took place as part of disputes over sacred space (fears of Christianisation); scapegoating during times of economic hardship; political power struggles; racialised state violence; and justice seeking.”⁸⁷

During the May 1998 riots, the state incited rioters to rape Chinese women in order to terrorize and “punish” the ethnic Chinese. Public stripping and mass rapes of women were part of a strategy practiced in Indonesia to destroy the human dignity of the “enemies”. In the Indonesian cultural context, sexually abused women were doubly dehumanized as they often feel stigmatized and ashamed of themselves. Being not only “Other” to men (her rapists), but also “Other” to their religion, nation and ethnicity, Chinese-Indonesian women’s identity was doubly vulnerable.⁸⁸

In this way, the *pribumi* “Self” (poor, original inhabitant, loyal citizen, Muslim) were eager to differentiate themselves from the non-*pribumi* “Other” (rich, foreign, disloyal, non-Muslim), so that they could be spared from attack. This shows that after 32 years of the New Order’s social engineering, the artificial “Us” and “Them” binary had

⁸³ Heryanto, Ariel. “Rape, Race and Reporting” in *Reformasi: Crisis and Change in* Arief Budiman, Barbara Hatley and Damien Kingsbury (eds), *Indonesia*, Monash Asia Institute, Monash University, Clayton, 1999, pp. 308-310.

⁸⁴ Zon, Fadli. *The Politics of the May 1998 Riots*, Solstice Publishing, Jakarta, 2004, p.63.

⁸⁵ Heryanto, 199, op. cit., pp. 103-105.

⁸⁶ Budiman, 2001, op. cit., p. 275.

⁸⁷ Purdey, Jemma. , *Anti-Chinese Violence in Indonesia, 1996-1999*, Asian Studies Association of Australia, in association with Singapore University Press, Singapore, 2006, p.35.

⁸⁸ Lochore, Laura., “Virtual Rape: Vivian’s Story”, in *Intersections: Gender, History and culture in the Asian Context*, 2000, <http://www.she.murdoch.edu.au/intersections/issue3/laura3.html>

been internalized by Indonesian society. Although inter-group differences had been repressed during Suharto's era under the prohibition of SARA, they had been very important in both everyday life and legal identification.

3.4 Elite Competition, Political Mileage and Ethnic Chinese Problem

Domestic politics play an important role in this ethnic conflict. Power struggles among politicians and future leaders intensify ethnic conflict. It seems that there is competition among the Indonesian elite and some groups who want to use ethnic conflict in order to achieve political mileage. A few observers maintain that there is always a pattern in the occurrence of the anti-Chinese riots: They are especially frequent during and prior to general elections or presidential elections. Both sides appear to be fond of using the ethnic Chinese issues to gain political mileage. Anti-Chinese sentiment is a precondition of politics in Indonesia⁸⁹. The ruling group may use limited conflict to release the anger of the indigenous population. Ethnic minorities are often singled out in a time of country's problems for blame and retribution.⁹⁰ Thus, the ethnic Chinese became scapegoat on several occasions while the opposition may hope to use the conflict to destabilize the government⁹¹. Ethnic bashing and making them scapegoat are tools of the trade in Indonesia, and the mass media are employed in partisan and propagandistic ways that further aggravate inter-ethnic tensions.

The inter-group political rivalries or the power struggles among competing elites sometimes in Indonesia have led to political instability. And the political instability has had the same effect of escalating ethnic friction in the country. According to Human Rights Watch, the entrenched politicians and aspiring leaders alike have played the "ethnic card", embracing ethnic identities and proclaiming themselves the champions of

⁸⁹ Chang, David W., "Current Status of Chinese Minorities in Southeast Asia", *Asian Survey*, Vol. 13, No. 6, Jun. 1973, p.590.

⁹⁰ "Ethnic Chinese: Indonesia's Scapegoats", 2002, <http://library.thinkquest.org/26477/indon2.htm>

⁹¹ Suryadinata, Leo, "Anti-Chinese Riots in Indonesia Perennial Problem but Major Disaster Unlikely", *Straits Times*, 25 February 1998, <http://www.straitstimes.com/>

ethnic groups as well as their cause. The elite politics, more specifically, the tactics employed by the desperate and opportunistic politicians in times of political and economic turmoil, fueled the ethnic friction. Therefore, the economic and political crisis increased the vulnerability of the ethnic Chinese as Charles Coppel rightly argues when the basic commodities such as rice and cooking oil rose, a series of violent attacks against Chinese broke out across Java throughout January and February 1998⁹². The Chinese were often accused of money laundering, hoarding of basic commodities and even, in one case, being involved in a bomb explosion⁹³.

The ethnic frictions are in vogue during the phase of political instability as the aspiring political leaders of Indonesia often deliberately attacked the Chinese minorities and termed them as conspirators. The great ethnic purge followed by the failed coup of 1965 is a bright example. Suharto who succeeded Sukarno crushed the coup immediately with the help of the army. The Army publicly blamed the PKI (the Indonesian communist Party) for the coup attempt. This triggered an outbreak of violence against people associated with the PKI. The army supported the proclamation and collaborated with the zealots to identify PKI targets. And in the ensuing anti-Communist purges, more than 100,000 persons (mostly Indonesian Chinese) lost their lives and another 700,000 were arrested.⁹⁴

It is a fact that Suharto and his cronies have lost out. It is widely accepted that there is no way back for Suharto. But the Suharto group is still involved behind the scenes, waging their own political and economic power game. Their prime strategy is destabilization by creating chaos. Thus, the deliberate political instability caused by the Suharto's cronies paved the way for ethnic friction. The ten months of the post-Suharto period has been a period of constant turmoil the uncertainty following the end of the

⁹² Coppel, Charles A. "Violence: Analysis, Representation and Resolution", in Charles A. Coppel (ed.) *Violent Conflict in Indonesia: Analysis, Representation, Resolution*, Rutledge Taylor & Francis Group, London, 2006, p. 5.

⁹³ Ibid.

⁹⁴ "History of Indonesia", *Encyclopedia of the Nations*, <http://www.nationsencyclopedia.com/Asia-and-Oceania/Indonesia>

Suharto regime and the precariousness of former president Wahid's position meant that the government was not stable enough to prevent conflict or mediate disputes. The reason is obvious because, Suharto never allowed religious and ethnic differences to be resolved in a civilized way. Everything was frozen in a straitjacketed unity, held together by a repressive military apparatus. Thus with the collapse of Suharto, the genie was released from the bottle⁹⁵. Further, despite Wahid's support for human rights and religious tolerance, his impeachment preoccupied the political agenda, rather than the need to curtail ethnic tensions⁹⁶. Therefore, ethnic friction occurred in Indonesia whenever there is a weak political authority due to transition from one regime to another and the deliberate political instability created by the competing political elites further increases the pace of ethnic friction.

3.5 Politicization of Economic Space

Ethnic thinking in political life is a product of modern conflicts over power and resources, and not an ancient impediment to political modernity⁹⁷ because the ethnic friction in Indonesia is fuelled on the one hand by the competing interest for the limited resources, and other hand by conflict over power where the political leadership that promote it or failed to halt it. Thus the history of ethnic relations in Indonesia is full of racial violence, which was deep rooted primarily in the economic competition between the different ethnic groups. Thus in this part several socio-economic factors such as discriminatory economic system, economic crisis and economic prosperity of ethnic Chinese are highlighted as the main reason of ethnic friction in Indonesia.

⁹⁵ Ibid.

⁹⁶ "Building Human Security in Indonesia", http://www.preventconflict.org/portal/main/background_intergroup_relations.php

⁹⁷ Bowen, John R., "The Myth of Global Ethnic Conflict," *Journal of Democracy*, 74, 1996, p. 6.

3.6 The Discriminatory Economic System

The discriminatory economic system according to Brown, whether they discriminate on a class basis or an ethnic basis, can generate feelings of resentment and levels of frustration later leading to violence. He argues further that the unequal economic opportunities, unequal access to resources such as land and capital, and vast differences in standards of living are all signs of economic systems that disadvantaged members of society will see as unfair and perhaps illegitimate⁹⁸. The discriminatory economic system is the main reason behind ethnic friction in Indonesia. The kind of economy created during the Suharto period was based on injustice, nepotism, favouritism and corruption. Economic activity increasingly went along ethnic lines, favouring the Chinese in Java, and the *Buginese* in many parts of eastern Indonesia. The few sources of income such as forestry products and palm oil in West Kalimantan and cloves in Ambon fell under the control of monopolies held by members of the Suharto clique. As a result, inequality was structural and ethnic tensions became increasingly explosive⁹⁹.

After the Asian currency crisis, there have been periodic anti-Chinese riots throughout Indonesia. Many observers maintain that the source of conflict lies in the economic disparity between the indigenous and Chinese population. In their view, this is class conflict rather than ethnic conflict. This class theory is not very convincing as both class formation and class consciousness in Suharto's Indonesia was at an embryonic stage. Nevertheless it is undeniable that economic disparity is an important factor in this ethnic conflict.

The economic system of Indonesia was discriminatory not only against the ethnic Chinese but also equally true for the people of Indonesia. If on the one hand the government of the day was trying hard to create a national capitalist class by adopting

⁹⁸ Brown, Micheal E. "The Causes of Internal Conflict", in Michael E. Brown, et al, (eds.), *Nationalism and Ethnic Conflict*, The MIT Press, Massachusetts, 2001, p.11.

⁹⁹ Ibid.

several anti-Chinese measures like “*Benieng system*”, on the other hand it was also collaborating with the Chinese business tycoons through the “*cukong system*”. In this way the government was successful in creating a class of people irrespective of their ethnic identity to be in power. This led to resentment between the community of both ethnic Chinese and *pribumi* as Chinese people are often blamed for their massive wealth. As during the Dutch colonial period, the Chinese were already recognized as middlemen and traders, and they were generally wealthier than the peasants or workers or even civil servants, after the independence several anti-Chinese measures were taken to curb the economic power of the Chinese.

In the year 1950, the first discriminatory measure against the aliens in general and the ethnic Chinese in particular came in the form of “*Benteng system*”. The purpose of introducing this system, according to Higgins and Higgins, was to create a viable indigenous entrepreneurial class ‘which could begin with the relatively simple problems of the import trade and then branch out into other undertaking¹⁰⁰. The Minister of Prosperity Djuanda announced that the Indonesian government would protect Indonesian ‘national importers’ so that they could compete with foreign importers. Hereafter the national importers were defined as indigenous importers, or import firms whose capital was 70% owned by indigenous. Thus to qualify as a *Benteng* importer, one had to be an indigenous importer, “new” in the field, have a legal corporation or partnership, possess a minimum working capital of 100,000 rupiahs, and office large enough for several full-time employees¹⁰¹. This discriminatory economic system was, however, officially terminated in 1954, due to the continuing protest of the Chinese minority and the failure of the system to achieve its objectives. At the same time, national banks were created to give special credit to indigenous Indonesian businessmen.

¹⁰⁰ Higgins, Benjamin and Jean Higgins, *Indonesia: the Crisis of the Milestones*, Princeton, Van Nostrand, 1963, p. 90.

¹⁰¹ Suryadinata, 1978, op. cit., p. 130.

In March 1954, another discriminatory measure was taken by which the ownership of rice mill was restricted to indigenous Indonesians and non-indigenous owners of existing mills were required to transfer ownership to indigenous citizens within a two-year period. As a result in January 1957, more than thirty Chinese-owned rice mills in Medang, Sumatra, were taken over by local authorities and sold to indigenous buyers¹⁰².

The year 1957 marked the government's attempt to indigenize the industries by taking several anti-Chinese measures. Indigenization of industry required Chinese firms to appoint indigenous Indonesian as directors and to employ and train Indonesian labour. Secondly, fifteen industries, mostly light manufacturing industries, were reserved for Indonesian citizens only. As a result, a number of businesses in the light manufacturing fields owned by alien Chinese were transferred to Indonesian citizens of Chinese descent¹⁰³. Further in March 1958, a Ministry of Labour regulation prohibited the employment of aliens without work permits. Such work permits were issued for a period of six months to two years. But the permits were not to be issued if the work could be performed by Indonesians¹⁰⁴. By the Presidential Decree no.10 of 1959, aliens were not allowed to engage in retail trade and were ordered to transfer their business to Indonesian nation not later than January 1, 1960¹⁰⁵. As a result of this ban, approximately 400,000 to 500,000 persons were affected¹⁰⁶. According to June 1, 1967, instruction of the Presidium of the cabinet no. 37/U/IN/6/1967, "capital that is acquired and accumulated within the territory of Indonesia, i.e. foreign domestic capital is basically national wealth that is in the hands of aliens (Chinese) and should therefore be recruited, developed and utilized

¹⁰² Wu, Yuan-li and Chun-his Wu, *Economic Development in Southeast Asia: the Chinese Dimension*, Hoover University Press, California, 1980, pp. 173-74.

¹⁰³ *Ibid*, p. 174.

¹⁰⁴ *Ibid*, p.175.

¹⁰⁵ Suryadinata, 1978, *op. cit.*, p. 135.

¹⁰⁶ Higgins and Higgins, 1963, *op. cit.*, p. 108.

for the benefit of rehabilitation and development. And such capital was not to be transferred abroad¹⁰⁷.

In an address before the Indonesian Chamber of Commerce on March 29, 1972, President Suharto urged the non-indigenous citizens to sell 50 % of their stock to the “*pribumi*”¹⁰⁸. In 1974, the Suharto government introduced the Kredit Investai Kecil (KIK-Small Investment Credit) and Kredit Modal Kerja Permanen (KMKP-Credit) programmes, which aimed at giving financial assistance to *pribumi* small traders - and announced that only *pribumi* traders are eligible for such credit¹⁰⁹. The Indonesian National Banks were directed to give priority to the *pribumis*, autochthonous Indonesians, when granting low-interest credits, even if these applicants do not fulfill all requirements¹¹⁰. The discrimination became crystal clear as on March 24, 1976, the leading Jakarta news paper *Kompas* published Bank Indonesia’s secret circular- a” practical guide to the definition of *pribumi*”. According to this circular, *pribumis* are people who are not foreign citizens, who do not belong to categories of “European” or “Foreign Orientals” (i.e., Arab, Indian, Pakistanis, etc.), and who are not Indonesian citizens of Chinese descent¹¹¹.

In another discriminatory measure, the trade minister announced the compulsory sale of 16,000 alien-Chinese businesses to Indonesians by the end of the year 1977¹¹². In 1979, in response to continuing pressure by the indigenous business groups, President Suharto issued Presidential Decision No. 14 which gives special tendering rights and privileges to members of the “*golongan ekonomi lemah*” (economically weak group)¹¹³. And President Suharto justified his order by saying that to help the “economically weak group” was not a form of racism.

¹⁰⁷ Wu and Wu, 1980, op. cit., p. 175.

¹⁰⁸ Ibid, p.174.

¹⁰⁹ Sidique, Sharon and Leo Suryadinata, “Bhumiputra and Pribumi: Economic Nationalism in Malaysia and Indonesia”, *Pacific Affairs*, Vol.54, (winter), 1981-82, p. 667.

¹¹⁰ Thoolen, Hans, (ed.), *Indonesia and Rule of Law*, Frances Pinter, London, 1987, p.153.

¹¹¹ Ibid.

¹¹² Wu and Wu, 1980, op. cit., p. 174.

¹¹³ Suryadinata, Leo, “Indonesia in 1979: Controlled Discontent,” *Southeast Asian Affairs*, Vol. 1, no.12, Dec. 1980,, p. 123.

As the discrimination toward local Chinese continued, many Chinese try to collaborate with indigenous Indonesians who were license-holders. Many Chinese made unofficial arrangements with indigenous license-holders. The former provided the capital, ran the business and split the profits with the latter. This practice, known as “Ali Baba system”, has now developed into what is known as the *cukong system*¹¹⁴. Since the mid 1970s, the chief beneficiaries of economic expansion have been mostly Chinese urban upper and middle classes, and wealthy landowners, with the largely-Islamic indigenous entrepreneurial society failing to gain any benefit. As a result, the bulk of government projects and credits have fallen into the hands of the Chinese businessmen, acting as the business partners of the bureaucrats.

Thus the system not only discriminated against the middle and poor Chinese who do not have the access to the bureaucrats like their wealthy influential brothers but also a gap has been created now within the indigenous people among themselves. Now both ethnic Chinese as well as *pribumi* feel the discrimination is directed against them. But in reality it was a deliberate effort of the government by creating a class which will support the regime economically. This caused the resentment between both groups time to time. On November 1980, thousands of workers and students attacked the Chinatown districts in Solo, Semarang and Kudus and gave slogans against the role of the *cukong* and unfairness in the distribution of government projects¹¹⁵. This resentment touched the boiling point in 1998 with the riots being largely directed against the ethnic Chinese.

3.7 Economic Crisis:

According to Liem Soei Liong, (Tapol, the Indonesia Human Rights Campaign), economic crisis is one of the basic ingredient of politicizing the ethnic friction in

¹¹⁴ Cukong is a Chinese term, meaning ‘master, but in Indonesia, it is used to denote a skilful Chinese businessman who closely cooperate as a middleman with those in power, especially the military.

¹¹⁵ Widihanjado, David S., “The Vulnerable Citizen: Indonesian Chinese and their Identity”, <http://www.daga.org/urm/up00/cr-dsw.htm>

Indonesia. Every ethnic friction in general and anti-Chinese riots in particular in Indonesia was its origin in economic status the Chinese enjoyed in their country. Heightened ethnic tensions, especially against the Chinese are partially a result of economic scarcity, which culminated in the Asian financial crisis.

In the fifteen years since the Sukarno left the office of President, Indonesia made substantial economic progress. Indeed, the Suharto government was very successful in reducing inflation from 650% to 15% a year¹¹⁶. By 1981, according to the government, the inflation rate had fallen to 6 percent. The output of the Indonesian economy grew by 10 percent after inflation in 1980 and after that it "slipped" between 6 and 7 percent a year, a level that would be classified as a boom in the United States.¹¹⁷ In 1996, the per capita GDP raised to \$1,150¹¹⁸. It also created a middle class of 20 million people, about ten percent of the entire population. By the early 1990's, Indonesia was raised to level of middle-income country. And the percentage of Indonesians living in absolute poverty was reduced from 60% to 11 %¹¹⁹.

In spite of these achievements, the distribution of income continued to be skewed. At the top of the ladder were Suharto's family and his cronies. Certain ethnic Chinese and selected *pribumi* who enjoyed close or family ties to Suharto thus obtained considerable access to wealth at the expense of majority of Indonesia's population. Of the top 25 conglomerates in 1994, *pribumi* interests headed only four. Ethnic Chinese businesspeople dominated the rest and amassed considerable fortunes¹²⁰. Many of these conglomerates emerged in the 1960s and 1970s and developed by maintaining close relations with President Suharto, other political elites, and the powerful armed forces,

¹¹⁶ Suyradinata, Leo, "Indonesian Policies toward the Chinese Minority under the New Order", *Asian Survey*, vol. xvi, no.8, Agu.1976, pp. 771.

