



**INDONESIA'S FOREIGN POLICY PROCESS IN
THE POST-NEW ORDER ERA:
CASE STUDIES OF INDONESIA'S POLICY
TOWARD SINGAPORE AND IRAN**

BY

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**A THESES SUBMITTED IN PARTIAL
FULFILMENT OF THE REQUIREMENTS FOR THE
DEGREE OF MASTER OF HUMAN SCIENCES IN
POLITICAL SCIENCE**

**KULLIYAH OF ISLAMIC REVEALED
KNOWLEDGE
AND HUMAN SCIENCES
INTERNATIONAL ISLAMIC UNIVERSITY
MALAYSIA**

OCTOBER 2009

ABSTRACT

This study examines a conflict in Indonesia foreign policy decision-making process in the case of DCA and ET with Singapore and Iranian nuclear program. The conflict occurred following the constitutional amendments of UUD1945 and involved the executive and the legislature (DPR Commission I). The dissonance between the executive and DPR Commission I in foreign policy formulation in the case of DCA and ET and Iranian nuclear program indicated that the DPR Commission I, which has been empowered by the new constitution, has begun to exert its influence in Indonesia foreign policy process. This study used the modified model of the Advisory System Decision-Making designed by David Mitchell. The modified model analyzed the degree of centralization in foreign policy decision-making. The data of this study were primarily obtained from newspaper, unpublished government documents, interviews and literature pertaining to the development of Indonesia foreign policy. The interviews were meant to apply the Advisory System Decision-Making and to predict the degree of centralization in foreign policy process. There is an assumption that supposedly the disagreement between the executive and DPR Commission I should not appear in the foreign policy process following the constitutional amendment. Practically, the amendment has receded the power of executive in determining the outcome in foreign policy formulation and encouraged consultation with the DPR Commission I. The study concludes that centralization which was obviously high during the New Order era, has become much reduced during the foreign policy process in the case involving Singapore and Iran. The formulating process occurred among the executive staff. The DPR Commission I was only given rudimentary information regarding the upcoming signing of an agreement with Singapore and Indonesia's stance towards Iran. The executive did not intend to hold regular meeting and consultation with DPR Commission I.

ملخص البحث

هذه الدراسة تبحث في النزاع حول عملية إتخاذ القرارات في سياسة أندونيسيا الخارجية، وذلك في حالة (DCA و ET) مع سنغافورة و برنامج إيران النووي، وقد حدث النزاع في أعقاب تعديلات (UUD) الدستورية ١٩٤٥، وتضمن السلطتين التنفيذية والتشريعية (لجنة DPR الأولى)، وأشار التنافر بين السلطتين التنفيذية والتشريعية (لجنة DPR الأولى) في صياغة السياسة الخارجية في حالة (DCA و ET) وبرنامج إيران النووي إلى أن لجنة DPR الأولى، التي قد قويت بالدستور الجديد، بدأت تأثيرها في عملية سياسة أندونيسيا الخارجية، وقد استعملت هذه الدراسة النموذج المعدل للنظام الاستشاري في اتخاذ القرارات الذي صممه ديفيد ميتشيل، وحلل هذا النموذج درجة المركزية في إتخاذ القرارات للسياسة الخارجية، وحصل على بيانات هذه الدراسة من الصحف، والوثائق الحكومية غير المنشورة، والمقابلات، والأدبيات المتعلقة بصياغة سياسة أندونيسيا الخارجية، وتهدف هذه المقابلات إلى تطبيق إتخاذ القرارات للنظام الاستشاري وتوقع درجة المركزية في عملية السياسة الخارجية، وهناك افتراض بأن الخلاف بين السلطتين التنفيذية ولجنة DPR الأولى يجب ألا يظهر في عملية السياسة الخارجية بعد التعديل الدستوري. عملياً، ولقد قصر التعديل قوة السلطة التنفيذية في تحديد نتيجة صياغة السياسة الخارجية، وحث على إستشارة لجنة DPR الأولى. وتستننتج الدراسة بأن المركزية التي كانت عالية جداً أثناء عهد النظام الجديد أصبحت منخفضة أثناء عملية السياسة الخارجية في القضية التي تتعلق بشأن سنغافورة وإيران، وحدثت عملية الصياغة بين أعضاء السلطة التنفيذية، وإنما أعطيت DPR الأولى المعلومات البدائية فقط خصوصاً فيما يتعلق بالتوقيع القادم للاتفاق مع سنغافورة، وموقف أندونيسيا تجاه إيران، ولم تعتم السلطة التنفيذية التشاور و عقد الاجتماع الدوري مع لجنة DPR الأولى.

