

Democratic Transition in Habibie's Indonesia:

How a group of academics remade Indonesian politics

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Introduction

In mid-May 1998, the streets of Jakarta descended into chaos. Massive student protests against the increasingly repressive regime of 30 year dictator Suharto had turned violent. Amid calls for democratic reform from all levels of society, the seven-term president resigned, leaving his vice-president B.J. Habibie to take power in uncertain times. Habibie knew the people demanded reform—“*reformasi*” was the buzz-word of the times—and he set about trying to legitimize his own authority by delivering it.

Indonesia had entered a period of fundamental transition of political realities. Against this backdrop, I want to look at the incentives and actions of a few key actors in designing and implementing the sweeping reforms of those years. I will explore the extent to which a team of seven hired experts led by Ryaas Rasyid managed to sell an issue of personal interest to themselves as a way to build democratic credentials in an uncertain time. This small group of academics found themselves in a position of inordinate influence for a brief window of time, and they leveraged this opportunity to attempt both a practical and symbolic leveling of the political playing field within the constraints imposed by what they found feasible to convince the members of their multi-stakeholder coalition would be in their interests, whether long or short-term.

A number of powerful stakeholders played a role in determining the government's response to the popular uprising, including the incumbent dominant party GOLKAR, the military, the newer political parties vying for influence, a handful of large civil society and religious organizations, and the individual players who led and influenced them.

This paper relates the salient characters and events that shaped the transition years in four sections: the growing unrest before the crisis, the crisis itself and the transition to Habibie's government, the forging of a new democratic order, and the further reforms of decentralization.

The Story of Team 7

*"An embryo of oppositional politics is growing significantly, despite the fact that the government has tried hard to prevent it."*¹

-Team 7 leader Ryaas Rasyid, 1995

A growing expectation of change

Suharto's long rule had been legitimized by his success in economic development,² but a growing sector of society felt marginalized from the benefits of that development. This began to show in the early 1990s with the rise of illegal labor unions. Suharto's purposeful development of labor-intensive exporting industries had increased the concentration of urban low-income workers for whom the visible excesses of Suharto's family and other elite became a lightning-rod for galvanizing discontent. Labor strikes became increasingly common.³

In 1993, the military murdered a prominent labor activist and attempted to conceal the crime, but by 1995 their involvement was openly recognized. In 1994, the regime continued to crack down on labor unions, and revoked the publishing licenses of three nationally circulated publications (Tempo, Editor, and DeTik) for reporting on inter-party politics in an unfavorable light.⁴ The second half of 1994 saw an increase in incidents of social violence across the country.⁵

Meanwhile, unrest was growing within Suharto's own political party, GOLKAR, which William Liddle in 1996 described as "the electoral face of the civilian bureaucracy and the armed forces, mobilized every five years to get out the vote for the ruling group led by Suharto."⁶

High-ranking military officials had become concerned with Suharto's apparent shift of favor toward a civilian faction within the party. A General himself, the president had shown increasing favor to Bacharuddin Jusuf Habibie, a prominent engineer-turned-politician whom Suharto appointed as State Minister of Research and Technology. In Malley's words, "personally, he was closer to Suharto than any other officer, or indeed, than anyone other than his family members."⁷

Well known for his strategic management of party rivalries, Suharto also appointed Habibie as Chairman of the GOLKAR Supervisory Board, presumably as a balancing force against Vice President Try Sutrisno, also a military General. Habibie in turn appointed Suharto loyalist Harmoko as General Chairman of the party, the first civilian to hold that post. This was a disturbing signal for the military leadership, and Rasyid considered it a significant factor in the rising tensions over future presidential succession.⁸

¹ Rasyid, 1995: 149.

² Suryadinata, 1999: 112.

³ Malley, 2000: 160.

⁴ Rasyid, 1995: 149.

⁵ Rasyid, 1995: 157.

⁶ Liddle, 1996: 44-45. Quoted in Hosen, 2003: 495 note 26.

⁷ Malley, 2000: 164.

⁸ Rasyid, 1995: 150-153.

By Rasyid's estimation in 1995, the military and the state-permitted political parties were still firmly under Suharto's control, with the exception of the Indonesian Democratic Party (PDI) led by Megawati Soekarnoputri, the daughter of Indonesia's first president Soekarno. However, thoughts among the elite had already turned to the question of the President's eventual replacement.