¹¹⁷ "Indonesia: an Effort to Hold Together", <http://www.theatlantic.com/doc/198206/indonesia/4>.

¹¹⁸ Ocorandi, M. "An Analysis of the Implication of Suharto's Resignation for Chinese Indonesians" Worldwide HuaRen Peace Mission, 28th May 1998, <http://www.hartford-hwp.com/archive/sub/083.html>

¹¹⁹ Ibid.

¹²⁰ Turner, 2003, oc. cit., p.4.

utilizing a system of complex patronage¹²¹. These groups became rich beyond any world standards. In 1996, the share of the national wealth of the lowest 40% declined from 21% in 1990 to 19% in 1996¹²². The gap between rich and poor widened further. Later, the financial crisis, which was externally induced, shattered all these achievements. Prior to the crisis, the already lopsided situation had sparked riots in many parts of Indonesia.

Thus the prolonged economic crisis culminated in the historic ethnic riots of 1998 in which, the shopkeepers and small traders that make up the heart of the Chinese community saw their business houses, stores and homes looted and burnt by Indonesian rioters¹²³. The economic crisis in Indonesia has thus produced a vicious circle of poverty which was another main reason behind the ethnic friction in Indonesia. Although Suharto tried hard to develop country's economy yet in reality half of the nation's population during the 1970s did not know the future consequences¹²⁴. In spite of the rapid progress made, the gap between rich and poor remained and even widened with many of the rich and super rich people of Chinese descent. In 1998, half of the populations remained below the poverty line. Economic prospects for the rest of the years remained bleak. With the economic crisis of 1997, the situation became worse as millions of people lost their jobs.

As a result, the poverty ridden Muslim masses and unemployed youth expressed their resentment against the privileged class associated with the Suharto's family and also with the ethnic-Chinese and Christians. The 'poverty-stricken' Indonesians acted out of desperation and vented their anger against the ethnic-Chinese.

¹²¹ Ibid.

¹²² Ocorandi, M. "An Analysis of the Implication of Suharto's Resignation for Chinese Indonesians" Worldwide HuaRen Peace Mission, 28th May 1998, <http://www.hartford-hwp.com/archives/54b/083.html>

¹²³ "Ethnic Chinese: Indonesia's Scapegoats", <http://library.thinkquest.org/26477/indon2.htm>

¹²⁴ Chang, 1973, op. cit., p. 589.

3.8 Politicization of Economic Prosperity

The economic prosperity of ethnic Chinese is the most important cause of ethnic friction in Indonesia around which other causes discussed earlier revolve around. It has been seen through several researches that all ethnic friction whenever happened for whatever reasons must be having some economic angle. Although it is true that all ethnic Chinese in Indonesia are not equally wealthy or cannot be compared with economic tycoons like Liem Soei Liong, Bob Hasan, Edi Tansil etc. yet every time there would be a news story of Chinese houses being burnt or looted, the same news story would also tell the viewers how wealthy those Chinese were.

Following periodic anti-Chinese riots, the commentators usually blamed the victims by dominating the national economy and displaying luxurious lifestyles that had provoked the angry masses¹²⁵. Though only 5 percent of the Indonesian Chinese can be classified as wealthy and the rest 95% of them either medium or lower-income strata of the Indonesian economy,¹²⁶ the ethnic Chinese control around 80% country's private-sector commerce, from small shops to distribution networks to big banks¹²⁷. The Chinese traders today own and run banks, hotels, department stores, factories, restaurants, massage parlors etc. Twelve (except Suharto, Djohadikusumo and Gunawan) of the 15 wealthiest families in Indonesia are Chinese, according to calculations made before the Asian meltdown (See Table-5).

¹²⁵ Heryanto, 1998, op. cit., p.102.

¹²⁶ Ibid.

¹²⁷ "Ethnic Chinese: Indonesia's Scapegoats", <http://library.thinkquest.org/26477/indon2.htm>

Table: 5 **Indonesia's Richest Families**

Sl. No	Name	Estimated Worth (in billion US dollars)
1	Wonowidjojo	7.7
2	<i>Suharto</i>	6.3
3	Liem	4.5
4	Widjajaja/Oei	3.7
5	Putera	2.3
6	Prajogo	2.0
7	Sutanto	1.8
8	Nursalim	1.3
9	Hasan	1.0
10	Tanoto	1.0
11	Hartono	1.0
12	Riady	1.0
13	Soeryadjaya	1.0
14	<i>Djojohadikusumo</i>	1.0
15	<i>Gunawan</i>	1.0

Source: Calculated before Asia's economic downturn from ASIA'S WEALTH CLUB:
Who's Really Who in Business - The Top 100 Billionaires in Asia; by Nicholas Brealey Publishing Ltd.

At times of economic trouble, these numbers attract bitterness - and provocative remarks. A few weeks before the violence broke out in May 1998, Amien Rais, head of the Muhammadiyah Muslim group and one of the most outspoken critics of President Suharto, told Asiaweek:

"We must respect the economic achievements of our Chinese brothers and sisters. But at the same time, we must tell them frankly that in the future we would like a fairer distribution of the national wealth. I can say that 95% or more of the Chinese love Indonesia like I do. Only a very small percentage is absorbed with economic greediness. They have become parasites".

The deliberate state policy which secluded the Chinese from the mainstream socio-political activities provided affluent economic opportunities paid a high price in terms of their social security. This has been a continuous phenomenon since the colonial period till the return of a democratic system in the country.

3.9 Dark Ages of Chinese Press

Chinese-Indonesian writers often referred Suharto's regime the "dark ages" of Chinese culture because Chinese organizations, Chinese-medium schools and Chinese media were banned by the New Order government. After 1966, Chinese publications and the use of Chinese language in public were officially banned in Indonesia. No Chinese language press was permitted except the government-sponsored *Yindunixiya Ribao* (*Harian Indonesia* or *Indonesia Daily*) which aimed to convey the official voice of the government to the Chinese community, especially to those who did not read Bahasa Indonesia.

The editors of *The Indonesia Daily* were native Indonesians who were related to the military newspaper *Berita Yudha*. Coppel notes that all copies of the *Indonesia Daily* were written first in Indonesian and then translated into Chinese.¹²⁸ The translations were checked carefully by Sinologists on the staff. This newspaper was known to be a tool used by the military to indoctrinate the Chinese community with new restrictions during the New Order.¹²⁹

3.10 Politicization and Anti-Chinese Violence in the Recent Years

During the last phase of Suharto's regime in late nineties, corruption and nepotism reached to its zenith and the country also suffered a major economic crisis. Subsequently the hatredness towards Indonesian Chinese resulted ethnic riots in many parts of the country. Hence, it is important to discuss the phases and chronology of the ethnic riots in the recent years. Further the discussion will be incomplete without highlighting the impact of the violence on the economy and social fabrics of Indonesia vis-à-vis government's response to the violence. There are four waves of anti-Chinese violence in

¹²⁸ Coppel, 1983, op. cit., pp. 162-63.

¹²⁹ Djalal, Dini, "Pride and Prejudice", *Far Eastern Economic Review*, Feb 8, Vol.164, Iss. 5, 2001, p. 59.

Indonesia i.e. (1) 1994-1995, (2) 1996- 1997, (3) 1998, (4) 1999-2003 and in each wave the nature of violence and its reasons are different.

3.11 Causes of Recent Ethnic Riots

In the light of the phases and nature of the recent ethnic riots as discussed in the preceding section, it is imperative to find out the major factors that accelerated the unprecedented ethnic riots in Indonesia. Among the various socio-political causes, misinformation, failure of the political leadership and their statements, Laxity of government action and Apathetic police forces are prominent among them.

a. Spreading of Misinformation

Anti-Chinese violence in the recent years has witnessed many misinformation and rumors. And the main propagator of this information is media. By spreading and disseminating wrong information, it instigates the general public to take up arms against the ethnic Chinese. As the media highlights the issues very logically, the indigenous people who are the main actors of the ethnic conflict in Indonesia get a legitimizing effect on their misdeed as they often cite the misinformation from the so called state controlled media. On the other hand, several other media houses were also influenced by the government not to say anything against it. Thus for their business interest they simply keep mum.

b. Failure of political leadership

Another most important factor behind the recent ethnic friction in Indonesia is the failure of political leadership that promotes the ethnic conflict instead of halting it. Some powerful political groups have succeeded in implementing anti-Chinese doctrine in Indonesia, casting the Chinese Indonesians as the target of the indigenous Indonesians as part their political rhetoric. These ideas are present in many statements, which attempt to

make the ethnic Chinese scapegoat whenever there was a political problem, even during the recent crisis in Indonesia.

c. Leaders' Statements with Political motive

Some leaders of intellectual religious organizations and even some higher government officials mostly issued some statements, which sparked the recent anti-Chinese violence in Indonesia. Some of their statements are noted below¹³⁰:

- In 1997, during a press release broadcast on the television, one of the ministers from Cabinet VI who also was a member of the People's Advisory Assembly (a parliamentary faction), Mr. Azwar Anas from Golkar said that "If Chinese Indonesian would not help the indigenous (Indonesian), are they not (Chinese Indonesian) asking to be looted?"
- In early 1998, Mr. Aburizal Bakrie (the owner of Bakrie Group Company, an indigenous Indonesian conglomerate in Indonesia, also as a member of parliamentary faction from Golkar and the Chairman of the Indonesian Chamber of Commerce and Industry, pointed out that "This is the right time to distribute Chinese Indonesian wealth to the indigenous (Indonesian)" during the parliamentary faction meeting.
- In February 1998, powerful Moslem leaders and generals (including a close relative of the President) openly denounced the Chinese and Christians as the country's enemies who "packed with foreign countries" to conspire against Indonesia, bringing the national currency (Rupiah) to its collapse. Their denouncement opened the floodgate for the rioting on 14 February 1997 in north coastal area of central Java, during which 6 churches were burnt.
- Even the regular Muslim religious sermons on Fridays, (the prayer day of the week) were used as forums by Indonesian officials to attack the Chinese Indonesians. For example, in late January 1998, after a Friday' prayer at Taman Sunda Kelapa Mosque,

¹³⁰ "Indonesian Religious and Political Leaders Make Public Anti-Chinese Statements", http://www.colorq.org/HumanRights/article.aspx?d=Indonesia&x=anti_Chinese

General Syarwan Hamid spoke of 'eradication of rats' who are not patriotic and at times of crisis "are salting away the fruits of our national development"¹³¹.

3.12 Politicization of Government Action

Besides the above statements, some improper actions taken by the Indonesian government with regard to the anti-Chinese incidents in Indonesia indicate that the political movements behind the anti-Chinese riots involve some powerful leaders of the armed forces as well as high-ranking government officials. These actual actions taken by the Indonesian government supports the fact.¹³²

Pictures taken during the riots showed very clearly that there was no serious effort from the police and army forces to contain the riots, not until the rioters had finished looting, killing and raping the Chinese Indonesians and burning their buildings, including churches. This is very ironic if we looked upon the student demonstrations, which was limited mainly to the campus. The students were surrounded by large numbers of fully armoured police and soldiers, and even armoured vehicles. The state of alert was as if they were in a war zone. On the contrary, during life-threatening incidents targeting Chinese Indonesians, there were only a few policemen watching the rioters as they violently pillaged and murdered. The police did not react as they allowed the rioters to conduct such things. Some pictures taken show a number of police or army troopers who came after the rioters had done their evil, who did not arrest the rioters and even treated the rioters with friendliness, greeting them.

3.12 Politicization of Police Forces

In recent ethnic-friction one can see in some incident the rioters got support from the Army as well as police, the political leaders and the clergy men. There are clear

¹³¹ Ocorandi, M. "An Analysis of the Implication of Suharto's Resignation for Chinese Indonesians" Worldwide HuaRen Peace Mission, 28th May 1998, <http://www.hartford-hwp.com/archives/sub/083.html>

¹³² Ibid.

indications of deliberate manipulation by some within the security forces particularly on 14 May 1998, when rioting spread from west Jakarta over the whole city and when the malls were targeted - pretty ambitious undertakings for young bloods. The military has been passively involved in all racial crimes by having failed to give protection to Indonesian citizens of a particular ethnic group, and the above-mentioned racial riots serve as blatant examples of such omission by the military¹³³. There has never been serious prosecution for racial crimes nor has there been any sort of protection scheme for victims and witnesses. The few remedies, which were only rarely offered, were in the form of show-arrests or superficial, symbolic reconciliation¹³⁴.

There are some eyewitness references, for example in the Sandiawan report, of well-built men arriving in trucks at flash points and shouting loudly that Chinese shops should be burnt. Some observers point to the motive, often heard before, of deflecting crowd anger away from the armed forces (caused by the deaths of the students at Trisakti) towards the Chinese scapegoats.

Human Rights Watch Asia has established in a recent report (already distributed to the RRT) that a Chinese scapegoating certainly exists among certain military officers. Its aim is usually to deflect anger away from the ruling elite (although in the past it has also served to cause difficulties for rivals within the elite responsible for security). The elite anti-Chinese discourse could actually have affected events on the ground in the remote places where riots broke out. On 13 and 14 May the connection is more straightforward. These riots were politically charged in a way that the January riots in the regions were not. Tension was high among the elite painfully aware that Suharto's regime was crumbling.

The late general Soemitro and others have given detailed accounts of the way of riots in Jakarta been manipulated under conditions of similar tension in January 1974.

¹³³ Jusuf, Ester, "Discriminative Laws Still Abound", Indonesia Media Online, 2000, <http://www.indonesiamedia.com/rubrik/misc/may2000riotcommemo.htm> ,

¹³⁴ Ibid.

Allegations that Lt. Gen Prabowo and his colleagues (Muchdi of Kopassus and Sjafrie Syamsuddin of the Jakarta Area Command) were involved in provocation seem to be convincing even to armed forces commander Gen Wiranto. Gross irresponsibility such as this on the part of senior military officers of course runs clean counter to the normal military interest in stability. But it is quite possible that in moments of dire emergency within the regime, in the absence of better ways of resolving internal conflict, short-term consideration may well over-ride the normal sense of responsibility.

4. SOCIO-POLITICAL DEVELOPMENT IN POST-SUHARTO PERIOD

Although ethnic Chinese suffered a lot because of polarization of ethnic Chinese issue itself, the recent years have seen some relief. The collapse of the New Order regime marked the return of political freedom to Indonesia, thus also to the ethnic Chinese, including the emergence of civil society. The lifting of the 32-year-old restrictions on political participation and civil activism has allowed many political parties, action groups and non-governmental organizations (NGOs) to spring up.¹³⁵ Many ethnic Chinese utilized this political liberalization to establish organizations to fight for the abolition of discriminatory laws defend their rights and promote solidarity between ethnic groups in Indonesia.

The first Chinese political organization to be established after the fall of Suharto was PARTI (Partai Reformasi Tionghoa or Chinese Indonesian Reformed Party). It was followed by the establishment of the first post-Suharto Chinese social organization, PSMTI (Paguyuban Sosial Marga Tiongho Indonesia or the Indonesian Chinese Social Association), in September 1998. The successful establishment of these two pioneer organizations prompted a mushrooming of many other Chinese organizations, including political parties, clan associations, social-cultural organizations and activist groups.

¹³⁵ The NGOs that have proliferated post-1998 include women's organizations. For details see- Budianta, Melani. "The Blessed Tragedy: The Making of Women's Activism during the Reformasi Years", in Ariel Heryanto and Sumit K. Mandal (eds), *Challenging Authoritarianism in Southeast Asia: Comparing Indonesia and Malaysia*, Routledge Curzon, New York and London, 2003, pp.145-177.

Certain visible trends in the characteristics of these organizations enabled scholars to compartmentalize them into categories based on their vision and mission, objectives, features, leadership, membership requirement and their relations with pre-Suharto Chinese organizations.

In a comprehensive survey of “Chinese Indonesian civil society groups in post-Suharto Indonesia”, Susan Giblin identified four categories of Chinese organizations: social-cultural groups (PSMTI and INTI), anti-discrimination groups (GANDI, SNB, SIMPATIK and HMTI), political parties (PARTI, PBI and PWBI) and religious associations.¹³⁶

4.1 Revival of Socio-Cultural Organisations

Two of the largest Chinese social-cultural groups in post-Suharto Indonesia are PSMTI and INTI – both with branches extended to most regions in Indonesia. PSMTI stands for “Paguyuban Sosial Marga Tionghoa Indonesia” in Indonesian and “Yinhua Baijiaxing Xiehui” in Mandarin. The organization officially translates its name as “Indonesian Chinese Social Association” in English. However, this translation hardly captures its meaning in Indonesian and Mandarin, which can be literally translated as “The Chinese Indonesian Hundred Surnames Social Association”. According to Giblin, this is the only Chinese-Indonesian organization that “precludes non-Chinese from becoming full members”.¹³⁷ On the other hand, INTI (Perhimpunan Indonesia Tionghoa or the Chinese Indonesian Association) accepts all Indonesian citizens who agree with their vision and mission to join as members. The Chinese translation of INTI, “Yinni Huayi Zonghui” (The General Association for Indonesians of Chinese descent), was much contested when

¹³⁶ Giblin, Susan. “Overcoming Stereotypes? Chinese Indonesian Civil Society Groups in Post-Suharto Indonesia”, *Asian Ethnicity*, Vo.4, No.3, 2003, pp.353-368.

¹³⁷ Giblin, Susan, 2003, op. cit., p. 358.

it was first established.¹³⁸ The term “*zonghui*” or “general association” carries the connotation of being the main Chinese-Indonesian organization in Indonesia.

In identifying PSMTI and INTI under the category of “social-cultural group”, Giblin explains that they “concentrate on promoting social and cultural issues among Chinese Indonesian themselves, and also between Chinese and non-Chinese Indonesians”. However, it would be a mistake to assume that these two organizations are *merely* interested in social-cultural issues and not in politics. The PSMTI is very conservative and is excessively political averse while INTI is more courageous in touching on issues related to politics. The PSMTI’s commitment to political education can be seen in a seminar they co-organised with FORMAT (Forum Masyarakat Tionghoa or Chinese Community Forum) to introduce the Chinese-Indonesia legislative candidates (*calon legislative* or *caleg*, in short) to the Chinese community. Although non-partisan in nature, PSMTI and INTI advocate the entry of Chinese-Indonesian people into politics so that the interests of this minority can be secured.