APPROVAL PAGE

I certify that I have supervised and read this study and that in my opinion, it conforms to acceptable standards of scholarly presentation and is fully adequate, in scope and qualify, as a dissertation for the degree of Master of Human Sciences (Political Science)

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DECLARATION

I hereby declare that this dissertation is the result of my own investigations, except where otherwise stated. I also declare that it has not been previously or concurrently submitted as a whole for any other degrees at IIUM or other institutions.

Abdurrahim Shalih Pane

Signature

November 3, 2009

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SINGAPORE AND IRAN**

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ACKNOWLEDGMENTS

Allāmadu lillāh, praise be to Allah, and *Øalāwat* and *Salām* be upon Prophet Muhammad (S.A.W.), his family and companions. Writing this thesis needed enormous patience and improvisation. It is frequent that things imagined or planned for this thesis have been changed in the middle of the writing process. For instance, I had to exercise extra patience to wait for the response from all interviewees who have tight schedule and agendas. This research occurred concurrently with the parliamentary election. Automatically, the campaign was more important for the legislators rather than arranging an interview with a student, not to mention their lukewarm response after they had finished. Two months without performing anything that might expedite the progress of my thesis.

However, I have gained valuable experiences from the interviews with the politicians. Confidential government documents and information based on what they have in the field are examples of what I have received by interviewing them. The discussion concerning the change in Indonesian foreign policy process is one of the interesting topics as the reform atmosphere started in 1998 still lingers in Indonesian domestic politics. Studying such topic is also challenging for the impact in Indonesian foreign policy decision-making process could extend to other aspects.

I'm greatly indebted to a number of people in Malaysia and Indonesia. I thank my supervisor, Dr. Tunku Mohar Mokhtar, for the patience in directing and correcting my work from the beginning until the completion. I also thank Prof. Dr. Abdul Rashid Moten who has given me constructive opinions in finding a suitable theory for the research. It was a great and precious opportunity to be taught by him. I'm grateful to Dr. Normala Othman who has willingly proofread whole chapters. Without her kindness, the progress of my thesis would be unclear. I would like to extend my gratitude to Prof. Dr. El Fatih A. Abdel Sallam, Assoc Prof. Dr. Ishtiaq Hossain, Assoc Prof. Dr. Garoot Sulieman Eissa for their valuable comments on the proposal. I thank Dr. Muhamad Fuzi Omar for sparing his time to examine and correct some technical mistakes in the chapter of my thesis. I also thank the Head of Department of Political Science Assoc Prof. Dr. Wahabuddin Ra'ees for his continued assistance and warmth response throughout my study in Malaysia. His knowledge and fatherly act have ensured me that he is the right person to lead the Department of Political Science of IIUM.

In Indonesia, my huge gratitude goes to my parents, my father Mr. Jalaluddin Pane, my mother Mrs Helvitia N and my beloved sister Mariyyah Al-Qibthiyah. Their great patience and continuous moral support were very significant in boosting my spirit. I would like to thank to Mr Zuhdi Pane who has presented me a beautiful watch which is useful to make me aware of time. May Allah S.W.T. reward all those people who have contributed to the success of my study.

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ABBREVIATIONS

BAKIN	Intelligence Coordinating Body
BP	Standing Committee
DPR	House of Representatives
DEPLU	Department of Foreign Affairs
DEPHAN	Department of Defense
DCA	Defense Cooperation Agreement
D-8	Development Eight
ET	Extradition Treaty
FPB	Foreign Policy Breakfast
F-PDI-P	Faction of Indonesia Democratic Party Struggle
F-PG	Faction of GOLKAR Party
F-PKB	Faction of National Awakening Party
F-PBB	Faction of Crescent Star Party
F-PDKB	Faction of Democratic Love the Nation Party
F-PPP	Faction of United Development Party
F-PDU	Faction of Ummah Party
F-TNI/Polri	Faction of Indonesian Armed Forces and National Police
F-KKI	Faction of Indonesian National Unity
GBHN	Broad Outlines of the State Policy
HANKAM	Ministry of Defense and Security
Indoff	Indonesia Office
IAEA	International Atomic Energy Agency

ICWA	Indonesian Council on World affairs
IFES	International Foundation for Electoral Reform
IAPC	International Association of Political Consultants
ITB	Bandung Technology Institute
Kodim	Army District Command
KIPS	Directorate for International Security and Disarmament Department of Foreign Affairs Indonesia
KOTI	Liberation of West Irian
KPU	General Election Commission
LEMHANAS	Institute of National Defense
MPRS	Interim People Consultative Assembly
MPR	People Consultative Assembly
MLA	ASEAN Mutual Legal Assistance
NASAKOM	Nationalism, Religious and Communism
NU	Nahdatul Ulama
NDI	National Democratic Institution
OIC	Organization of Islamic Conference
OPSUS	Special Operation
PKI	Indonesian Communist Party
PPKI	Preparatory Committee for Indonesian Independence
PNI	Indonesian Nationalist Party
PSII	<i>Partai Sarekat Islam</i>
PARMUSI	<i>Partai Muslimin Indonesia</i>
PERTI	<i>Pergerakan Tarbiyah Islam</i>
PARKINDO	<i>Ikatan Pendukung Kemerdekaan Indonesia</i>

PPP	United Development Party
PAN	National Mandate Party
PDI-P	Indonesia Democratic Party of Struggle
PKB	National Awakening Party
Polri	Police of the Republic of Indonesia
PAH	Ad Hoc Committee
PI	Indonesia Unity
PKBI	Indonesia Labour Party
TNI	Armed Forces of Indonesia
UUD45	Indonesian Constitution
UNDP	United Nations Development Programme

CHAPTER ONE

INTRODUCTION

The executive and legislative bodies are important elements that determine the outcome of domestic and international policies of a state. These two state organs began to perform normally in the foreign policy process after the demise of the New Order regime and the amendment of the Indonesian constitution (UUD45). The new amended constitution was intended to balance the portion of power of the executive and legislative bodies, named as the House of Representatives (DPR) in the decision making process. It was the reformists, dominantly the university students and several political figures, who fought for the constitutional amendments because the old constitution centralized power in the hands of the executive.

In the realm of foreign policy formulation, the executive and legislative bodies have their respective responsibilities. However, the history of the Indonesian foreign policy formulation suggests that it was the executive that determined the direction and outcomes of the Indonesian foreign policy, to such an extent, that the DPR was deprived of its constitutional rights. President Suharto as the New Order leader controlled and molded the composition of the members of legislature. With the strong support of the Armed Forces of Indonesia (TNI) and his political vehicle GOLKAR party, Suharto won the first election in the New Order era in 1971 and succeeded to secure 360 contested seats, where 227 seats were for GOLKAR and 75 seats were for

the military.¹ His winning persisted until the last election in the New Order era in 1998.