4.2 Revival of Imlek: A Cultural Practice

Among the various cultural practices celebrated by the Chinese-Indonesians in Indonesia, Imlek holds the key in terms of its socio-political nature. Imlek is a significant festival to the Chinese-Indonesians, even to those who have lost the ability to speak and write Chinese or their affinity with Chinese culture. There is little question that Chinese New Year is a *cultural* celebration for most Chinese outside Indonesia. However, in Indonesia, Imlek has been a much contested festival. This is partly due to the unique position of Confucianism in Indonesia; that is, while Confucianism is generally

¹³⁸ Suryadinata pointed out that the official Chinese translation of INTI is “Yinni Huazu Zonghui” (The General Association of Ethnic Chinese in Indonesia) rather than “Yinni Huayi Zonghui” (The General Association for Indonesians of Chinese descent). He argues that INTI representatives preferred the term “*huazu*” or “ethnic Chinese” a “*huayi*” or “Chinese descent (*keturunan*)” because they want to be considered as part of the Indonesian nation (*bangsa Indonesia*) just like other ethnic groups. For details see - Suryadinata, Leo. “Chinese Politics in Post-Suharto’s Indonesia: Beyond the Ethnic Approach?”, *Asian Survey*, Vol. 41, No.3, 2001, pp.502-524.

understood as ethical rules or moral philosophy amongst the Chinese elsewhere. It has been an institutional religion in Indonesia since the beginning of the twentieth century.¹³⁹ Imlek is concerned by some as a religious festival because the Confucians in Indonesia celebrate it was a sacred day that commemorates the birth of Confucius, just as Christians celebrate Christmas to remember the birth of Jesus. However, just as the appropriateness of Confucianism as a religion is challenged, Imlek is contested by those Chinese-Indonesians who do not belong to the Confucian religion as a purely ethnic-cultural festival.¹⁴⁰

In 2000, President Abdurrahman Wahid declared Imlek as an optional national holiday. Two months later, the Home Affairs Minister abolished the 1978 Ministerial Instruction that de-recognised Confucianism as an official religion in Indonesia, thereby “restoring” Confucianism as the sixth officially-recognised religio.¹⁴¹ Despite this, it was not until May 2006 that Confucianists could register their religion in their identity cards (TP).¹⁴² It is worth noting that Imlek was first declared as a national holiday on the basis of its religious rather than ethnic or cultural character. This is because only festivals of the officially recognized religions are allowed to be observed as national holidays in Indonesia. MATAKIN (Majelis Tinggi Agama Khonghucu Indonesia or the Supreme Council for the Confucian Religion in Indonesia) initiated a proposal to request the government for the recognition of Imlek as a national holiday. Since 2000, MATAKIN has organized formal annual Imlek celebrations which national leaders such as the President and prominent Chinese were invited to attend. These annual celebrations hold significant meanings for the Chinese – they are seen as a renewal of government commitment to “Chinese” religion and culture in Indonesia. However, the common

¹³⁹ Tu, Wei-Ming (ed.), *Confucian Traditions in East Asian Modernity: Moral Education and Economic Culture in Japan and the Four Mini-Dragons*, Harvard University Press, Cambridge, 1996.

¹⁴⁰ Tan, Mely G., “The Ethnic Chinese in Indonesia: Issues and Implications”, in *Southeast Asian Chinese: The Socio-Cultural Dimension*, Suryadinata, Leo (ed.), Times Academic Press, 1995, p.17.

¹⁴¹ Suryadinata, Leo., *The Culture of the Chinese Minority in Indonesia*, Marshall Cavendish Academic, Singapore, 2004, p.207.

¹⁴² Boediwardhana, Wahyoe. “A Confucianist ‘Officially’ Rekindles his Neglected Faith”, *The Jakarta Post*, 16 May, 2006.

suspicion of the government's acceptance of Imlek has been a political debate as many Chinese-Indonesians believe that the government's endorsement of Imlek was initiated by its guilty feeling of the May 1998 violence.

Another interesting feature of Imlek in Indonesia is its preservation of the "traditional" Chinese calendar which is already obsolete even in China. The year of Imlek is marked from the year of Confucius' birth, which, according to the Confucians, is 551 BC. For instance, 2004 was calculated as the year of Imlek 2555 (i.e. 2004 + 551). This can be considered as one of the elements that were adopted by the Confucianists in Indonesia to legitimize Confucianism as an institutional religion, together with their canonization of Confucius as a Prophet (*Nabi*), who obtained from God (*Tian*) the Decree to spread the "gospel" among the Chinese, and their treatment of the Confucian texts (The Four Books and Five Classics) as the "Holy Book" of this religion.¹⁴³ The Confucians justified the designation of the Imlek year on the basis of Confucius' birth year as comparable to the remembrance of Anno Domini in the Western calendar as the year of Christ, and the Muslim Hijrah calendar which calculates its year from the year Prophet Muhammad made the pilgrimage from Mecca to Medina.

4.3 Anti-Discrimination Groups: Ethnic Vs Non-Ethnic

The second category of post-Suharto Chinese organizations identified by Giblin is anti-discrimination groups. She observes that anti-discrimination groups are formed by younger Chinese who are "less concerned with promoting Chinese Indonesian culture and more interested in developing democracy and human rights, particularly for ethnic Chinese".¹⁴⁴ Under this category are GANDI (Gerakan Perjuangan Anti-Discriminasi Indonesia or Indonesian Anti-Discrimination Movement), SND (Solidaritas Nusa Bangsa or Solidarity for Motherland and Nation), SIMPATIK (Solidaritas Pemuda-Pemudi

¹⁴³ Coppel, Charles, A, *Studying Ethnic Chinese in Indonesia*, Singapore Society of Asian Studies, 2002, pp. 246-255.

¹⁴⁴ Giblin, 2003, op. cit., p. 358.

Tionghoa Indonesia untuk Keadilan or Solidarity of Young Chinese-Indonesians for Justice) and HMTI (Himpunan Mahasiswa Tionghoa Indonesia or Association of Chinese Indonesian students). Most of these groups were established during the height of the student movements in 1998 and 1999 by idealistic ethnic Chinese young and student activists in reaction to the May 1998 riots.¹⁴⁵

Although the executive committees of GANDI and SNB are dominated by young ethnic Chinese activists and professionals, these organizations do not represent themselves as Chinese NGOs. Both GANDI and SNB are devoted to fighting discrimination and racism against all minority groups through a legal approach. Hence, scholars categorize them as “non-ethnic based” groups, in contrast to “ethnic based” organizations which tend to adopt the term “Tionghoa” in their name (Suryadinata 2001a: 514-5; Giblin 2003: 358-9; Herlijanto 2003). Another NGO with similar objectives to those of GANDI and SNB is LADI (Lembaga Anti Diskriminasi Indonesia or Institute of Anti Discrimination in Indonesia). Despite taking a non-ethnic approach, LADI’s struggle mainly focuses on the ethnic Chinese. It is crucial to highlight that these NGOs do not work in isolation. For instance, they work together with other NGOs such as Jakarta Legal Aid Foundation (LBH-Jakarta), the United Nations Children’s Fund (UNICEF), National Institution of Human Rights (Komnas Ham), groups that promote pluralism, and elite Chinese organizations like PSMTI and INTI.¹⁴⁶

Nevertheless, a group of young Chinese activists from both ethnic and non-ethnic based NGOs formed a trans-organizational network called Jaringan Tionghoa Muda (or Chinese Indonesian Youth Network) in 2004. This network uses email (mailing list) as their primary mode of communication, although they also hold regular meetings to share their experiences in their respective organizations as well as to discuss a variety of issues

¹⁴⁵ Thung, Ju-Lan., “Ethnicity and the Civil Rights Movement in Indonesia”, in , Lee Hock Guan (ed.), *Civil Society in Southeast Asia* Nordic Institute of Asian Studies Press and The Institute of Southeast Asian Studies, Singapore, 2004, p. 224.

¹⁴⁶ Effendi, Wahyu. “A Fair Go for All: Taking a Legal Approach to Fighting Discrimination”, *Inside Indonesia*, April-June, 2004, p.16.

such as Indonesian politics, discrimination, identity and social movements. The format of the network is deliberately kept informal (i.e. non-institutional) and fluid (*cair*) as the activists wanted it to transgress boundaries and be free from institutional hierarchy and bureaucracy. However, the lack of structure of the network can be disempowering: the network can only function as a space for brainstorming but not for on-the-ground activism as it lacks institutional organization, facilities and funding.

4.4 Political Parties: Establishment and Transformations

There were four Chinese political parties established after the May 1998 riots, namely, PARTI (Partai Reformasi Tionghoa or Chinese Indonesian Reform Party), PBI, (Partai Bhinneka Tunggal Ika or Unity-in-Diversity Party), Parpindo (Partai Pembauran Indonesia or Indonesian Assimilation Party) and PWBI (Partai Warga Bangsa Indonesia or Indonesian Citizens' Party).¹⁴⁷ However, due to lack of interest and support from the Chinese "community", the latter two were transformed into social organizations. Between the two surviving parties – PARTI and PBI was qualified to contest the June 1999 election. PBI eventually won one parliamentary seat in the election with the support of ethnic Chinese in West Kalimantan as well as other under-represented minority groups such as the Batak and Dayak.¹⁴⁸ Nevertheless, a survey conducted by Tempo magazine before the 1999 election on the attitudes of ethnic Chinese towards political parties showed that a majority and them (70%) supported Megawati's PDI-P (Partai Demokrasi Indonesia – Perjuangan, or Indonesian Democratic Party for Struggle).¹⁴⁹ Perhaps this shows that most Chinese fully identify with the Indonesian nation, and believe that their aspirations can be channeled more effectively through mainstream parties than through ethnic-based ones since they are too small to exert any real political influence. Their reluctance to support Chinese parties may also be attributable to the impact of the

¹⁴⁷ Suryadinata, 2001. *op. cit.*, pp.502-524.

¹⁴⁸ Suryadinata, Leo, *Elections and Politics in Indonesia*, Institute of Southeast Asian Studies, Singapore, 2002, pp. 131-32.

¹⁴⁹ *Ibid.*

persecutions in the mid-1960s and political oppressions perpetrated by the New Order, including the May 1998 violence.¹⁵⁰

The establishment of Chinese political parties has attracted criticism from both the Chinese and *pribumi* communities. Well-known Chinese-Indonesians such as the economist, Kwik Gian, and a leading businessman, Sofyan Wanand, have expressed their non-support of and disagreement with exclusive Chinese political parties, reasoning that they would only heighten the sense of ethnic separateness. A strong attack was made by Surya Paloh the media tycoon, condemning ethnic Chinese parties as exclusive, primordial, threatening to national integration, counterproductive to assimilation and “like snakes looking for something to hit (*bagaikan ular mencari pukul*)”. Nevertheless, the explosion of new political parties has enabled the ethnic Chinese to become more fully integrated into all facets of political life in Indonesia, an endeavor that would not have been possible during the New Order.

4.5 Chinese political views and the 2004 Election

As mentioned in the introduction, the year 2004 was a year of elections for Indonesia. The year began with a parliamentary election for legislative candidates for the House of Representatives (DPR), the Regional Representatives Council (DPD) and provincial and regency assemblies (DPRD) on April 5; this was followed by the first round of the first ever direct presidential elections on July 5; and finally the final round of the presidential election was held on September 20. More than 170 ethnic Chinese registered as legislative candidates (*calon legislative* or *caleg*) across Indonesia, an enthusiasm that is deemed unprecedented. This phenomenon is also hailed as the antithesis of the stereotype that ethnic Chinese are apolitical. Several Chinese organizations in Jakarta held seminars to introduce the *caleg* to the Chinese “community”

¹⁵⁰ Mackie, J.A.C., “Tackling ‘the Chinese Problem’”, in Geoff Forrester (ed.), *Post-Suharto Indonesia: Renewal or Chaos*, Crawford House Publishing, Bathurst, 1999, p. 192.

as well as to educate the ethnic Chinese about political elections and to encourage them to vote.¹⁵¹

They espoused the idea of voting for a “clean” *caleg* (i.e. one who was not “rotten” or corrupt) who was not necessarily an ethnic Chinese. The profile of the *caleg* was usually printed in the promotional material they distributed. Ethnic Chinese *caleg* sometimes used dual language (Indonesian and Chinese) in their promotional material to attract Chinese-Indonesian voters.¹⁵²

4.6 Difference in Political Ideology: Old Vs Younger Generation

The return of democracy in Indonesia witnessed a political difference of ideology within the Chinese community due to the generation gap and their experience and exposure to the contemporary political system. Almost all leaders of elite Chinese organizations in post-Suharto Indonesia (e.g. PSMTI and INTI) belong to this generation. They are said to be interested in reviving the good days of pre-Suharto Chinese activism and often use Baperki as their reference point. The younger generation, on the other hand, who were either in high school or university during the 1998 anti-Chinese riots and student movements. This age group makes up the activists in anti-discrimination groups and non-ethnic oriented movements in post-1998 Indonesia.

There are major differences between the generations: the younger generation activists are full of idealism but lack funding, while the older generation elite leaders have the capital but lack progressiveness. In general, the older generations are more cautious in their activism compared to the younger activists. The political trauma that they experienced taught them not to be too sanguine even though Indonesia is moving towards democracy. This caution is encapsulated in the Chinese idiom “*ju an si wei*” –

¹⁵¹ Tjhin, Christine Susanna, “Minority Participation and Democratization”, *The Jakarta Post*, 3 September, 2004.

¹⁵² Tjhin, Christine Susanna, “More Chinese-Indonesians become actively engaged in politics”, *The Jakarta Post*, 29 March, 2004.

which means one should think about potential dangers even when one is living in a peaceful and stable environment.

Most of the older generation leaders of the elite Chinese organisations are either retired or semi-retired, and some are reasonably affluent. Hence it is not surprising that these organizations can afford to organize high budget activities like ostentatious concerts and big seminars in luxurious hotels. On the other hand, most non ethnic-based NGOs led by younger generation Chinese-Indonesians obtained their funding from international aid agencies. These funds dwindled as the funding agencies gradually lost interest in the May 1998 incident and as there are more troubled areas in Indonesia that require attention . As a consequence, some NGOs have been forced to half their activities and the activists have had to look for work in order to support themselves and their family.¹⁵³

The dynamic post-Suharto political scene, dominated by the growth of democracy and civil society, has given rise to a healthy Chinese politics. Notwithstanding the ongoing political trauma suffered by many Chinese-Indonesians, the establishment of Chinese political parties and NGOs has enabled the ethnic Chinese to become more fully integrated into all facets of political life in Indonesia. The aims of these organizations are not simply to challenge the historical stereotypes of the ethnic Chinese as “apolitical” and as “economic animals” but also to struggle for the retrieval of citizenship rights. Nevertheless, it is still unclear if the national symbols and nationalist discourses with which Chinese organizations attempt to authenticate themselves will be sufficient to enable them to live in equality with non-Chinese Indonesians.

The ethnic Chinese participation in the 2004 elections highlighted the heterogeneous political views of the Chinese. Given the heterogeneity, internal conflicts and disagreements are unsurprising. One instance was the 2004 commemoration of the

¹⁵³ Tjhin, Christine Susanna. , “Ethnic Chinese and Indonesian Democratic Stage: A Personal Note”, in J. Kristiadi and Arief Priyadi (eds), *Budi dan Nalar: 70 Tahun Harry Tjan Silalahi* [Knowledge and Thoughts: 70 Years of Harry Tjan Silalahi], Hadi Soesastro, Centre for Strategic and International Studies, Jakarta, 2004, pp. 632-33.

1998 May tragedy where PARTI was perceived as an unordained representative of the Chinese “community” and the ceremony was seen as a disgrace by many ethnic Chinese. Generational differences also account for the diversity of Chinese organizations. Knowing the youth will be the future leaders of the organizations, senior Chinese leaders welcome their participation in their organizations but are unwilling to share power with them. Many idealistic youth activists find non-ethnic based organizations more appealing, but struggle to survive due to lack of funding. Gender issues are still low or absent from the agenda of most Chinese organizations that are deeply embedded in a hierarchical and patriarchal culture. Despite their shortcomings, the unprecedented political activism promoted by post-Suharto Chinese organizations has changed the future of Chinese-Indonesians forever.

4.7 Reemergence of Language Press

As mentioned above, the “new” space opened for the Chinese press in the post-Suharto era is dominated by Chinese-language publications. There were around ten Chinese-language publications and only two Indonesian-language Chinese publications circulating in Jakarta in 2004. The shift in cultural policy in post-Suharto Indonesia witnessed a mushrooming growth of Chinese language publications.

This new multicultural environment has provided an ideal breeding ground in which the Chinese-language press can proliferate. The publication of the Chinese-language press in Indonesia is encouraged by the government because it demonstrates the new policy makers’ determination to implement Reformasi and abandon the old assimilationist ideology, whether or not this is happening in reality. To the Chinese-Indonesians, the reemergence of Chinese-language publications has important symbolic meanings, notwithstanding most of them no longer read or speak Chinese. It signifies victory over the dark forces or Suharto’s regime and the beginning of a bright future for the Chinese in Indonesia. Even though familiarity or capability with the Chinese language no longer reflects the “Chineseness” of most Chinese-Indonesians, the revival

of Chinese-language publications is still perceived as an acknowledgement of their culture and identity.

To the Chinese “community”, especially those who had been deprived of the opportunity to use Chinese language and read Chinese publications, the post-Suharto era signifies an end to “darkness” and the beginning of light. President Abdurrahman Wahid’s lifting of the official ban on Chinese printed matter on 21 February 2001 was hailed by many publications and termed as a “joyous moment for the second springtime” of Chinese culture.

It can be seen from the table above that most of the Chinese publications were published in the Chinese language. There were only five Indonesian-language Chinese publications that emerged in post-1998 Jakarta: *Suar 168*, *SIMPATIK*, *Sinergi Bangsa*, *Sinar Glodok* and *Suara Bau*. None of them was a daily newspaper. Nevertheless, most of them have ceased publication after a few years except for *Sinergi Indonesia* (under new name and management) and *Sinar Glodok*, which still existed in 2004.

However, not all of the Indonesian-language Chinese press focused on Chinese culture. In fact, *SIMPATIK*, *Suara Baru* and *Sinergi Bangsa* (changed to *Sinergi Indonesia* in 2003) were all more interested in non-cultural matters such as politics, social issues and economics. These magazines focused on the eradication of discrimination and upholding justice in the community. They also attempted to reconstruct Chinese-Indonesian identity after the May 1998 riots.¹⁵⁴

4.8 Sinergi Indonesia: A new face of Idealistic press

After *SIMPATIK* and *Suara Baru* came to a halt, *Sinergi Indonesia* became the only Indonesian-language Chinese press in Indonesia to focus on political and social issues, especially those related to the Chinese minority. *Sinergi Indonesia* is a monthly magazine published by Indonesia Sinergy Research Institute (Lembaga Kajian Sinergi

¹⁵⁴ Pandiangan, 2003, op. cit., p. 416.