The highest state institution in the Indonesian political system is the People Consultative Assembly (MPR) which is responsible for electing the president and providing the Broad Outlines of the State Policy (GBHN), and members of DPR are also largely members of MPR. In other words, controlling the DPR means ruling the highest state institution, MPR, the power which Suharto has enjoyed his 32 years of presidency. In addition to the control of the DPR members, he also extended his influence over the Department of Foreign Affairs (DEPLU) vested with the power to select post military officers from the middle or high ranking levels. Not only was he able to prolong his presidential term from one election to another, but he was also able to control the deliberation and result of the Indonesian foreign policy formulation.

The role of the DPR in the foreign policy formulation after the New Order era is still somehow sidelined. For instance, the successor of Suharto, President Habibie allowed the referendum in East Timor in January 1999. Two factors have accelerated and made it hasty, the first is the external factor that accelerated the referendum on East Timor influenced by a private letter from the Australian Prime Minister John Howard in December 1998, and the second is an internal factor which is the DPR did not have enough time to ponder over the referendum proposal.²

The constitutional amendments, which started from 1999 to 2002, were said to have upgraded the authority of the DPR into a more equal power over the President. Some analysts even argue that the constitutional amendments have given a greater power to the DPR. One of which is the reduction of the MPR's power which can no

¹ Rizal Sukma, *Indonesia and China: the politics of troubled relationship*, (London: Routledge, 1999), 75.

² Kai He, "Indonesia's Foreign Policy after Suharto," Paper presented at 46th Annual International Studies Association Convention at Honolulu Hawaii (1 March 2005), 19.

longer set the GBHN, leaving the DPR a clear mandate to enact laws as a guide for the activities of all state organs, including the Presidency. In terms of foreign policy formulation, Article 11, one of the new amended laws, grants the DPR the right to examine any international treaty before taking it into effect.

Nevertheless, in the present administration of President Susilo Bambang Yudhoyono (Oct 2004-present), where the constitutional amendments have been taken into effect, there was friction between the executive and legislative bodies over two international issues involving Iran and Singapore. In July 3, 2007, the DPR questioned Indonesia's foreign policy which supported the United Nations to implement harsher sanction on Iran. The DPR summoned President Susilo to explain such a policy in the House Plenary session. However, the President did not respond to the call by being present in the House. Instead, he sent seven ministers to explain the state policy on the Iranian nuclear program. The conflict emerged when the DPR rejected the seven ministers because several major factions had demanded the presence of President Susilo himself to explain the matter.

Another conflict between the executive and legislative bodies in the administration of President Susilo occurred regarding the Defense Cooperation Agreement (DCA) and the Extradition Treaty (ET) with Singapore. In April 2007, President Susilo and Singaporean Prime Minister Lee Hsien Loong signed the DCA and the ET in Bali. The DPR refused to ratify the agreement. Even Theo L Sambuaga, as the head of House Commission I overseeing defense and foreign affairs, said that the signing of the DCA and ET was a one-sided action and unethical.³

³ The Jakarta Post, "House urges government to cancel defense pact," The Jakarta Post, <<http://www.thejakartapost.com/news/2007/09/18/house-urges-government-cancel-defense-pact.html>> (accessed 26 July, 2008).

These two disagreements and the constitutional amendments reflect the beginning of the distribution of role in the Indonesian foreign policy process. The decentralization in the foreign policy process may begin after the amendments. However, those two cases have showed that there is a tendency of centralized and decentralized powers in the Indonesian foreign policy process.

STATEMENT OF THE PROBLEM

As a developing country, foreign policy represents one of the state tools to acquire national interest and promote the country in international relations. For this purpose, Indonesia's first Vice President Mohammad Hatta (August 1902-March 1980) established the foundation of the Indonesian foreign policy, namely, free and active foreign policy. The word "active" means the state's participation in the settlement of international issues instead of the reactive stand. The word "free" means the state's neutral position over any major powers.

However, with the demise of the New Order regime, numerous representations of political parties filling the legislative seats and the constitutional amendments possibly have changed the means in the decision making process of Indonesian foreign policy. The conflict between the executive and legislative bodies regarding the Iranian nuclear program and the DCA and the ET with Singapore shows the executive is either still holding a greater control in the foreign policy formulation or unprepared for a new power given by the amended constitutions to the DPR.

This study is intended to answer the following questions:

- i. Who exercises final authority in foreign policy making, with references to the Iranian nuclear program, the DCA and the ET?

- ii. What are the reasons that make the executive precedes legislature (DPR) in producing the foreign policy for these cases?
- iii. Do the amended constitutions provide greater role for the DPR in the state foreign policy formulation?

JUSTIFICATION OF THE PROBLEM

The direction of the Indonesian foreign policy was heavily driven by the personal objectives of the incumbent president. Suharto may have improved Indonesia economically, but he extended his authority by interfering into most of the state agency affairs, including in DEPLU. He installed military officers in high ranking positions in order to supervise and direct the course of foreign policy. There was an unclear authority between the executive, legislative and DEPLU in conveying their respective perspectives on certain foreign policy issues. These governmental agencies were ordered to present every draft of the state policy to the president before it was implemented.

This situation continued during President Habibie's presidency, who had to face inadequate time leading to obfuscating and obscuring of foreign policy formulation in determining the fate of East Timor case. However, he re-emphasized the objectives of state foreign policy as enshrined in the 1999-2004 Broad Outlines of the state policy, namely: to restore the Indonesian international image, help boost the economy and public welfare, help strengthen national unity, stability and integrity, preserve the nation's sovereignty, develop bilateral relations, particularly with

countries that can support Indonesia's trade, investment and economic recovery and promote international cooperation that helps build and maintain world peace.⁴

Having released herself from the authoritarian regime, Indonesia's identity has also changed into being a democratic state, and obviously, there are changes occurring in the Indonesian foreign policy formulation. This new identity and constitution amendments have opened a wider space for the legislative body to demonstrate its role, either by supervising or interfering in the course of state foreign policy formulation.

There is literature aimed at explaining the Indonesian foreign policy in the post New Order era. However, little study has focused on its formulation, especially on the conflict between the executive body and the DPR after the amendments. This study does not include an analysis on the role of every state agency involved in the process of formulating the foreign policy after the New Order era. The significance of this study is centered in its inquiry regarding the tendency of the pattern of the Indonesian foreign policy process. This is considered to be a rare case in the history of Indonesian foreign policy formulation.

OBJECTIVES OF THE STUDY

The primary objectives of this study are:

- i. To identify the amendment of constitution that change the authority of the President and the DPR, particularly in of foreign affairs.
- ii. To examine the role of DEPLU and DPR Commission I in Indonesian foreign policy formulation.

⁴ Dewi Fortuna Anwar and Harold Crouch, "Indonesia: Foreign Policy and Domestic Politics", Paper Delivered at the Forum on Regional Strategic and Political Development (24 July 2003), 4.

- iii. To analyze the means that the New Order regime uses to control, extend and exert its power over the legislature.

LITERATURE REVIEW

There are works aimed at discussing the influence of the relationship of the executive and legislative bodies in the foreign policy formulation of the democratic states. Indonesia, in particular, has transformed herself into a democratic state since the downfall of Suharto. In November 13, 2007, she accepted the Democracy Award from the International Association of Political Consultants (IAPC) for a peaceful transition to democracy.

Nevertheless, there is no literature on Indonesian foreign policy formulation within a democratic system, particularly in observing the centralization tendency in the foreign policy formulation post New Order era. Thus, relevant literature concerning the foreign policy in general, and the relationship between the executive and legislative roles on foreign policy formulation, will be reviewed.

Foreign Policy

K J Holsti defines foreign policy as ideas or actions made by decision makers to resolve a problem or alter the policies, attitudes or actions of another state or states, non-state actors, in the international economy and in the physical environment of the world.⁵ It is also a range of actions that governments do to others in order to defend or achieve security, autonomy, welfare, status and prestige. These objectives depend on the state's capability to assure that its interest will not be disrupted by the actions of

⁵ KJ Holsti, *International Politics A Framework Analysis*, (New Jersey: Prentice-Hall International, 1992), 120.

other states in the future. Therefore, states need resources which can back and support its actions. Robert Dahl divides resources into those that are (i) Tangible, such as money, wealth, information, time, political allies, official position, and control over jobs, and (ii) Intangible, such as personality and leadership qualities.