Indonesia) headed by a former member of Baperki, Tan Swie Ling. Tan argues that the Chinese-language press that have reemerged have been too obsessed with the euphoria of the lifting of the ban on Chinese language and culture, and have overlooked the importance of finding a solution to the “Chinese Problem”. The main objectives of Sinergi Indonesia are to educate Chinese-Indonesians about politics, since they have been separated from the political world for more than three decades.¹⁵⁵

4.9 *Sinar Glodok* : Perpetuation of Stereotypes

Sinar Glodok is a bi-weekly newspaper that is circulated in Glodok – the oldest “Chinatown” in Jakarta. Consisting of 12 pages, and covering mainly business news and advertisements, this newspaper is obviously commercially motivated. It reports on the business activities around the Glodok area and other major Chinese business districts such as Mangga Dua and Kelapa Gading. The commercial news includes news about the latest models and price lists of mobile phones and other technology products, new restaurants, property, gold and foreign exchange rates.

This newspaper taps into and perpetuates the popular but unfavourable stereotype in Indonesia that the Chinese are “economic animals” and “apolitical”. Through its contents, it witnesses the production and circulation of the dehumanizing stereotype of the Chinese. This can be seen not only in the newspaper’s business focus but also in its representations of “Chineseness”. For example, the column “*apa siapa*” (what and who) contains stories of successful Chinese figures, all of whom “coincidentally” have a profession in business. It also publishes cartoons of Chinese people who are (re)presented as traders, wearing Qing Dynasty costumes, with slanting eyes, pigtails and round caps. In this way, *Sinar Glodok* has differentiated itself from other mainstream Indonesian-language newspapers. I would argue that such stereotypes have dangerous potential.¹⁵⁶

¹⁵⁵ Ibid, p. 417.

¹⁵⁶ Ibid.

4.10 Politics and the Chinese-language press

After the fall of Suharto, many ethnic Chinese took advantage of the political liberalization to set up organizations to fight for the abolition of discriminatory laws, defend their rights and promote solidarity between ethnic groups in Indonesia. However, the trauma from the closure of all Chinese media and the arrest and persecution of staff in the Chinese press in 1965 deterred some of the Chinese press from venturing into political territory. It is believed that his newspaper has focused more on cultural issues than political discussion because he believes that Chinese-Indonesians are not very keen on politics.

Nevertheless, not all the Chinese-language presses lean towards *The Archipelago Daily's* view. Some of the Chinese presses are very enthusiastic about contributing to the new wave of political activism. They report political news about Indonesia, especially those related to the Chinese. For example, they publish news about discrimination, new official policies on the Chinese and Chinese political candidates in the 2004 general election. These elections have also provided an opportunity for the Chinese press to get involved in the political education of the Chinese community in Indonesia.¹⁵⁷ For instance, *The International Daily* and *The Universal Daily* have sponsored seminars that were organized by Chinese organizations in Jakarta. However, this does not mean that the Chinese-language press is totally comfortable with the world of politics. Many Chinese publications are cautiously testing the water and practicing the New Order style of self-censorship, in order to remain active but safe. Most Chinese-language newspapers limit themselves mainly to reporting news and eschew politics and political discourse in Indonesia. This is different from both the strategies of the pre-Suharto Chinese presses, which are more politically orientated; and quality mainstream, contemporary Indonesian newspapers (such as *Kompas*). Besides paranoia, the Chinese-language press also does not have the expertise to produce in-depth political commentary or analysis.

¹⁵⁷ *Ibid*, 421.

Chinese-language magazines have been more active in publishing articles and commentaries on politics than Chinese-language newspapers. There are at least three Chinese-language magazines in Jakarta that given significant weight to politics. They are *Xin Yindong* (*The New Indonesia and ASEAN, previously Yinni yu Dongxie or Indonesia and ASEAN*), *Hu Sheng* (*Media Aspirations*) and *Yinhua Zhisheng* (*The Voice of Indonesian Chinese*). *The New Indonesia and ASEAN* is the most long-lived magazine of the three. In 1990 it was not registered in Indonesia but in Hong Kong, due to the prohibition of Chinese publications in Indonesia. It started out as a small publication that published news of Indonesia's politics and economy. This news was in high demand by Chinese-Indonesian business people in Hong Kong and the "guiqiao" because many of them still had family and relatives in Indonesia.¹⁵⁸ Copies of this magazine were later sneaked into Indonesia illegally for circulation and distribution. Bookstores that sold this magazine hid them behind other magazines on book racks or kept them under the counter. Readers threw the magazine away after they read it because Chinese characters were banned by the New Order government.

After the fall of Suharto, *The Indonesia and ASEAN* moved its office to Indonesia and increased its discussions of politics and the legal rights of the ethnic Chinese in Indonesia. It also provided a space for readers to contribute articles and commentaries on politics. This "space" was often used by readers to initiate discussion about certain Chinese community leaders or organizations, which sometimes ended up in a series of personal attacks and provocative debates. These discussions eventually offended some Chinese figures and forced this magazine to change its management in late 2003. After a management reshuffle, the magazine retained its name but gave its contents a facelift. It was transformed into a leisure and lifestyle magazine covering issues like beauty, sex, health, sports and entertainment. However, this facelift did not "sell" as expected by the

¹⁵⁸ Coppel, 2002, op. cit., p.p.21-22.

new management, in a predominantly aging readership market. The subscribers did not find the issues attractive and demanded the return of the old format. The new format of the magazine ceased after the publication of only three issues. The old management reestablished the magazine in March 2004 under a new name *Xin Yindong* which means *New Indonesia and ASEAN*. *Xin Yindong* proudly proclaimed its motto on its front cover: “For the continuation of the original taste of *Yinni Yu Dongxie*, we stand firm and give an Indonesian perspective, bravely speaking of those that others dare not speak of”. Living up to its motto, it once again publishes readers’ articles that provoke debates. The diverse opinions and internal politics within the Chinese community again reflect its heterogeneity.

The “coming out” of the closet of political avoidance can also be seen in two magazines that are published by alumni groups. Formerly these were known to have been more concerned about cultural rather than political matters. *Media Aspirations* is published by alumni from former (pre-1966) Chinese schools in Jakarta while *The Voice of Indonesian Chinese* is published by alumni who were educated in Taiwan. In 2004 *Media Aspirations* devoted many issues to the general election. *The Voice of Indonesian Chinese*, on the other hand, focuses more on the political developments between China and Taiwan. Most of the political commentaries and articles in *Media Aspirations* are translated from mainstream Indonesian media. This shows that, despite the lack of experience and knowledge about political commentary, this magazine is still committed to carrying out the political education of its readers – presumably mostly alumni from pre-1966 Chinese schools. It should be mentioned that translating articles from Indonesian to Chinese is not an uncommon practice in the Chinese-language press. However, the inaccuracy in translations and the lack of proper references or acknowledgement of sources show that the Chinese presses are still far from professional.

Even though the Chinese-language press has become active in discussing political issues, it is doubtful that this political activism has much potential for empowering Chinese-Indonesians. The main reason is that it does not provide much space for

discourse construction other than reporting or translating political commentaries from the mainstream Indonesian press. Secondly, the market for the Chinese-language press is insignificant. Only the older generation has the language ability to read such media. This language barrier has also limited the ability of the Chinese-language press to reach mainstream society and the Indonesian government. Therefore, the discussions, debates and discourses that have been stimulated in this media are circulated only within a very limited segment of the Chinese community.

Thus, from the above discussion one can conclude that, the ethnic Chinese in Indonesia has suffered a lot because of politicization of various issues related to ethnic Chinese which subsequently created a gulf between the ethnic Chinese and pribumi. The stereotypes of the ethnic Chinese as foreign, disloyal and exploitative, reinforced by the New Order, rendered them scapegoats in times of economic and political crisis. The victimization of the Chinese in the orchestrated riots of May 1998 awakened Chinese awareness of their problematic identity. Although many of them had complied with the state's assimilation policy, their effort had proved unsuccessful. The tragedy of May 1998 only confirmed that the ethnic Chinese were still not yet accepted by the society in which they lived and died.

However, the dynamic post-Suharto political scene, dominated by the growth of democracy and civil society, has given rise to a healthy Chinese politics. Notwithstanding the ongoing political trauma suffered by many Chinese-Indonesians, the establishment of Chinese political parties and NGOs has enabled the ethnic Chinese to become more fully integrated into all facets of political life in Indonesia. The ethnic Chinese are now allowed to use Chinese character and letter. The Chinese Cultural festival hitherto banned in Indonesia has seen its revival. Many ethnic Chinese news papers have also come up which writes about the issues and concern of ethnic Chinese that negates the perception of ethnic Chinese to remain as troubled citizen in Indonesia.

CHAPTER V

CONCLUSION

Being a multi-ethnic and multi-religious state, Indonesia has seen many obstacles to its nation building process. Among all, the problems of ethnicity in general and the ethnic Chinese in particular loom large. History of modern nation-state is a witness to the complex problem of ethnicity in a multicultural nation state. In Indonesia, around three percent of the population is ethnic Chinese who are not yet completely accepted as Indonesian. It was found that Indonesian Chinese problem is largely a creation of colonial legacy, weak state structures, ethnic domination, discriminatory political institutions, exclusionary national ideologies, politicization of ethnicity, mutual lack of understanding, suspicion and hostility between the *pribumi* and the minority Chinese groups.

In an attempt to find out the possible solution to the perennial problem of the Chinese minority in Indonesia, it is important to discuss both assimilation and integration approach with its specific merits keeping the complex situation of Indonesia. It is by understanding the assimilation-integration approach that a viable solution to the issue of ethnic Chinese in Indonesia can be found out.

Assimilation refers to a blending process whereby two distinct groups form a homogenous entity. Thus, assimilation is just like a *melting pot* where the identity of a metal is completely lost. One cannot distinguish between different metals. In other words assimilation can be forceful like in a melting pot one has to give external pressure in the form of heat to melt the different metal and become one. Many scholars do not prefer this because in this process of assimilation, the ethnic minority loses their own tradition, culture, and identity. They are forced to identify with the national culture.

Integration approach on the other hand stands for "*salad plate*" in which all the elements were clearly identified as tomato, onion, carrot, cucumber and so on. Each keeps their identity of own, but when integrated and presented as a whole called *salad*. Thus, the approach does not have faith in forcible imposition on ethnic minorities. This approach is best suitable for a multicultural, multi-racial, multi-lingual society where

each of the minority groups feel proud to be identified with their own culture and tradition.

In the context of Indonesia, which is an ethnographically divided country owing to its colonial history, it is important to highlight the official policy towards ethnic minority in general and ethnic Chinese minority in particular. This will reveal whether the assimilation policies of successive Indonesian government worked properly and successfully or not.

The debate within Indonesia's *peranakan* community around the question of integration or assimilation rose during the late 1950s and early 1960s, until it was abruptly ended by anti-Chinese violence in 1963 and Communist purges in 1965-66. The platform of integration (*interasi*) supported by Baperki, a Chinese organization, included demands for the Chinese to be accepted as *asuku* (ethnic group) under the nationalist principles of "Unity in Diversity" and cultural pluralism. At the time, such '*integrasi*' invited serious opposition from other *peranakan* Chinese backed by military, who were suspicious of Baperki's alleged links to the Indonesian Communist Party. Thus, assimilation became a plank in the *peranakan* political platform. This is because, the influential members of the *Peranakan* community had foreseen some kind of cultural merger, the first steps to which have already been taken. During the period of assimilation, it has been even seen the increasing number of *peranakan* giving their children Indonesian names and suppressing their Chinese surnames. Then, during Suharto's New Order, with Baperki closed down and its leaders imprisoned, *pembaوران* (assimilation- the preferred 'New Order term') dominated official *peranakan* politics. Government policy promoted a solution to the 'Chinese problem', which included banning Chinese cultural activities, names and language. The supporter of this model advocated that Indonesian Chinese should go as far as possible in the direction of becoming fully Indonesian and acquiring an Indonesian identity, by taking out Indonesian

citizenship, adopting Indonesian names, using *bahasa* Indonesia and abandoning Chinese culture and traditions.

The state oversaw its *assimilation* policies in a relatively coherent and straightforward way, striving to eliminate everything that was traditionally seen as "Chineseness". The officially proclaimed goal was to completely absorb the Chinese in society and thus solve the "Chinese problem". The rigorous steps taken to force the Chinese to assimilate were justified with their incompatibility with the Indonesian people. Hence, it was said, they pose a threat for national integration and unity. The process of assimilation and the cultural unity in Indonesia has been very complicated. First of all this is due to the influential economic position of the Chinese in Indonesia and secondly, to a conscious effort on the part of this group to maintain and even develop what are regarded as unique cultural traits (i.e. reverence for tradition, family law, religion, etc).

Thus, on the one hand, the assimilation policy was trying to dismantle their cultural traits to fully merge them with the Indonesian society. But at the same time the policy has also helped in stigmatizing the Chinese people and hence, had drawn a separate line to distinguish them from the rest of the so-called indigenous people. For example, the Indonesian word *cina*, literally means Chinese, has a very strong negative racial connotation and was officially used. The use of officially approved words and terms with very strong negative connotation to describe Indonesians of Chinese descent, has had the effect of building a thick dividing wall between ethnic Chinese citizens and all other ethnic groups. This implies that being Chinese is something, which should be hidden, condemned and as much as possible, marginalized in order to blend in with the rest of society.

Those favoured the assimilation approach as the part of the solution to the ethnic problems in Indonesia have argued that the Chinese in Indonesia have been rapidly assimilated, and that no one could have imagined the phenomenon twenty years ago. But in reality it is far from the truth. It is true that the Chinese in Java, especially the

perankans, have always been more Indonesianized. Even *totok* in Java were and are being perankanized. Thus, the process of assimilation depends on a number of factors, including their length and place of residence, occupation, economic background, etc. Indeed some have become assimilated while others have not. But as a group, the Chinese in a more Indonesianized form will continue to exist as they remain identifiable.

The assimilation policy has been contained in government guidelines since 1967. Chinese Indonesians have been instructed or encouraged to change their names to Indonesian ones. Their language schools have been closed and replaced by schools, where Chinese is taught as an extracurricular language. Use of the Chinese language was banned. The use of Chinese characters in public has been discouraged and Chinese festivals and rituals are to be celebrated only in the privacy of the home. Chinese socio-political organizations were dissolved or disbanded. However, at the same time a new system was introduced to differentiate the Chinese from the rest by having a special coding system on their identity cards and confining the Chinese to economic activities.

Thus, the New Order at the same time had created the Chinese identity or “Chineseness”. In other words, the “Chineseness” was an artificial identity constructed and imposed by the New Order Government. To some people this “Chineseness” represents a curse rather than a blessing. Suharto’s regime perpetuated the myth of “once a Chinese, always a Chinese” by reformulating and re-institutionalizing the “Chinese problem”, based on cultural essentialism. “Chineseness” was largely taken for granted and was never clearly defined. Being Chinese was only understood as being non-pribumi, or the “other” to the pribumi “Self”. It was through this artificial binary of pribumi and non-pribumi that “Chineseness” was conceived. The New-order’s social engineering made it a general belief that the “Chineseness” was hereditary and would stay with a person for life, regardless of how they self-identified in different contexts. The politicization of the ethnic Chinese during the Suharto era resulted many discriminatory policies and violence against the ethnic Chinese.

The devastating anti-Chinese riots of May 1998 demonstrated vividly that Suharto's assimilation Policy has been unsuccessful in accommodating "Chineseness" in Indonesia. The crude assimilation model of ethnic management in Indonesia had neither worked properly nor successfully addressed the problems of ethnic Chinese. Therefore, some scholars have even advocated for the natural way of assimilation as the best of all solution to the ethnic problems in Indonesia. But how assimilation will occur naturally? For assimilation to occur naturally first and foremost the ethnic Chinese must be regarded as a national asset, then assimilation might occur naturally. Secondly the natural way of assimilation can occur through the *cultural media*. This is nothing but a voluntary adoption of indigenous culture, tradition or religion by the ethnic Chinese. This is already in vogue in Central and East Java, where the Chinese practice the local culture in their everyday life. They speak Javanese fluently, sometimes sounding more Javanese than the Javanese themselves.

The failure of assimilation model to smoothen the relationship between *Pribumi* and the ethnic Chinese problems in Indonesia has raised another pertinent research question. Is there any effective way other than assimilation to deal with this problem, taking into consideration the indifference of Chinese towards *Pribumi* traditions and values?

The integration model which is compared with *salad plate* can be seen as a viable alternative model for assimilation. The integrationists argue that it was unnecessary and unreasonable to require so much of Indonesia's Chinese minority, since no such demands were being made of the country's other ethnic minorities such as the Batak, the Acehnese and the Balinese. The latter were not being called upon to abandon their ancestral culture, language, dress, dances or religion rather sometimes they were actively encouraged to celebrate them. Then why Chinese are expected to do so. Thus the supporter of integration approach advocates about keeping the ethnic Chinese identity as an integral part of the Indonesian nation.

Although, there is an absence of full-fledged integration model in Indonesia, yet the recent years have seen some favorable condition. For example, after the resignation of President Suharto, the successive governments since Habibie are giving importance to follow the integrationist approach, which Sukarno had in some degree accepted but was not effective in implementation. The government needs to promote the philosophy of cultural pluralism by lifting some of the more irksome prohibitions on traditional forms of Chinese cultural expression introduced during the anti-communist and anti-Chinese backlash in 1966-67. The efforts are already made to strengthen the integrationist approach. For example soon after Abdurrahman Wahid came into power, he quickly abolished some of the discriminatory laws in efforts to improve race relationships. He encouraged Chinese Indonesian literature and culture. He also designated the Chinese Lunar New Year as a national holiday.

The post-Suharto process of Reformasi and democratization opened up space for the articulation of Chinese identity. On 16 September 1998, President Habibie issued a presidential decree requiring equal treatment for all Indonesians and banning the use of the words "*pribumi*" and "*non-pribumi*" in all welfare formulations, organizations and programmes, and in the implementation of government coordinated activities. "*Pribumi*", which means "indigenous" or "native" in the Bhasa Indonesia language, is normally understood to exclude persons of Chinese descent. A further welcome development was the decision by the Ministry of Home Affairs to stop using special codes on identity cards for Chinese Indonesians and the Chinese businessmen are encouraged to find "indigenous" Indonesian business partners. Furthermore, the Chinese are free to practice the religion of their choice, and many of them are Christians or Buddhists.

Rather than considering how to end "Chineseness", Chinese-Indonesian organizations and cultural leaders were inspired to revive and nourish it. Such revival has also been motivated by the growing significance of the Chinese economy and the globalisation of Chinese cultural products. With the rise of multiculturalism and

pluralism as new government policies, many minority cultures that had been suppressed in Suharto's era demanded to be recognized and to be celebrated as a part of national diversity. The ethnic Chinese utilized this democratic atmosphere to liberate their long-suppressed identity and cultural heritage through restoring Chinese "culture", media, religions and language education.

The post-Suharto reforms and ethnic Chinese political activism have achieved a few positive outcomes in relation to the retrieval of ethnic Chinese cultural and citizenship rights. The most significant is the endorsement of the new citizenship Law (No.12/2006) by President Susilo Bambang Yudhoyono on 1 August 2006. The Law has redefined "asli Indonesian" to include all citizens who never assumed foreign citizenship of their free will. This signifies the end to the official distinction between "asli" and "non-asli", "pribumi" and "non-pribumi", as all citizens are now legally equal before the law. The citizenship Law also reaffirms the government's commitment to rectifying the blatantly racist discrimination against the ethnic Chinese.

Chinese Indonesians are now in the era of rediscovery. Many younger generations, who cannot speak Mandarin due to the ban decades earlier, choose to learn Mandarin, as many learning centers open throughout the country. Stores now can openly show Chinese characters. The Dragon Dance and Lion Dance are shown in public in many places without special permits or supervision.

The Chinese culture started to be embraced by even the popular media, who widely covers Chinese New Year celebrations and even broadcasts TV shows on Feng Shui and news in Chinese language in Indonesia television and radio, like Metro TV and Cakrawala broadcast radio. Many ethnic Chinese families now send their children to schools that teach Chinese dialects, mainly Mandarin. With the rise of China as a world power, learning Chinese is becoming popular among Indonesians of all ethnicities. Now one can hear Mandarin and Cantonese everywhere. The attitude of Indonesians are also changing, especially the notion that all Indonesian Chinese are rapaciously rich, a

common perception during the Suharto years, when a select group of Chinese cronies controlled large, and high-profile businesses.

However, all these efforts of the successive governments had not yet addressed the core issues of ethnic Chinese problems. Because, the problem not only needs more governmental balm and care, it also need more a dose of sociological and psychological treatment. This also called upon both government as well as the ethnic Chinese to shoulder the equal responsibility to solve the ethnic problem.

The first and foremost dose of socio-psychological treatment is to creating a congenial atmosphere where the ethnic Chinese will feel that they are part of the decision making process. This could either be done by encouraging them to participate by becoming member of mainstream political parties or their better involvement in the Non-Governmental Organization. The Chinese need to have an organization or NGO that works in the field of humanity and human rights. It is also important for the Indonesian Chinese to make a national and international network for nurturing the work. The increasing role of NGO is needed in this new era of globalization. This kind of organization made by the Chinese should not be questioned nor rejected as long as it is aimed at developing humanity, maintaining peace and human rights. These organizations need to be considered as a right place to accept all Chinese in this multicultural condition. These organizations could accommodate Indonesian Chinese which eventually help in ending their isolation from the mainstream Indonesia. Furthermore, their dedication to work and knowledge on technological know how and others are good ways to eliminate the public opinion on ethnic Chinese as “a man born to be a trader”.

Such initiatives have already been witnessed in the last couple of years, as several Non-Governmental Organizations formed by the ethnic Chinese. Prominent among them are *Paguyuban Sosial Marga Tionghoa Indonesia* (PSMTI, Indonesian Chinese Social Clan Association), *Perhimpunan Indonesia Keturunan Tionghoa* (INTI, Ethnic Chinese

Association in Indonesia), and *Solidaritas Nusa Bangsa*, (Indonesian Homeland Solidarity).

Besides their involvement in the NGO, it is also important to engage the Indonesian Chinese directly in the political process of the country. And this can be achieved when more and more ethnic Chinese are allowed and encouraged to join political parties. This initiative will help to remove the negative attitude of the ethnic Chinese towards government and vice versa. With the fall of Suharto and the rise of Habibie, a process of democratization began. In the past, the government only allowed three political parties, namely the ruling party Golkar, the Muslim party PPP and the nationalist party PDI. Just after Suharto's downfall, there was a mushrooming of political parties, including those established by ethnic Chinese. This provided ethnic Chinese an opportunity to participate in the political process of Indonesia.

Some Chinese in Indonesia have come to view that the only way to debunk the stereotypes of the ethnic Chinese as "apolitical" and as "economic animals" is through political activism. Hence, the rise of civil society in post-1998 witnessed a re-emergence of Chinese politics. Notwithstanding the political trauma suffered by many Chinese-Indonesians, the establishment of Chinese political parties and NGOs has enabled the ethnic Chinese to become more fully integrated into all facets of political life in Indonesia. The ethnic Chinese participation in the 2004 elections highlighted the heterogeneous political views of the Chinese, and reiterated the diversity within the Chinese-Indonesia community.

As a result, the participation of ethnic Chinese in the political process has seen an increase in the recent elections. Since the 1999 democratic elections of Indonesia, candidates of ethnic Chinese descent have contested in both national and local elections and their level of participation in campaigns and in public debates have also increased. For instance there were fewer than 50 Chinese Indonesian candidates who contested in

the 1999 national elections. However, this figure has surged up to 150 in the 2004 elections followed by a significant increase in the last election held in 2009.

There is no denying of fact that the Chinese Indonesians have always been involved in politics, generally as a source of funding, but in recent years the younger Chinese see politics as a career opportunity. In other words the younger generations have seen that this is also an interesting vocation. Some of them have a very selfish motivation but lots of them have idealistic motivation. Instead of only becoming a trader or businessman, they are now entering politics by asserting their rights. The passage of the Citizenship Bill in 2006 has supported their assertion as now many ethnic Chinese could actually claim Indonesian citizenship, and therefore register as a political candidate, dismantling the ethnic based laws.

The focus and nature of their participation in the political process of Indonesia has also seen some changes. For example, in the past, most attention has been directed to the Chinese Indonesians on the national stage. But after 1998, Chinese Indonesians have been increasingly engaged in *local politics*. This positive development can be very helpful in the future to end the isolation of ethnic Chinese from the governing process of the country.

The second most important change that has been witnessed is the shift from the *ethnic approach* to the *non-ethnic Chinese approach*. As a result many ethnic Chinese do not wish to position themselves as an exclusive ethnic-based political grouping; rather they prefer to stay in indigenous-dominated main stream political parties. For instance, Kwik Kian Gie, a leading economist and Suharto's critic, prefers to remain in the PDI (the Megawati Sukarnoputri faction). Kwik commented that, the formation of ethnic parties is a setback for Indonesian nation-building. He did not think that ethnic parties would bring any benefit to Chinese Indonesians. Besides, many *peranakan* Chinese prefer to work together with like-minded indigenous Indonesians to fight discrimination. For instance, a group of activists and lawyers established a youth committee on 5 June

1998, the same day that the Partai Reformasi Tionghoa Indonesia was formed. Ms Esther Indahyani Yusuf, a lawyer of Chinese descent, leads this group, which is called the Indonesia Youth Committee for the Eradication of Racial Discrimination.

Third positive change is the shift of thinking of Chinese Indonesian associations towards politics. Now one can see these associations have given even free hand to its members to join any political parties or support any candidate irrespective of their ethnic affiliation. Concerns about the implications of endorsing one or another political party or candidate means that most Chinese Indonesian associations allow their members to be active in politics only on an individual basis (instead of adopting community or ethnic stance). Even some of the Chinese Indonesian Associations have focused their attentions on raising awareness and furthering political education for its members. The aims are to further increase the political awareness, participation and regeneration.

Fourthly, the recent elections have also seen winning of election by the ethnic Chinese. However, behind their successes again lies the shift of approach in dealing with public. For example, in most cases where Chinese Indonesian candidates have been successful because they have appealed not to 'ethnic vote'; instead they contested election on a platform of general issues. Further, in the past elections the general public prefers to vote for the candidate with the same ethnicity, and not to vote for a Chinese candidate. But now it is different as they realize that the futility of ethnic-based voting. It seems that the Indonesians are becoming more discerning in their choices, voting for candidates with substance rather than the same ethnicity. It also means the acceptability of ethnic Chinese in Indonesia is increasing day by day. From these changes, one can safely conclude that, if congenial atmosphere will be created, the ethnic Chinese in Indonesia would definitely be loyal to the Indonesia both in their feelings and commitments. The involvement of ethnic Chinese in these political parties can offer the greatest opportunity to shape a better future for Indonesian pluralism. If given the opportunity, these elections are one way in which Chinese Indonesians may escape the

lingering stereotypes and take part in Indonesia's democratization as a more mature political entity.

Hence, in the light of such socio-political development, the ethnic Chinese can no longer be considered as troubled citizen. The process of democratization which started after the fall of Suharto has provided that opportunity to dilute the tag of ethnic Chinese as troubled citizen. As a result a new form of nationalism has emerged in which ethnic Chinese rediscovered solidarity and faith in the Indonesia and started believing that they are now one distinct part of Indonesia. In fact that was a human rights based vision which places issues of re-conciliation and truth-finding as high priorities. It is only within such a nationalist discourse that the ethnic Chinese will have the opportunity to make uninhibited choices on *asimilasi* and *integrasi*, or indeed another alternative.

The existence of Chinese in Indonesia is a reality. But this reality is often used for short-term political consumption and temporary necessity that benefited the regime. A holistic and integrated approach was never applied in order to accept the Chinese as true Indonesian. Thus in reality the Chinese-Indonesians and the *pribumi* need each other. They are not diagonally opposite rather supplementary and complementary to each other. The country needs the capital that the Chinese have built up, their business expertise and the distribution networks. The Chinese networks have spread throughout the world since the colonial period. The country can use them to aid economic recovery and to improve the welfare of the people. On the other hand Chinese-owned businesses community needs *pribumi* manpower and also the *pribumi* consumer market. Finally the practice of collusive business partnership between Chinese and *pribumi* has become a major threat to the national integration. The nexus between rich Chinese businessman and the *pribumi* politicians and bureaucrats during the Suharto period was a regular phenomena. These partnerships and the corruption they spawned have victimized the country without regard for ethnic identity. This collusive partnership system is the real oppressor. Ordinary middle-class and poor *pribumi* and Chinese alike are its victims.

Therefore, efforts are to be made to break this collusive partnership between them, which generally creates misconception about the filthy rich-Chinese. If the *pribumi* are driven to mass violence by unjustified price inflations and substandard wages, or if the Chinese are driven away by large-scale violence, the entire nation will suffer.

To conclude, it may be said that the political environment as existing in 1965 vis-à-vis the Chinese community, have changed in 2009. The Chinese and the *Pribumi* have come to realize that both have to coexist in the same society and work together for the prosperity of the nation.

APPENDICES



INDONESIA



Appendix 2

The 1945 Constitution of the Republic of Indonesia As amended by the First Amendment of 1999, the Second Amendment of 2000, the Third Amendment of 2001 and the Fourth Amendment of 2002

Preamble

Whereas independence is a genuine right of all nations and any form of alien occupation should thus be erased from the earth as not in conformity with humanity and justice,

Whereas the struggle of the Indonesian independence movement has reached the blissful point of leading the Indonesian people safely and well before the monumental gate of an independent Indonesian State which shall be free, united, sovereign, just and prosperous,

By the grace of God Almighty and urged by the lofty aspiration to exist as a free nation,

Now therefore, the people of Indonesia declare herewith their independence,

Pursuant to which, in order to form a Government of the State of Indonesia that shall protect the whole people of Indonesia and the entire homeland of Indonesia, and in order to advance general prosperity, to develop the nation's intellectual life, and to contribute to the implementation of a world order based on freedom, lasting peace and social justice, Indonesia's National Independence shall be laid down in a Constitution of the State of Indonesia, which is to be established as the State of the Republic of Indonesia with sovereignty of the people and based on the belief in the One and Only God, on just and civilized humanity, on the unity of Indonesia and on democratic rule that is guided by the strength of wisdom resulting from deliberation / representation, so as to realize social justice for all the people of Indonesia.

Section I : Form of the State and Sovereignty

Article 1

1. The State of Indonesia shall be a unitary state, with the form of a Republic.
2. Sovereignty is vested in the people and implemented pursuant to the Constitution.

3. The State of Indonesia is a state based on the rule of law. ***

Section II : The People's Consultative Assembly (Majelis Permusyawaratan Rakyat)

Article 2

1. The MPR consists of the members of the DPR and the members of the DPD who are chosen through general elections and further regulated by law. ****
2. The MPR shall convene at least once every five years in the capital of the state.
3. All decisions of the MPR shall be taken by majority vote.

Article 3

1. The MPR has the authority to amend and to ordain the Constitution. ***
2. The MPR installs the President and/or the Vice President. ***/****
3. The MPR may only dismiss the President and/or Vice President during their term of office in accordance with the Constitution. ***/****

Section III : The State's Executive Power

Article 4

1. The President of the Republic of Indonesia shall hold the power of government in accordance with the Constitution.
2. In exercising his duties, the President shall be assisted by a Vice President.

Article 5

1. The President is entitled to submit bills to the DPR. *
2. The President shall issue government regulations to implement laws as needed.

Article 6

1. A Presidential candidate and a Vice Presidential candidate has to be an Indonesian citizen from birth, who has never received another nationality of his own volition, who has never betrayed the country, and who is mentally and physically capable of carrying out his duties as President or Vice President. ***
2. The requirements to become President and Vice President are further regulated by law. ***

Article 6A

1. The President and the Vice President shall be elected as a pair by the people directly. ***
2. Each pair for President and Vice President shall be proposed prior to general elections by a political party or by a coalition of political parties contesting the general elections. ***

3. The pair of Presidential and Vice Presidential candidates that receives more than fifty percent of the vote from the total of votes in the general election with at least twenty percent of the vote in more than half of the total number of provinces in Indonesia, shall be installed as President and Vice President. ***
4. In the event that no pair for Presidential and Vice Presidential candidates is elected, the two pairs of candidates who have received the first and second highest number of votes in the general election shall be submitted to direct election by the people and the pair that gets most of the votes shall be installed as President and Vice President. ****
5. The procedure to organize the election for President and Vice President shall be further regulated by law. ***

Article 7

The President and Vice President hold office for a term of five years and can afterwards be elected to the same office, for one other term only. *

Article 7A

The President and/or Vice President may be dismissed from office by the MPR based on a proposal from the DPR, either when proven guilty of violating the law by betrayal of the state, of corruption, of bribery, of any other felony, or because of disgraceful behavior, as well as when proven no longer to fulfill the conditions as President and/or Vice President. ***

Article 7B

1. A proposal to dismiss the President and/or Vice President can only be submitted by the DPR to the MPR after filing first a request to the Constitutional Court to investigate, to bring to trial and to pass judgment over the DPR's view that the President and/or Vice President has violated the law by betrayal of the state, through corruption, bribery, any other felony, or by disgraceful behavior; and/or over the view that the President and/or Vice President is no longer capable of fulfilling the conditions as President and/or Vice President. ***
2. The DPR's view that the President and/or Vice President has committed such a crime or is no longer capable of fulfilling the conditions as President and/or Vice President is to be seen in the framework of the DPR implementing its supervisory function. ***
3. The DPR's request to the Constitutional Court can only be submitted if supported by at least 2/3 of all DPR members present in a plenary session that is attended by at least 2/3 of the total number of members in the DPR. ***
4. The Constitutional Court must investigate, bring to trial and pass the fairest judgment possible over the DPR's view at the latest ninety days after the DPR's request was received by the Constitutional Court. ***
5. In the event that the Constitutional Court resolves that the President and/or Vice President is proven guilty of violating the law by betrayal of the state, of

corruption, of bribery, of any other felony, or because of disgraceful behavior; and/or if proven that the President and/or Vice President is no longer capable of fulfilling the conditions as President and/or Vice President, then the DPR shall convene a plenary session to submit a proposal to the MPR to impeach the President and/or Vice President. ***

6. The MPR shall convene a session to decide on the DPR's proposal at the latest thirty days from the moment the MPR received this proposal. ***
7. The MPR's decision on the proposal to impeach the President and/or Vice President shall be taken in a plenary session of the MPR attended by at least 3/4 of the total number of members in the MPR and supported by at least 2/3 of the members present, after the President and/or the Vice President has been given the opportunity to present his explanation to the plenary session of the MPR. ***

Article 7C

The President may not lock out or dissolve the DPR. ***

Article 8

1. If during his term the President passes away, resigns, is impeached, or is unable to carry out his duties, he shall be replaced until the end of that term by the Vice President. ***
2. In case the position of the Vice President falls vacant, the MPR shall convene at the latest within sixty days to select a Vice President among two candidates nominated by the President. ***
3. If during their term both the President and Vice President simultaneously pass away, resign, are impeached, or are unable to carry out their duties, the office of the presidency shall be taken up collectively by the Minister of Foreign Affairs, the Minister of Internal Affairs, the Minister of Defense. After thirty days at the latest, the MPR shall convene to elect for the remainder of the term a President and a Vice President among the two pairs for Presidential and Vice Presidential candidates who were proposed by a political party or by a coalition of political parties and who came in first and second as pairs of candidates for President and Vice President in the last general election. ****

Article 9

1. Prior to taking office, the President and the Vice President shall take oath according to their religion, or to make a solemn pledge before the MPR or the DPR as follows:

The Oath of President (Vice President):

"I swear by God to fulfill the duties of President (Vice President) of the Republic of Indonesia to the best of my capabilities and in the fairest way possible, to uphold the Constitution by all means and to execute all laws and regulations as straightforwardly as possible as well as to dedicate myself to the service of the Nation and the People."

The Pledge of the President (Vice President):
"I solemnly pledge to fulfill the duties of President (Vice President) of the Republic of Indonesia to the best of my capabilities and in the fairest way possible, to uphold the Constitution by all means and to execute all laws and regulations as straightforwardly as possible as well as to dedicate myself to the service of the Nation and the People." *

2. In the event that the MPR or the DPR is unable to convene, the President and the Vice President shall take oath according to their religion, or make a solemn pledge before the leadership of the MPR witnessed by the leadership of the Supreme Court. *

Article 10

The President is the Supreme Commander of the Land Forces, the Navy and the Air Force.

Article 11

1. With the approval of the DPR the President may declare war, make peace and conclude treaties with other countries. ****
2. When entering into other international agreements that entail broad and fundamental consequences for the existence of the people because of links to the state's financial burden, and/or because they require amendments to laws or the enactment of new ones, the President needs the approval of the DPR. ***
3. Further provisions as to international agreements shall be regulated by law. ***

Article 12

The President declares the state of emergency. The conditions and consequences of a state of emergency shall be regulated by law.