He adds that the important ability that states must possess in order to influence their opponents is the skill to mobilize and exploit these resources for one's political purposes and know the skill to mobilize them.⁶

States can be said as the dominant actor in executing foreign policy. However, the results of foreign policy are considerably influenced by members of the government, whether they are from the executive or legislative sections. They create changes in the relationship among international actors or maintain it if they are satisfied with the actions of such actors. They, in fact, make decisions, formulate policy and react to the decisions and policies of other governments. Therefore, Peter Katzenstein and Stephen Krasner conclude that the influence of domestic actors in the foreign policy formulation determines the "strength" and "weakness" of a state.⁷ A "weak" state is depicted by the restriction of public opinion, interest groups, parliament and bureaucracy towards foreign policy making. They cannot fully utilize their power and authority in the international environment. As for a "strong" state, the foreign policy decision makers are relatively independent from societal demands and pressures.

⁶ Robert Dahl, *Who Governs?*, (New Haven: Yale University Press, 1961), cited from KJ Holsti, *International Politics A Framework Analysis*.120.

⁷ David Skidmore and Valerie M. Hudson, *The Limits of State Autonomy: Societal Groups and Foreign Policy Formulation*, (USA: Westview Press, 1993), 34.

The Relationship between Executive and Legislative Bodies in Foreign Policy

Formulation

The primary goal of the executive and legislative bodies in formulating the foreign policy is for national interests, namely, domestic security and economic development. Each of these state agencies has its own power and responsibility in making foreign policy. Rafael Velasquez argues that the executive and legislative powers in foreign policy formulation are complementary to one another. He argues, in detail, that the executive is responsible for the general foreign policy of the nation, appointing diplomatic posts, signing international treaties, declaring war on behalf of the nation and to be a commander for the national armed forces.⁸ On the other hand, the legislative is in charge of ratifying treaties, approving diplomatic appointments, authorizing the declaration of war and the movement of state armed forces abroad and funding of the state foreign policy objectives.⁹

Nevertheless, it is often observed that these two state agencies are involved in conflicting relationships. John Rourke argues that the executive body has a greater power vested by the constitution. The president, in particular, knows generally what is best for national interest because he is assisted by competent staff providing him with accurate information. On the other hand, the fieldwork of the legislative body is concentrated in regional interests. The executive body has specific characteristics, namely, international leadership, speed, secrecy and expertise. The legislative body tends to process a decision slowly, added with lack of information and expertise on

⁸ Rafael Velasquez, "The Executive-Legislative Relationship in Foreign Policy Making: Conflict or Cooperation?," Paper prepared for the 49th Annual Convention of The International Studies Association at San Francisco, California(26 March 2008), 3.

⁹ Ibid.

foreign policy matters.¹ This wide disparity of foreign policy matters leads to the assumption, on the one hand, that the executive body does not have to consult with the legislative body because it has been given a power by the state constitution, whilst on the other, the legislative body perceives that it has an important role in foreign policy formulation which makes it necessary to consult with.

Velasquez views that the executive and legislative bodies have their discrete responsibilities. He implicitly structures the executive body in the frontline of every state foreign relations matters, followed immediately by the legislative body which focuses on domestic matters. However, the former does not close the possibility for the legislative to acquire information regarding foreign issues dealt by the executive with other states. Implicitly, in Velasquez's view, the constitutional powers given to the legislative body should be used to espouse the executive body's positive deed in the foreign relations matters. This is contrary to Rourke's view that explicitly favours the executive body's role in the foreign policy matters. Moreover, there are some factors that entrench the executive body as the only state agency with the credibility to formulate and implement a foreign policy. Two important factors, namely, speed and expertise, are not possessed by the legislative body.

Charles Carstairs and Richard Ware, in their evaluation of the British foreign policy coined the term "quiet diplomacy." This term refers to a situation where parliament is often left uninformed of the thinking behind the foreign policy decision.¹ As for Indonesia, a number of cases contribute to a "quiet diplomacy" beginning from the administration of President Habibie (May 1998-October 1999), who received a letter from the then Australian Prime Minister John Howard (March

¹ John Rourke, *International Politics on The World Stage*, (Gulford: The Dushkin publishing group, 1991), 128.

¹ Charles Carstairs and Richard Ware, *Parliament and International Relations*, (Philadelphia: Open University Press, 1991), 1.

1996-December 2007), which was viewed as one of the factors prompting Habibie's decision on the referendum for East Timor. According to Dr. Carlyle A. Thayer, the referendum decision on East Timor did not have the support of the TNI which was still viewed as a powerful group in parliament. He also identifies that a new combination of members of MPR would have strongly rejected the referendum decision for East Timor.¹ However, the decision was implemented fifteen days before the first democratically-elected government was installed. Another similar case occurred regarding the DCA and the ET with Singapore. Most of the prominent factions of DPR rejected this agreement. For instance, the National Mandate Party (PAN) stated that the government was not transparent over the substance of the deal and a faction of the GOLKAR party stated that the agreement had violated the 1945 state constitution and the 2004 law on international treaties which emphasized national interests.

The election in 1999 has altered Indonesia's political system from a presidential system to a parliamentary one. Members of the House are no longer directly picked by the president. The president can only be elected through a majority voice in the DPR. There were 24 parties competing to obtain at least 15 percent of the votes as a requirement to be eligible to nominate candidates for the president and vice president.

In general, Lijphart shows that the executive authority in the parliamentary system emerges from, and is responsible to, the legislative authority. The responsibility of the executive authority is bound by the legislature's confidence,

¹ Carlyle A Thayer, "Australia-Indonesia Relations: The Case of East Timor", Paper prepared for International Conference on Australia and East Asian Security into the 21st century at Taipei, Taiwan (8 October 1999), 6.

which has the power to dismiss the executive members from his office.¹ Helen V Milner argues that there are two possibilities which may emerge from a parliamentary system, namely, a parliamentary system inclining to executive dominance or on with greater legislative-executive power-sharing.¹ She further explains that the former is characterized by greater control over initiation, international negotiations and all proposed laws that reflect the executive's preferences without intervention by legislature. In the executive dominance system, legislature cannot amend or ratify. However, since the first democratic election had included the participation of 24 political parties which mitigated the power of president in parliament, the Indonesian's political system has the tendency for a power-sharing system between the executive and legislative bodies.

According to Milner, a coalition government makes power shared vividly between executive and legislative authorities. Unlike the presidential system, the executive power will decrease, since the executive is a member of one of the parties within the coalition. Thus, the executive body must find support from the legislative members in order to assure the success of its proposed agreement. Concisely, a coalition government makes legislative powers apparent.

Legislative powers in foreign policy formulation can be seen in their rejection at the substance of an international agreement. The challenges of an international agreement are posed by two aspects, namely, individual dissatisfaction from legislative members or legislative body's objective to propose their own policy.¹

¹ Arendt Lijphart, *Democracies*, (New Haven: Yale University Press, 1984), 68.

¹ Helen V. Milner, *Interest, Institutions, and Information: Domestic Politics and International Relations*, (New Jersey: Princeton University Press, 1997), 119.

¹ Ralph G Carter, James M Scott, and Carie A Steele, "Chairmen In Charge: Comparing Foreign Policy Leadership and Entrepreneurship from The Senate Foreign Relations Committee under J. William Fulbright and Jesse Helms," Paper presented at the Annual Meeting of The International Studies Association, Honolulu, Hawaii (1 March 2005), 3.