Article 13

1. Ambassadors and consuls are appointed by the President.
2. In appointing ambassadors, the President shall take into account the considerations of the DPR. *
3. The President receives the accreditation of ambassadors from other countries taking into account the considerations of the DPR. *

Article 14

1. The President may grant clemency and rehabilitation taking into account the considerations of the Supreme Court. *
2. The President may grant amnesty and abolition taking into account the considerations of the DPR. *

Article 15

The President may grant titles, decorations, and other insignia as provided by the law. *

Article 16

The President is to set up an advisory council whose duty it is to give the President advice and recommendations, and which is to be further regulated by law. ****

Section IV : Dewan Pertimbangan Agung

Abolished ****

Section V : State Ministers

Article 17

1. The President is assisted by state ministers.
2. The ministers are appointed and dismissed by the President. *
3. Each minister is responsible for a specific area of governance. *
4. The establishment, changes, and dissolution of state ministries shall be regulated by law. ***

Section VI : Regional Administration

Article 18

1. The Unitary State of the Republic of Indonesia is divided into provinces and a province is divided into kabupaten and kota, with each province, kabupaten and kota having its own regional administration, regulated by law. **
2. The administration of a province, of a kabupaten, and of a kota shall regulate and manage its own government matters in accordance with the principles of regional autonomy and the duty of providing assistance. **
3. Each provincial, kabupaten, and kota administration shall have its own DPRD whose members shall be elected through a general election. **
4. A Governor, Bupati, and Mayor, each heading respectively the administration of a province, a kabupaten, and a kota shall be elected democratically. **
5. A regional administration shall exercise the broadest possible autonomy, except for matters of governance that are determined by law as the prerogative of the Central Government. **
6. A regional administration shall have the right to adopt regional regulations as well as other rules to implement autonomy and the duty of providing assistance. **
7. The organization and mechanisms of implementing regional administration are to be regulated by law. **

Article 18A

1. Relations as to authority between the central government and the administrations of a province, a kabupaten, a kota, as well as between a province and a kabupaten or a kota, are to be regulated by law with special regard for the specificity and diversity of each region. **
2. Relations as to finance, public services, the exploitation of natural and other resources between the central government and the regional administrations are to be regulated by law and implemented in a just and synchronized way. **

Article 18B

1. The State shall recognize and respect entities of regional administration that possess a specificity or a distinctiveness that are to be regulated by law. **
2. The State shall recognize and respect, to be regulated by law, the homogeneity of societies with customary law along with their traditional rights for as long as they remain in existence and in agreement with societal development and with the principle of the Unitary State of the Republic of Indonesia. **

Section VII : The People's Representative Council (Dewan Perwakilan Rakyat)

Article 19

1. The members of the DPR are elected through a general election. **
2. The organization of the DPR is regulated by law. **
3. The DPR convenes at least once a year. **

Article 20

1. The DPR has the power to enact laws. *
2. Each bill shall be discussed between the DPR and the President so as to reach a joint agreement. *
3. If a bill fails to reach a joint agreement, it may not be introduced to the DPR again during its current term. *
4. The President shall endorse into law a bill that has reached a joint agreement. *
5. When a bill that has already reached a joint agreement is not endorsed by the President within thirty days after it has been jointly approved, the bill shall nevertheless become a valid law that has to be promulgated as such. **

Article 20A

1. The DPR has legislative, budgeting and supervisory functions. **
2. To carry out its functions the DPR, apart from the rights regulated elsewhere in this Constitution, has the rights of interpellation, of enquiry, and of expressing opinions. **

3. Apart from the rights regulated elsewhere in this Constitution, each member of the DPR has the right to ask questions, to make proposals and to give his opinion along with the right to immunity. **
4. Further provisions regarding the rights of the DPR and of the members of the DPR shall be regulated by law. **

Article 21

1. The members of the DPR have the right to introduce bills. *

Article 22

1. In compelling crisis situations the President shall have the right to issue government regulations in lieu of law.
2. Such government regulations have to be approved by the DPR in its next session.
3. If not approved, the government regulation in question has to be revoked.

Article 22A

Further provisions about the procedure to enact laws shall be regulated by law. **

Article 22B

Members of the DPR can be removed from office, according to conditions and procedures to be regulated by law. **

Section VIIA * : The Council of Representatives of the Regions (Dewan Perwakilan Daerah)**

Article 22C

1. The members of the DPD shall be elected from each province through a general election. ***
2. The total number of DPD members from each province shall be the same and the total number of members in the DPD shall not be more than 1/3 of the total number of members in the DPR. ***
3. The DPD shall convene at least once a year. ***
4. The organization and authority of the DPD are to be regulated by law. ***

Article 22D

1. The DPD may submit to the DPR bills dealing with regional autonomy, relations between the center and the regions, the establishment and growth as well as the merger of regions, the management of natural and other economic resources, and matters related to the financial balance between the center and the regions. ***

2. The DPD is to participate in debates on bills dealing with regional autonomy; relations between the center and the regions; the establishment, growth and merger of regions; the management of natural and other economic resources, and matters related to the financial balance between the center and the regions; and, moreover, give its recommendations to the DPR on bills dealing with the state budget as well as on bills dealing with taxation, education, and religion. ***
3. The DPD may supervise the implementation of laws regarding: regional autonomy, the establishment and growth as well as the merger of regions, the management of natural and other economic resources, the implementation of the state budget, taxation, education, and religion and may in addition submit the results of this supervision to the DPR as input for follow-up considerations. ***
4. Members of the DPD can be removed from office, according to conditions and procedures to be regulated by law. ***

Section VIIB * : General Elections**

Article 22E

1. Every five years general elections are to be organized in a direct, public, free, secret, honest, and fair way. ***
2. The general elections are organized to elect the members of the DPR, the DPD, the President and the Vice President and the DPRD. ***
3. The participants in the general elections to elect the members of the DPR and of the DPRD are political parties. ***
4. The participants in the general elections to elect the members of the DPD are individuals. ***
5. The general elections shall be organized by a general election commission that shall be national, permanent and independent in nature. ***
6. Further provisions regarding the general elections are to be regulated by law. ***

Section VIII : Financial Matters

Article 23

1. The state budget as the materialization of the state's financial management shall annually be determined in the form of a law and be implemented in an open and accountable way in order to achieve maximum prosperity for the people. ***
2. The bill on the state budget shall be submitted by the President for joint debate with the DPR taking into account the recommendations from the DPD. ***
3. If the DPR does not agree with the bill on the state budget proposed by the President, the Government is to implement the state budget of the preceding year. ***

Article 23A

Taxes and other compulsory levies required for the needs of the state are to be regulated by law. ***

Article 23B

The kinds and value of the national currency shall be regulated by law. ****

Article 23C

Other matters regarding state finances shall be regulated by law. ***

Article 23D

The state owns a central bank the organization, authority, competence, responsibilities, and independence of which are regulated by law. ****

Section VIIIA * : Supreme Audit Board (Badan Pemeriksa Keuangan or BPK)**

Article 23E

1. To audit the management of and accountability for the state's finances a free and independent BPK shall be set up. ***
2. The results of the state finances' audits shall be submitted to the DPR, the DPD, the DPRD, in accordance with the competence of each. ***
3. The audit results are to be followed through by the representative institutions and/or by other bodies in accordance with the law. ***

Article 23F

1. The members of the BPK are selected by the DPR taking into account considerations from the DPD and shall be installed by the President. ***
2. BPK's management is selected from among and by its members. ***

Article 23G

1. The BPK has its main seat in the state's capital, with representations in each province. ***
2. Further provisions regarding the BPK are to be regulated by law. ***

Section IX : The Judicial Powers

Article 24

1. The judicial powers shall be independent with the authority to organize the judicature in order to uphold law and justice. ***
2. The judicial powers shall be carried out by a Supreme Court and by its subordinate judicatory bodies dealing with general, religious, military, state administrative judicial fields, and by a Constitutional Court. ***
3. Other bodies dealing with judicial powers are to be regulated by law. ****

Article 24A

1. The Supreme Court shall have the competence to try cassation cases, to review regulations made under a law against that law, as well as other competences as provided by law. ***
2. Each supreme justice must have integrity and a personality beyond reproach, be just, professional and experienced in matters of law. ***
3. Candidates for supreme justices are proposed by the Judicial Commission for approval to the DPR and subsequently installed as supreme justices by the President. ***
4. The chairman and vice chairman of the Supreme Court are to be chosen from among and by the supreme justices. ***
5. The organization, authority, membership, and judicial procedures of the Supreme Court as well as of its subordinate judicatory bodies shall be regulated by law. ***

Article 24B

1. The Judicial Commission shall be independent in nature and have the competence to make proposals for the appointment of supreme justices as well as other competences within the framework of safeguarding and upholding the honor, the high status and the behavior of judges. ***
2. The members of the Judicial Commission must have knowledge and experience in matters of law and an integrity and personality beyond reproach. ***
3. The members of the Judicial Commission are to be appointed and dismissed by the President in agreement with the DPR. ***
4. The organization, authority, and membership of the Judicial Commission shall be regulated by law. ***

Article 24C

1. The Constitutional Court shall have the authority to make final decisions in cases of first and last instance handling the review of laws against the Constitution, to decide on authority arguments among state institutions whose competence is

- enshrined in the Constitution, to decide on the dissolution of political parties, and to decide on disputes regarding general election results. ***
2. The Constitutional Court has the duty to rule on an opinion of the DPR regarding alleged violations of the Constitution by the President or the Vice President. ***
 3. The Constitutional Court shall have as its members nine constitutional justices, to be installed by the President, three among them nominated by the Supreme Court, three by the DPR, and three by the President. ***
 4. The chairman and the vice chairman of the Constitutional Court are to be elected from among and by the constitutional justices. ***
 5. The constitutional justices must have integrity and a personality beyond reproach, be just, statesmanlike, master constitutional and state administrative matters, and not hold a position as state official. ***
 6. The appointment and dismissal of constitutional justices, judicial procedures and other provisions dealing with the Constitutional Court are to be regulated by law. ***

Article 25

The conditions to become or to be dismissed as a judge are determined by law.

Section IXA ** : State Territory

Article 25A The Unitary State of the Republic of Indonesia is an archipelagic state the surface and boundaries of which are to be established by law. **

Section X : Citizens and Residents

Article 26

1. Citizens are those who are indigenous Indonesians and persons of foreign origin who are legalized as citizens in accordance with the law.
2. Residents consist of Indonesian citizens and foreigners residing in Indonesia. **
3. Matters of citizenship and residency are to be regulated by law. **

Article 27

1. All citizens shall have equal status before the law and the government and hold without exemption the law and the government in esteem.
2. Each citizen shall be entitled to an occupation and an existence proper for a human being.
3. Each citizen shall have the right and the duty to participate in the defense of the nation. **

Article 28

The liberties of association and assembly, the freedom of thought expressed verbally or in writing and similar rights are to be determined by law.

Section XA ** : Fundamental Human Rights

Article 28A

Each person has the right to live and the right to defend his life and existence. **

Article 28B

1. Each person has the right to establish a family and to generate offspring through a lawful marriage. **
2. Each child has the right to live, grow up, and develop as well as the right to protection from violence or discrimination. **

Article 28C

1. Every person has the right to self-realization through the fulfillment of his basic needs, the right to education and to partake in the benefits of science and technology, art and culture, so as to improve the quality of his life and the well-being of mankind. **
2. Each person has the right to self-improvement by way of a collective struggle for his rights with a view to developing society, the nation, and the country. **

Article 28D

1. Each person has the right to recognition, security, protection and certainty under the law that shall be just and treat everybody as equal before the law. **
2. Every person is entitled to an occupation as well as to get income and a fair and proper treatment in labor relations. **
3. Each citizen has the right to equal opportunity in government. **
4. Each person has a right to a nationality. **

Article 28E

1. Each person is free to worship and to practice the religion of his choice, to choose education and schooling, his occupation, his nationality, his residency in the territory of the country that he shall be able to leave and to which he shall have the right to return. **
2. Each person has the right to be free in his convictions, to assert his thoughts and tenets, in accordance with his conscience. **
3. Each person has the right to freely associate, assemble, and express his opinions. **

Article 28F

Each person has the right to communication and to acquiring information for his own and his social environment's development, as well as the right to seek, obtain, possess, store, process, and spread information via all kinds of channels available. **

Article 28G

1. Each person is entitled to protection of self, his family, honor, dignity, the property he owns, and has the right to feel secure and to be protected against threats from fear to do or not to do something that is part of basic rights. **
2. Each person has the right to be free from torture or inhuman and degrading treatment and shall be entitled to obtain political asylum from another country. **

Article 28H

1. Each person has a right to a life of well-being in body and mind, to a place to dwell, to enjoy a good and healthy environment, and to receive medical care. **
2. Each person has the right to facilities and special treatment to get the same opportunities and advantages in order to reach equality and justice. **
3. Each person is entitled to social security enabling him to develop his entire self unimpaired as a dignified human being. **
4. Each person has the right to own private property and such ownership shall not be appropriated arbitrarily by whomsoever. **

Article 28I

1. The rights to life, to remain free from torture, to freedom of thought and conscience, to adhere to a religion, the right not to be enslaved, to be treated as an individual before the law, and the right not to be prosecuted on the basis of retroactive legislation, are fundamental human rights that shall not be curtailed under any circumstance. **
2. Each person has the right to be free from acts of discrimination based on what grounds ever and shall be entitled to protection against such discriminative treatment. **
3. The cultural identities and rights of traditional communities are to be respected in conjunction with progressing times and civilization. **
4. Protecting, promoting, upholding, and the full realization of human rights are the responsibilities of the state, foremost of the government. **
5. To uphold and protect human rights in accordance with the principles of a democratic and law-based state, the implementation of fundamental human rights is to be guaranteed, regulated, and laid down in laws and regulations. **

Article 28J

1. Each person has the obligation to respect the fundamental human rights of others while partaking in the life of the community, the nation, and the state. **
2. In exercising his rights and liberties, each person has the duty to accept the limitations determined by law for the sole purposes of guaranteeing the recognition and respect of the rights and liberties of other people and of satisfying a democratic society's just demands based on considerations of morality, religious values, security, and public order. **

Section XI : Religion

Article 29

1. The state is based on the belief in the One and Only God.
2. The state guarantees each and every citizen the freedom of religion and of worship in accordance with his religion and belief.

Section XII ** : Defense and Security of the State

Article 30

1. Each citizen has the right and the duty to participate in the defense and security of the state. **
2. The defense and security of the state are undertaken through a defense and security system that encompasses the entire population with TNI and POLRI as the main powers, and the population as the supporting power. **
3. TNI comprises the Land Forces, the Navy, and the Air Force as the state's instruments to defend, protect, and maintain the state's integrity and sovereignty. **
4. POLRI is the state's instrument to safeguard security along with law and order among the population and has the duty to protect, to shield, and to serve the population, as well as to uphold the law. **
5. The structure and the authority of TNI, of POLRI, the relations as to the authorities of each TNI and POLRI in exercising their duties, the conditions under which the citizens can partake in the state's defense and security, as well as other aspects regarding defense and security are to be regulated by law. **

Section XIII ** : Education and Culture**

Article 31

1. Each citizen has the right to an education. ****
2. Each citizen is obliged to follow elementary education and the government has the duty to fund this. ****

3. The government organizes and implements a national education system, to be regulated by law, that aims at enhancing religious and pious feelings as well as moral excellence with a view to upgrading national life. ****
4. The state shall give priority to the education budget by allocating at least twenty percent of the state's as well as of the regional budgets to meet the requirements of implementing national education. ****
5. The government advances science and technology along with holding religious values and national unity in high esteem with a view to promoting civilization as well as the well-being of humanity. ***

Article 32

1. The state shall advance Indonesia's national culture among the civilizations of the world by guaranteeing the freedom of the people to maintain and develop cultural values. ****
2. The state shall respect and preserve the languages in the regions as national cultural treasures. ****

Section XIV ** : National Economy and Social Welfare**

Article 33

1. The economy is to be structured as a common endeavor based on familial principles. ****
2. Production sectors that are vital to the state and that affect the livelihood of a considerable part of the population are to be controlled by the state. ****
3. The land and the waters as well as the natural riches therein are to be controlled by the state to be exploited to the greatest benefit of the people. ****
4. The organization of the national economy shall be based on economic democracy that upholds the principles of solidarity, efficiency along with fairness, sustainability, keeping the environment in perspective, self-sufficiency, and that is concerned as well with balanced progress and with the unity of the national economy. ****
5. Further provisions regarding the implementation of this article are to be regulated by law. ****

Article 34

1. Impoverished persons and abandoned children are to be taken care of by the state. ****
2. The state develops a social security system for everybody and empowers the weak and underprivileged in society in accordance with their dignity as human beings. ****
3. The state has the responsibility to provide proper medical and public service facilities. ****

4. Further provisions regarding the implementation of this article are to be regulated by law. ****

Section XV ** : The State's Flag, Language, and Coat of Arms, and The National Anthem

Article 35

The flag of the Indonesian state is the "Sang Merah Putih".

Article 36

The language of the state is "Bahasa Indonesia".

Article 36A

The state's Coat of Arms is the "Garuda Pancasila" with "Bhinneka Tunggal Ika" as its motto. **

Articles 36B

The national anthem is "Indonesia Raya". **

Article 36C

Further provisions regarding the flag, language, and coat of arms of the state, as well as to the national anthem are to be regulated by law. **

Section XVI : Amendments to the Constitution

Article 37

1. Proposals to amend articles of the Constitution can be put on the agenda of the MPR session if submitted by at least 1/3 of the total number of members in the MPR. ****
2. Each proposal to amend articles of the Constitution has to be submitted in writing and to mention clearly which part should to be amended and for what reason. ****
3. To amend articles of the Constitution the MPR session has to be attended by at least 2/3 of all members of the MPR. ****
4. A decision to amend articles of the Constitution requires the agreement of at least fifty percent plus one vote of all the members of the MPR. ****
5. Especially those provisions regarding the form of the Unitary State of the Republic of Indonesia may not be amended. ****

Transitional Provisions

Article I

All existing laws and regulations shall remain valid until new ones under this Constitution come into effect. ****

Article II

All existing state institutions shall continue to implement the provisions of the Constitution as long as they have not been replaced by new ones under this Constitution. ****

Article III

The Constitutional Court has to be established at the latest by 17 August 2003 and until such establishment all its competencies shall be carried out by the Supreme Court. ***

Additional Provisions

Article I

The MPR shall review the contents and the legal status of the decisions of the MPRS and the MPR for decision by the MPR session of 2003. ****

Article II

With the enactment of these constitutional amendments, the 1945 Constitution of the Republic of Indonesia shall consist of a Preamble and articles. ****

* The First Amendment of 19 October 1999

** The Second Amendment of 18 August 2000

*** The Third Amendment of 9 November 2001

**** The Fourth Amendment of 11 August 2002

N B: Up to July 2003, the Constitution has been amended four times. The asterisks used in the titles of the Sections or after a paragraph in an article, refer to the amendment.

Source: Department of Information, Republic of Indonesia, 2009

APPENDIX 3

THE FINAL REPORT of THE JOINT FACT-FINDING TEAM (TGPF) On the May 13-15, 1998 Riot EXECUTIVE SUMMARY

CONTENTS :

- I. FOREWORD**
- II. ORGANIZATION AND WORK PLAN**
- III. ACTIVITIES**
- IV. FINDINGS**
- V. ANALYSIS**
- VI. CONCLUSIONS**
- VII. RECOMMENDATIONS**
- VIII. LAW STATUS**
- IX. AFTERWORD**

CHAPTER 1 FOREWORD

1.1. GENERAL

Based on the joint decision of the Secretary of defense/Chief of the Armed Forces of the Republic of Indonesia, the Secretary of Justice, the Secretary of Internal affairs, the Secretary of States, the Secretary of Women's Roles, and the Attorney General, the Joint Fact Finding Team (TGPF) has been formed on July 23, 1998. This joint team worked in finding and presenting facts, instigators and the background of the events on May 13-15, 1998. TGPF consists of the elections of the government, Komnas HAM (National Human Rights Commission), LSM (NGOs), and other mass organizations.

Since its founding within three months TGPF has carried out its duties that terminated on October 23, 1998. This executive Summary is a summary of the Final Report, while the Final report consists of this Executive Summary with all the attachments consisting of

Series 2: Riots data,

Series 3 : Photographs and Progress Report,

Series 4 : Victims Facts,

Series 5 : Testimonies, and

Series 6 : Verifications.

In the Final Report, the materials are presented and analysed according to the location of events (Jakarta, Solo, Surabaya, Medan, Palembang, Lampung), except for the report regarding sexual violence, which is presented by itself. This Final Report is a factual document as (the delivery of) the responsibility of TGPF.

1.2. ABSTRACTION

TGPF believes that the events on May 13-15, 1998 is indistinguishable from the context of the socio-political situation and dynamism of the Indonesian people during that time period, and its consequences. The preceding events, such as the General Elections of 1997, the kidnapping of several activists, the economic crisis, the General Meeting of MPR-RI 1998, the continuous students demonstrations, and the murder of the Trisakti University students by shooting, are all strongly related to the events on May 13-15, 1998. These events are the sequence of the violence into the epitome of the thorough riot acts on May 13-15, 1998. TGPF believes that one of the main effects of this riot is the change of national leadership on May 21, 1998. The other following effect is violence in form of intimidation and sexual violence, including rapes related to the unrests of May 13-15, 1998.

In all locations studied by TGPF, there were a common timing of the breakup of the riots. The closeness, and moreover the similarity of the pattern of events indicate the socio-political-economic condition are situation that potentially allowed the breakup of a riot. This objective condition in turn did partially naturally broke up, and the other part was incited to break up. The pattern of riots varied, from spontaneous, local, sporadic, to planned and organized. The perpetrators were also varied, from initially passive mass participation that turned into active rioters, provocators, including (the finding of) security forces.

1.3. THE SCALE OF THE RIOTS

TGPF defined the riots to be the thorough from the sequence of acts of violence that is widespread, complex, sudden, and escalative with quantitative and qualitative dimensions. The scale of the riots on May 13-15 1998 included social, political, security, economic and even cultural aspects. Seen from the time frame, the riots brought followup effects. Therefore the scale of the riots must be referred to the national dynamic crisis, up to the effects following the riots, within a national-scale geographical context. The six studied cities are the example of the national scale of the riots that happened. Concisely, the riots of May 13-15 1998 must be placed within the preceeding and following time frames, thorough and multi-aspect dimensions, and national scope. From the activity standpoint, the classification of the riots set by TGPF include the sequence of destruction, looting, arson, sexual violence, battery, murder, kidnapping, and intimidation that leads into terror.

1.4. PROCEDURE AND DIRECTION OF THE INVESTIGATIONS

TGPF's investigations began with the gathering of information, facts and field data, in order to find again the traces of the sequence of events and the connection between the subjects in the events including the time and location of the events. With this procedure it was hoped to be able to recover and reconstruct the chronology of the events in every location. This stage was followed by a macro reconstruction (in lieu of making a decision) through a sequence of interviews and consultative meetings with the involved

officials during the riots, the NGOs, and professional organizations. The next stage was the mapping of the connections, when found, between the two stages of the investigations.

CHAPTER II ORGANIZATION AND WORK PLAN

II.1 ORGANIZATION

II. 1.1. TGPF Organization was planned to be functional and each part of it, including each member, is not a subordinate to other part of member. The structure and composition of TGPF is as follows:

1. Head/Member : Marzuki Darusman SH (Komnas HAM – National Human Rights Commission)
 2. Ist Vice-head/Member : Maj. Gen Pol Drs Marwan Paris MBA (Mabes ABRI – Indonesian army Headquarters)
 3. 2nd Vice-Head/Member : K.H. Dr said Aqiel Siradi (NU)
 4. Secretary/Member : Dr Rosita Sofyan Noer Ma (Bakom-PKB)
 5. Ist Assistant to Secretary/Member : Zulkarnain Yunus SH (Depkeh-Department of Justice)
 6. 2nd Assistant to Secretary/Member : Asmara Nababan SH (National Human Rights Commission)
 7. Member : Sri Hardjo SE (Kantor Menperta – Office of Secretary of Women Affairs)
 8. Member : Drs Bambang W. Soeharto (National Human Rights Commission)
 9. Member : Prof Dr. Saporinah Sadli (National Human Rights Commission)
 10. Member : Maj. Gen TNI Syamsu D Sh (Indonesian Army Headquarters)
 11. Member : Maj. Gen Pol Drs Da’l Bachtiar (Indonesian Army Headquarters)
 12. Member : Abdul Ghani SE (Deplu – Department of Foreign Affairs)
 13. Member : I Made Gelgel SH (Kejakung – Office of Afforney General)
 14. Member : Dunidja D (Depdagri – Department of Internal Affairs)
 15. Member : Father 1. Sandyawan Sumardi SJ (Tim Relawan – The Volunteer Team)
 16. Member : Nursyahbani Katjasungkana SH (LBH-APIK)
 17. Member : Abdul Hakim Garuda Nusantara SH. LLM (Elsam)
 18. Member : Bambang Widjojanto SH (YLBHI)
 19. Member : Ita F. Nadya (The Volunteer Team, quit since the beginning of work priod)
11. 1.2. In order to investigate the cases, TGPF formed 3 subteams as follows:
1. Verification Subteam L Sri Hardjo SE (Head)
 2. Testimony Subteam : Dr Bambang W Suharto (Head)
 3. Victim Facts Subteam : Prof Dr Saporinah Sadli (Head)

11.2 SECRETARIAT

To make the duties easier, TGPF opened 3 secretariates in locations as follows:

- 2.1 Department of Justice
Jalan Rasuna Said Kav 4-5, Kuningan. This secretariate is under Coordination of Sulkarnain Yunus SH, assisted by Mulijanto SH, assisted by Muljanto SH, K. Suparlan SH, Demak Lubis and Bambang Pamungkas.
- 2.2 Jalan Hang Tuah Raya No.3
Kebayoran baru, Jakarta selatan. This secretariate is under coordination of Dr Rosita Sofyan Noer MA, assisted by Dra Hetty S, Indra Kusuma SH. And Sri Rahajeng SH.
- 2.3 Komnas HAM (National Human Rights Commission)
Jalan Latuharhary 4 B, Jakarta Pusat. This secretariate is under coordination of Asmara Nababan SH.

11.3 ASSISTANCE TEAM

In doing daily duties, TGPF was assisted by an Assistance Team as follows :

1. Head/Member : Hermawan Sulistyo Ph.D
2. Vice-head/Member : Lt. Col Pol drs Rusbagio Ishak
3. Member : Drs M. Riefqy Muna M. def.Stud
4. Member : Drs Mohammad Rum
5. Member : Dra Hargyaning Tyas
6. Member : 1st Lt. Pol Andi Nurlia
7. Member : 1st Lt. Pol Pandra Arsyad SH
8. Member : Robertus Robert S. Sos
9. Member : Juliadi Karmandito S. Sos
10. Member : Moch. Nurhasim S.lp
11. Member : Ir Sri Palupi
12. Member : Dra Ruth Indiah Rahayu

11.4 WORK PLAN

In order to give the opportunity as wide as possible for the community to submit information, TGPF commissioned one mailbox and five hotlines. TGPF also reported the result to the public through mass media. TGPF also cooperated with some government and/or other institutions.

TGPF's work process was executed step by step as follows :

1. Collection and processing of data from various sources.
2. Verification of the data collected from various sources.
3. Interview of some high-ranking officials and former officials, either civilians or members of the army.

4. Consultative meeting with professional institutions and experts acts as witnesses.
5. Field investigations in some locations.
6. Reconstruction of the plot of the incident and analysis.
7. Make conclusion based on the findings and uncover the actual scenario.
8. Give recommendations for policies and institutional acts.

CHAPTER III ACTIVITIES

111.1 COLLECT AND PROCESS DATA FROM VARIOUS SOURCES :

- 1.1 The Volunteer Team : Data of riot victims and its analysis (casualties, Injuries, lootings, sexual assaults) in Jakarta, Palembang, Solo and Surabaya. The pattern of the riots that took place in Jakarta and surrounding areas, the status of looters in the riots, reports, documentation, information, video, etc.
- 1.2 Bakom PKB : Data of sexual assaults, photos, video, transcript of hot-line in form of information and reports.
- 1.3 National Commission for Human Rights (Komnas HAM) : Data and analysis of riots in Jakarta and the surrounding areas.
- 1.4 Indonesian Organization for Law Assistance (YLBHI): Data of kidnappings at the time of riot.
- 1.5 The Police : Data of riot victims in form of casualties and material loss.

111.2 MAILBOX AND HOTLINE SERVICE WERE OPENED TO COLLECT INFORMATION AS FOLLOWS :

- 2.1. Mailbox received 146 mails about information, reports, opinion, etc.
- 2.2. Hotlines
 - 2.2.1. Department of Justice (Jl. Rasuna Said): 32 contacts in form of reports and information, with various contents.
 - 2.2.2. Secretariate of the Volunteer Team (Jl. Arus Dalam 1): 41 contacts in form of information, reports, threats and questions regarding the existence and the result of TGPF.
 - 2.2.3. The Police Headquarters : 12 contacts in form of reports and information.
 - 2.2.4. Jl. Hang Tuah Raya No.3: 33 contacts in form of reports and information
 - 2.2.5. YLBHI : 5 contacts in form of reports and information.

111.3. IN THE INVESTIGATIONS, THREE TGPF SUBTEAMS HAVE DONE THE FOLLOWING

ACTIVITIES:

- 3.1 Verification Subteam:
 - 1.1. Performed verification on victim's data processed by Assistance Team. The Verification Subteam has asked for testimonies and accounts from witnesses, experts, victims, victims' families, and victims' counselors in total count of 24

people in Jakarta and more than 100 people in the field have been asked for their accounts either by TGPF or by Assistance Team.

- 1.2. Performed interviews to gather testimonies from governmental officers, community leaders in Solo, Surabaya, Lampung, Palembang and Medan. They were: Governor of KDH Tk. I, Chief of Military District (Panglima Daerah Militer), Chief of Police (Kepala Daerah Kepolisian), Commander of Military Resort/Area (Komandan Korem), Chief of District Police (Kepala Kepolisian Wilayah), Commander of Military District (Komandan Kodim), Chief of Resort/Area Police (Kepala Kepolisian Tabes/Report), City Office (Walikotamadya), Camat, Legal Aid Office (LBH), Bakom PLB, leaders of political and mass organizations (Pimpinan Parpol/Ormas).
- 3.2 Testimony Subteam.

Until the end of TGPF works, Testimony Subteam has collected accounts from ten related governmental officials (some of the whom with their staff) who were in charge at the time of the riot in May 13-15, 1998 in Jakarta.

They were:

- *Maj.Gen TNI Sjafrie Sjamsoeddin (Chief of Jakarta Police at the time of the riot)
- *Maj.Gen Pol Hamami Nata (Chief of Jakarta Police at the time of the riot)
- *Maj. Gen TNI Sutiyoso (Mayor of Jakarta)
- *Maj.Gen TNI Zacky Anwar Makarim (Head of Army Intelligence Agency)
- *Maj.Gen TNI (Mar) Soeharto (Dankormar)
- *Lt.Gen TNI Prabowo Subianto (Chief of Army Strategic Commando at the time of the riot)
- *Fahmi Idris (Community leader)
- *Brig.gen TNI Sudi Silalah (Kastaf Kodam Jaya)
- *Colonel Inf Tri Tamtomo (Asops Kodam Jaya)
- *General TNI Subagyo H.S. (KASAD/Mantan Ketua DKP)

3.3 Victims Facts Subteam:

Victims Facts Subteam not only presented the data about physical loss of the riot but emphasized especially on human victims. The perspective of Victims Facts Subteam is the human suffering aspect as a result of the riot with no intention to ignore nor to omit other physical loss aspect. The Victim Facts Subteam also gave special attention and treatment on reports about sexual violence including rapes during the riot. In verification process, the subteam has interviewed 25 victims, 20 experts, 36 eye witnesses / victims' families, and 10 clergymen / counselors. Moreover, the subteam has also asked security personnels for information about victims. TGPF used a procedure called the Minnesota Protocol which has been adjusted to the condition of riot victims. This procedure was called the Jakarta Protocol by the Indonesian Association of Medical Doctors (IDI) that uses this protocol.

CHAPTER IV FINDINGS

IV.1 GENERAL RIOT PATTERN

The riots have a general pattern, starting with the gathering of a passive crowd, consisted of local and non-local (unrecognized) people, then a group of provocators came who incited the masses by a series of acts such as burning tires or creating a clash, shouting yells that aroused up the situation, damaging the street signs, etc. After that, those provocators encouraged the masses to start doing damaging acts to various properties and buildings, followed by lootings (of goods), and in some areas ended by setting the buildings or other properties on fire. In some areas some varieties are also found where the provocator group directly did the damaging first, and then invited the masses to do the further damaging.

The rioters of the May 13-15 1998 Riot consist of two groups:

First, the passive masses (visiting masses) that after being provoked turned into active masses.

Second, the provocators, mostly were not local people, appeared to be physically trained, some of whom were partial school uniforms (not the complete uniform), did not participate in looting, and immediately left the location soon after buildings or properties were burned. The provocators were those who brought and prepared the means for damaging and burning purposes, such as crowbars, flammable liquid, vehicles, Molotov cocktails, etc.

From the sequence of the riot, TGPF found out that the earliest riot trigger point was situated in West Jakarta, more precisely in area around Trisakti University on May 13, 1998. While on May 14, 1998, the riot spread in the same starting time, between 08.00 and 10.00 West Indonesian Time. Therefore in the Jakarta case, there were actions happening simultaneously if seen from the time frame alone TGPF found out that the triggering factor for Jakarta case was the shooting of Trisakti students in the evening on May 12, 1998.

In lower degree, the shooting of Trisakti students also became the triggering factor of the riots in five other locations chosen by TGPF, excluding the Medan Riot which had occurred before. The riot targets were shops, public facilities (gas stations, street signs, etc), governmental offices (including police stations). The ones that caused heavy damage include the arson of buildings, houses and shops, public and private vehicles. The main target was the ethnic Chinese.

IV.2 THE ACTORS

The riot actors could be classified into three groups as follows:

2.1. Provocator Group

This was the group which incited/moved the masses by creating unrest, assigning certain marks on the targets, committing the early damaging arson, encouraging looting. This group came from outside the local community in small groups (approximately 10-20 persons), trained (having skill in using tools of violence), moved in high mobility, using transportation means (motorcycle, cars/jeep) and communication means (handytalkies /

cellular phones). This group also prepared the means for damaging such as stones, Molotov cocktails, flammable liquid, crowbars, etc.

Generally this group was hard to identify, although in several cases it was committed by a group from a young people organization (for example in Medan there was found to be direct involvement of (a youth organization Pemuda Pancasila).

There were facts found about the involvement of members of security personnels such as in Jakarta, Medan, and Solo were also found.

2.2. Active Masses

The masses in an amount of tens to hundreds, which were (previously) the passive visiting masses, and have become aggressive after being provoked. They did further damaging including arson. The masses also looted shops and houses. Their movement was organized.

2.3. Passive Masses

At first, the passive local masses gathered to watch and were curious to see what would happen. Some of them were carried away and involved in damaging and looting after the riot was started, but also many of them who were only watching until the end of the riot. Some of them became victims of the arsons.

IV.3 VICTIMS AND LOSSES

3.1 Category

About the victims, so far there was a tendency from the government, community, including mass media to focus the attention only to sexual assaulted victims. Facts show that those considered to be victims in the May 1998 Riot are those who have suffered physically and psychologically from : physical / material loss (their houses or work places were damaged or burned and their belongings were looted), death at the time of the riot (burned, shot, assaulted, etc), loss of job, assault, kidnapping, and was the targets of sexual assault acts. The May 1998 Riot victims were classified into several categories as follows:

1.1 Material Loss :

Damages in buildings, such as shops, supermarkets, or houses, including properties in form of cars, motorcycles, merchandise, and other properties that were looted or burned by the masses. The team found that people who suffered from material loss were inter (from across different) social classes, not only happened to the ethnic Chinese but also to other citizens. However those who suffered the most from material loss were ethnic Chinese.

1.2 Loss of Job :

The people who because of the riot, because their place of work was damaged, looted and burned, have cost them their employment or source of earnings. Those who suffered the loss of job were the common people.

1.3 Death or injuries

The people who died or injured at the time of the riot. They were the victims who were trapped in burning buildings, assaulted, shot, and victims of other forms of violence.

1.4 Kidnapping Victims:

are those who were missing / kidnapped at the time of riot that have been reported to Indonesian Organization for Law Assistance (YLBHI) / Missing People are Violence Acts Victims Commission (Kontras) and until now have not yet been found. They are :

- 1.4.1 Yadin Muhidin (23 years old) missing in Senen area.
- 1.4.2 Abdun Nasir (33 years old) missing in Lippo Karawaci area;
- 1.4.3 Hendra Hambali (19 years old), missing in Glodok Plaza area;
- 1.4.4 Ucok Siahaan (22 years old), missing, last location unknown;

3.2 Victim and Loss Count

It is difficult to find the exact figure of the total victims and loss. For the Jakarta area, TGPF found varied number of casualties and injuries as follows :

- (1) Data from the Volunteer Team (Tim Relawan) : 1190 people died of arson, 27 people died of weapons / other causes, 91 people injured,
- (2) Data from the Police : 451 people died, injured victims were not recorded,
- (3) Data from Military Commando : 463 people died including security personnels, 69 people injured,
- (4) Data from Jakarta Government (Pemda DKI) : 288 people died, 101 people injured.

For towns and cities outside Jakarta, the variation of the figures is as follows :

- (1) Data from the Police : 30 people died, 131 people injured, 27 people suffered from burned injuries'
- (2) Data from the Volunteer Team : 33 people died, 74 people injured.

The opinion that has been formed so far is that those who died were victims of their own fault. However, (the facts show that) many of them died not of their own fault. The difference in casualties count between the Volunteer Team and the Government occurs because of truth many victims had actually been evacuated by the people, before the official evacuation (efforts) by the government. These victims were not recorded in the government official report.

IV.4 SEXUAL VIOLENCE

4.1 Victim Category

In reference to United Nation Declaration on the Elimination of Violence against Women, sexual violence is defined as every act based on gender which caused misery or suffering to women physically, sexually or psychologically, including threat to do certain act, forcing to do something, or taking away the freedom high-handedly. Meanwhile in reference to Indonesian positive law, all sexual violence acts cannot be explained sufficiently and fairly. The forms of sexual violence found in the May 1998 Riot can be

devided into a few categories, those are: rape, rape with torture/assault, sexual assault and sexual harassment.

4.2 Victim Count

From the verification result and cross check on the data found, it becomes clear that it's not easy to collect accurate data to count the total of sexual violence victims, including the raped victims. TGPF found sexual violence acts in Jakarta and areas around it, Medan and Surabaya.

The details on reported sexual violence victims are :

1. Directly interviewed : 3 victims
2. Examined medically by doctors : 9 victims
3. Reported by victims' parents : 3 victims
4. Reported by expert who acts as witnesses (nurses, psychiatrists, psychologists) : 10 victims.
5. Reported through testimonies of clergymen / counselors ; 27 victims

4.2.2. Raped and Tortured Victims: 14 victims :

1. From doctor's account : 3 victims
2. From witness account (their families) : 10 victims
3. From counsellor's account : 1 victim

4.2.3. Sexual Attacked / Assaulted Victims : 10 victims

1. From victim's account : 3 victim
2. From clergyman's account : 3 victims
3. From witness account (their families) : 3 victims
4. From doctor's account : 1 victim

4.2.4. Sexual Harassed Victims : 9 victims :

1. From victim's account : 1 victim
2. From witness account : 8 victims (from Jakarta and Surabaya)

Besides the sexual violence victims during the May Riot, TGPF also found sexual violence victims who experienced such sexual violent acts before and after the May Riot. These sexual violence cases have strong connection to the sexual violence cases that happened during the riot. During the investigations in Medan TGPF found reports from hundreds of sexual harassment victims, harassed on May 4-8, 1998 and among them, five victims have reported their cases. After the May Riot, two rape cases in Jakarta on July 2, 1998 and two more in Solo on July 8, 1998.

The sexual violence in the May 1998 Riot took place inside (the victims') houses, on the streets and in workplaces. The majority of the sexual violence took place in houses / buildings TGPF also found that most of the cases were gang rapes, in which the victim was raped in turn by a number of people at the same time and place of the incident. Most of the rapes also took place in front of other people. Although not all of the sexual violence victims were ethnic Chinese, most of the sexual violence victims were indeed

ethnic Chinese females. These sexual violence victims are also from across (different) social classes.

IV.5 SECURITY RESPONSIBILITY ASPECT

From the witnesses and victims verification results, testimonies from military officers and former related governmental officials, TGPF found that the coordination between security units was not sufficient, there was a sluggishness in anticipation, that some security personnels in several places let the riot happen and did nothing, in some area there were clashes between troops and there was disorder in the execution of the command from each operational unit. In some places TGPF found evidence of commercialization of security services. TGPF also found a perception gap between the community and security personnels. The community is of the opinion that in some location there had been a vacuum of security personnels, or even though they were present, they did nothing to stem nor contain riot. On the contrary, the high-ranked security officers are of opinion that there was no vacuum of security forces, although they realized that the facts showed that in certain locations the riots still did occurred (outside the security priority). This was caused by the lack of personnels.

CHAPTER V ANALYSIS

V.1. MACRO VIEW

The May 13-15 1998 Riot is inseparable from the Indonesian people's context of socio-political dynamism at that time, marked with the General Election 1997, economic crisis, General Assembly's Meeting (Sidang Umum MPR RI) in 1998, simultaneous student demonstrations, the kidnapping of activists and the shoot of Trisakti students. In the riot it can be seen that the series of patterned violence which happened accumulatively in a row and spread widely was the meeting point of two main processes, those are the process of the elite politics intensive fight which centered on the continuity of New Order's regime under the leadership of President Suharto who has lost the people's trust, and the process of fast economic degradation. In politics there were symptoms that indicate a struggle between the interelite factions which involved the powers in the government and also in the community that focused at the change of the national leadership issue. This can be seen from the dynamic political factors like the meeting in Makostrad on May 14, 1998 between a few military leaders and some community leaders, which suggests an integral part of an elite politics fight. In addition to this, the dynamic fight also appeared on the responsibility of Lt. Gen. Prabowo Subianto in some cases of the kidnapping of activists.

This analysis was amplified by the fact that there was a change of the national leadership one week after the riot, which had been preceded by efforts to put TAP MPR No. V/MPR/1998 into practice.

In economy, the monetary crisis has caused the social economic gap to grow bigger and strengthened the perception about injustice which was getting worse and created a wide social dislocation which was very fragile against vertical conflicts (between social classes) and horizontal conflicts (between social groups).

In social life, because of the political and economic crisis, there were clear symptoms of excessive mass violence, which had tendency to be used as a solution for any problem, for example in form of looting within the community itself. Also the latent racial sentiment among the community has widened into racism especially in big cities. Also, the religious identity has been used of necessity by some of the community as a means to protect themselves. This act might create a feeling that there is a discriminative treatment against other religion groups. It's easy to understand that the backgrounds of the violence have made the shoot of Trisakti students a trigger for the national-scale riot.

V.2 MICRO VIEW

In micro view (the masses), it can be analyzed that from the area unit (six cities that TGPF has chosen) there are some sameness, similarities or even varieties of riot patterns.

First, in Jakarta the general riot pattern was seen in four steps :

- a) preparation/pre-destruction stage, consists of activities to raise reaction by means of burning certain materials (tire, wood, garbage bin, trash) or by creating fight between groups or students or also by shouting certain yell to raise the emotion or the hate of the masses, like: "students are coward", "police are dogs".
- b) Destruction stage, consists of activities like : throwing stones, bottles, breaking the door open, breaking the window glass, breaking into public facilities with tools they have prepared before'
- c) Looting stage consists of all activities of taking away goods and other things out of the broken in building'
- d) Arson stage which was the culmination of the riot which caused many casualties and biggest damages.

Second, in Solo TGPF found the fact that besides giving a clear clue about the involvement of the local criminals including local young people organization, also of groups of people who wore military uniform and red beret like those worn by Special Troops unit (Kopassus) in creating condition for riot. The cases in Solo indicated the connection between the mass violence in the low level with the elite fight in the high level. The use of situation in cases in Solo through the role of local provocators is made easy with the fact that student movements in Solo before the riot have caused some incidents and physical injuries, even before the students in other cities demonstrated.

Third, Surabaya and Lampung are classified in one category because of some similarities. In these two cities, the riot passed relatively quickly and was overcame; it's also relatively small-scaled with out so many victims and so great loss. Even though in this case there were also "free riders" and local provocators, both of them showed more the characteristics of local, sporadic, limited, and spontaneous.

Fourth, the Palembang case was less spontaneous compared to Surabaya and Lampung. The “free riders” or the local provocators were more dominant and it looked like a planned and organized riot in a larger scale.

Fifth, as for Medan case, the local provocators with the town’s criminal characteristics were more dominant. It should be noted that the riot in Medan happened one week before the May 13-15 1998 Riot in five other cities, but Medan was the starting point of the series of national riots.

From the above analysis. TGPF found that the riots in Jakarta, Solo, Medan share similarities in pattern. The riot in Palembang generally has similarity with those in Jakarta, Solo, Medan but has specific characteristics where the provocators and the “free riders” were difficult to distinguish. The riots in Lampung and Surabaya basically showed the signs of local, sporadic, limited and spontaneous act.

V.2. VICTIMS OF SEXUAL VIOLENCE

1.1. The large casualties during the riot were caused by the gathering of the great masses in pattern around shopping centers, who were initially forced to enter those buildings which were later burned. The large casualties were also caused by the weakness of rescue operations, either from the community or institutions/officers. Arson and riot scale are the main factors of the many physical damages.

1.2. From degree of intensity of violence against some of the targeted victims, the dimension of latest anti Chinese sentiment was a dominant factor that was easily exploited to create riot. Other factor that has caused the attack toward ethnic Chinese group was the early attack, which was targeted to ethnic Chinese shops, and houses that were concentrated in some certain areas.

1.3. Sexual violence did occur during the riots and was a form of violation against human dignity, which has caused deep suffering, fear and long trauma. Sexual violence took place because of some intentions, chances, and forming of masses’ psychological state which suggested as if such acts were permissible. These factors intensified (multiplied the number of) these sexual assaults

1.4. Social Economic.

The social economic pressure and gap which were made worse by the scarcity of basic goods have made the community very fragile against exploitation and that resulted in destructive impetus to do violence acts (breaking, burning, looting, etc). A big part of those who involved taking part in the riot were basically victims of situation and unjust structure. They were common people.

1.5. There’s a conundrum among the community about the existence and the figure of rape victims which came from the method based on positive law which demands the existence of report from the victims, signs or marks of sexual intercourse and/or violence, and also the presence of witnesses and clues. On the other side, the traumatic condition, deep fear, and shame that are experienced by the victims and their families, have made them unable to uncover all that they have experienced.

After verificating 85 sexual assaulted victims, especially the 52 raped victims, there were two victim groups based on the positive and empirical view:

- 1.5.1 Based on facts which were told directly by the victims and the Indonesian Association of Medical Doctors (IDI) based on medical practice oath and Jakarta Protocol, there are 15 victims.
- 1.5.2 Based on facts from the victim's family, eye witnesses, psychiatrists/psychologists, and clergymen / counselors, there are 37 victims.

V.2.2. SECURITY RESPONSIBILITY ASPECT

The lack of coordination between security units, the lateness of anticipation, the attitude of some security personnels who let the riot happen and the chaos of command execution by each of the operational units, also the difference in perception about the absence of security personnels were possible because of :

- 2.1 Command and control weakness, which caused the disuniformity, unclearness/chaotic commands received by the troops/security units in the field.
- 2.2 The incorrect choice of priority in placement of troops around the economic and trade centers that was insufficient to overcome the heating situation has cost many victims. It might be related to the lack of troops in Jakarta and also because they had to face the escalation of riots that they couldn't anticipate.
- 2.3 Communication between troops were not smooth, probably caused by the use of various communication devices with different specifications, made worse by the large number of high buildings.
- 2.4 According to the Army Doctrine, the community is not the enemy. Therefore according to the law, security personnels are not allowed to shoot the crowd. Psychologically the troops were facing dilemma to take effective movement because of the large amount of community and the presence of other troops around the locations.
- 2.5 The difference of act patterns and physical conflict between troops indicated the lack of coordination and assurance in their duty to face the pressure of large masses.

The lack / limited amount of operational units has placed the Police and Military Commands against covering the wide area of responsibility and the large number of strategic locations (tourist locations). The Police Chief and/or Chief of Jakarta Military District should have used the priority scale in allocating or deploying the security troops/units, forcing an absence of troops in some areas.

CHAPTER VI CONCLUSIONS

1. The main cause of the May 13-14 1998 Riot was the double conflicts between two main processes : the process of elite politics conflict related to the matter of the continuation of national leadership and the process of the fast economic-monetary degradation. In the process of the elite politics conflict, there are some people who attended the meeting in the Headquarters of Strategic Commando Army on

- May 14, 1998, that are believed to be able to uncover the role of the actors and the conflict pattern that led to the happening of the riot.
2. The May 14 1998 Riot was the culmination of a series of violence acts happened in many incidents before, for example, kidnapping which had actually happened long before the riot in form of intelligence actions that could not be monitored effectively, and the Trisakti incident. It can be concluded that the shoot of Trisakti students has created a martyr factor that had later become a riot's triggering factor.
 3. According to the field data, there were three riot patterns:

First, the riot was local, sporadic, limited and spontaneous, took place in a relative short period and in a relative small scale of destruction and victims. Riots with pattern like this were happened because of the social-economic-political situation that objectively could not be avoided.

Second, the riot was interconnected between locations with similar operational modes. The provocators in this type of riot were more dominant than in the first riot type. They were not local people. There was similarity or even uniformity in time and steps in creating riot. This type of riot happened in large scale and a few locations. It also indicated that the riots happened in turn systematically but the indication that this type of riot was planned and happened more widely has not yet been found. There's a missing link for the proofing that this riot happened because of objective conditions. This type of riot happened in large scale and was found in all areas.

Third, there's an indication that the riot was deliberately created. This deliberate factor is larger than the objective condition that had been already created. This type of riot is usually similar to the second type but the factor of using the situation is far clearer. In this third type, it's assumed that the riot was created as a part of political fight in the elite circle. Like the second riot type, there're some missing links which are evidence or information which refer clearly to the relation between the elite's fight and the involvement of the masses.
 4. According to findings from the field investigation, there were many people that played role at all levels, either as active crowd or as provocators to take advantage from the riot for themselves or for their groups. This conclusion is to emphasize that there was an involvement of many parties, from local criminals, political and mass organizations, to some members of the Indonesian army, which were out of control at the time of the riot. They took advantage not only from their deliberate effort in using the riot but also by doing nothing. In this context, the Indonesian Army has not done enough to stop the riot, although they have the responsibility to do so. On the other side, the community has not yet been able to take part in stopping the riot.
 5. The exact figure of casualties cannot be nationally determined because of the weakness in monitoring system and data collecting procedure. The largest casualties were common people. They mostly died burned. They should not be blamed simply by accusing them looters. Also the material loss cannot be exactly calculated, it can only be assumed.

6. Based on the found facts and information from the expert-witnesses, it can be concluded that there were sexual assaults, including rapes, happened during the riots on May 13-14, 1998. From some cases that can be verified, it can be concluded that the rape was done to some females by a group of people in various places in the same or nearly same time. It could happen spontaneously because of the supporting situation or engineered by a certain group for certain purposes. The victims are the citizens of Indonesia with various backgrounds but most of them are ethnic Chinese.
7. It cannot be concluded whether the sexual assaults happened in the riots were planned or merely an excess of the riots. There's no proof that there was religion aspect involved in the sexual assault cases. Also concluded that the positive law instruments do not act appropriately and therefore are not responsive to enable all rape cases, which have been found or reported, to be processed immediately according to the law.
8. The riot widespred because of the lack of actions to prevent, limit and overcome the series of struggles for power that should be able to be anticipated and then increasing developed. It can be concluded that there were fragility and weakness in the security operations in Jakarta, especially in context of the riot, it related to the responsibility of the Jakarta Chief of Commando Operation (Pangkoops) who didn't do his duty as he should. The symptoms of this security fragility and weakness in various grades in other cities and towns where riot was happened relate to the national elite politics fight.
9. It should be emphasized that the casual co-relation of the violence incidents culminated in the May 13-14 1998 Riot, can be perceived as an effort to create an emergency situation which needs an action to form an extra constitutional power in order to control the situation which preparation to that goal have been started at the highest decision maker's level.

CHAPTER VII RECOMMENDATION

From the conclusions above, TGPF recommends the following policies and institutional acts :

1. The government needs to carry out further investigations of the main causes and the main actors of the May 13-14 1998 Riot, and later write and publish a white book about the role and responsibility and the relation between all parties that connected to the riot. Therefore, the government needs to investigate the meeting, took place in Makostrad (The Headquarters of the Strategic Army Command) on May 14, 1998 in order to learn and uncover and also to make sure what the role of Lt. Gen. Prabowo and other parties was in the whole process that created the riots.

2. The government needs to take further actions as soon as possible toward the cases which are suspected to be related to the series of violence that culminated at the May 13-14 1998 Riot, so that these cases can be uncovered juridically, that the involved civilians or military personnels can be justly judged in order to uphold the authority of law, including to advance the ongoing judicial processes. In this matter, the former Chief of Operation Commando in Jakarta, Maj. Gen. Syafrie Syamsuoddin is a subject to be questioned regarding his responsibility. In the case of kidnapping, Lt. Gen. Prabowo and all of the involved parties must be brought to the military court of law. Also in the Trisakti case, various further actions are needed to really uncover the shoot incident.
3. The government must immediately guarantee the safety of the witnesses and the victims by passing the law mentioned above. Meanwhile, before the law is made, the government should form a permanent institution to carry on the victim and witness protection program.
4. The government must grant rehabilitation and compensation to all riot victims and their families. The government must also assist them in applying for their important documents that were destroyed during the riots. The government also has to rebuild the burned buildings, especially the economy and trade centers and also the social facilities.
5. The government needs to ratify the International Convention on Anti-racial Discrimination as soon as possible and to actualize it in form of positive law products, including the implementation of anti-torture convention.
6. The government need to soon eliminate all practices of criminal gangs which have been developed in all community areas, social degrees and professions according to the applied law and also to make it illegal for any organization to use military uniforms or uniforms which resemble military uniforms because they have tendency to make it a sensation that they are paramilitary organizations.
7. The government needs to immediately make rules about national intelligence to regulate the main responsibilities, functions and the limit of their intelligence operation in the competent governmental / national institution, so that the national security importance can be preserved and in the other side, human rights can be respected. Not less important is that the intelligence operational actions must be able to be controlled effectively by controlling institutions, so that the intelligence organizations does not change form into an instrument of power for political importance of certain parties.
8. The government need to form a mechanism of further data collecting that can carry on the process of modernizing the data about all aspects related to the May 13-15 1998 Riot.

CHAPTER VIII LAW STATUS

1. Every material and documentation including the Final Report of the Joint Fact-Finding Team (TGPF) is handed in to the government, represented by the Minister of Justice, at the end of TGPF's work period.
2. As the work of TGPF has come to the end, we stated that lawfully all rights, obligations and responsibilities as TGPF's members are terminated.

CHAPTER IX AFTERWORD

The May 13-15, 1998 Riot is a sad national tragedy and a disgrace against the dignity and the honor of humanity, nation and country in general. The government and also the people must wholeheartedly take any actions to prevent such riot to happen again. It's very urgent that the attention and solidarity from all parts of the community are expressed concretely to the victims and the their family, so that the recovery of our rights as a civilized nation is also determined by how far our nation can correct its weakness and failure, by how soon can we eliminate the fear and bring about the peace and safety for each of us with no exception.

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Source: <http://www.huaren.com/Indo/TGPF/index.html>

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