During the same period, two significant actors outside the party had begun to be perceived as threats. The first was Megawati Soekarnoputri, daughter of Indonesia's first president, Soekarno, whom Suharto had violently overthrown three decades before, when Megawati was eighteen. In an act of defiance, the leadership of PDI (Democratic Party of Indonesia), one of the two puppet opposition parties cultivated by the regime, had elected Megawati as party Chair after their first choice of leader had been rejected by the government.⁹ Though not a formidable political strategist, Megawati was well-connected in circles with interests opposed to the regime, and her lineage made her a potent symbol as leader of the party. The regime refused to recognize her election, and in 1996 organized a violent raid of PDI headquarters, intimidating party members into removing Megawati from leadership.¹⁰

The second threatening figure was Abdurrahman Wahid, leader of the country's largest Islamic organization, Nahdlatul Ulama. With over 30 million members, NU was a source of significant grass-roots clout, but not officially involved in politics. NU members in large part tended to favor the other puppet opposition party, PPP (Development Unity Party), but Wahid and Megawati were close personal friends. When Wahid threatened to ask NU members to support PDI instead of PPP in 1994, the carefully orchestrated balance between the religious politics of the PPP and the secular nationalism of the PDI seemed in danger of being overcome by the two factions' common opposition to Suharto.

For our own story, a third figure is worth mentioning, though he was relatively unknown in the early 1990s. Ryaas Rasyid, a U.S.-educated political scientist and rector of the Indonesian Institute of Governmental Science in Jakarta, was gaining prominence as a moderate voice for reform of the current government. His delicately balanced 1995 assessment of the need to prepare for eventual presidential succession (which I have drawn upon heavily here) seems to have won him favor within the regime. Sometime from 1996 to early 1997 he was appointed by Suharto's Minister of Home Affairs to lead a task force of seven political scientists in designing and implementing political reforms aimed at the eventual democratization of the country.¹¹ It was the beginning of a low-profile but highly consequential career in public entrepreneurship for Rasyid.

Parts of Rasyid's 1995 paper border on prophetic. He argued that twenty-five years under a single unchallenged leader had left the Indonesian system without a credible institutional mechanism for succession. Urban areas were seeing growing "criminality, overpopulation, a widening gap between the rich and poor, unemployment and underemployment, poor services, and overburdened infrastructures". Unemployment among the urban youth was increasing. Disguised unemployment had been growing for years. The result was a situation which could "easily be ignited to create antigovernment protest movements."¹²

⁹ Malley, 2000: 163.

¹⁰ Malley: 2000: 165.

¹¹ Smith, 2008: 230 note 1.

¹² Rasyid, 1995:153-58.

The Crisis and Transition under Habibie

The 1997 Asian Financial Crisis provided the ignition which Rasyid had predicted two years before. In August of that year, the rupiah plummeted by 40 percent and kept dropping, losing 80 percent of its value by the following January. Entire industries ground to a halt as the costs in domestic currency of input materials from abroad skyrocketed.¹³ The number of people living in poverty rose steeply, from an estimated 28 million in 1996 to 128 million in March 1998.¹⁴

Student protesters began taking to the streets in thousands, gaining politically threatening momentum by March 1998, and in April significant numbers from other sections of society began to join them.¹⁵ In mid-May 1998, army Special Forces killed four student activists on a university campus in Jakarta, causing widespread uproar.¹⁶

More than 1,200 people died and many thousands more were injured in three days of rioting. On 19 March, Suharto announced he would consider political reform. The next day, about 40,000 troops guarded the city center, but an even larger number of demonstrators occupied the national legislative complex. A day later, Suharto resigned.¹⁷

During the riots, Parliament and many of his own ministers had also asked him to resign.¹⁸ Suharto stepped down on May 21st, signing in Habibie without the approval of Parliament. As Suharto's hand-picked successor, Habibie's position was precarious, with strong factions both among the elite and the public criticizing his Presidency as unconstitutional. His government was viewed by many as an extension of the Suharto regime.¹⁹ In the words of one scholar, "Habibie's most notable achievement in 1998 was to survive."²⁰

The most immediate threat came from the military, whose territorial command structure and strong influence in parliament and in GOLKAR itself made them de facto contenders to fill the power vacuum. However, Habibie was able to take advantage of a deep internal rifts in military leadership. On one front, a number of high-ranking officials favored a transition to democracy while others strongly opposed it. On a second front a personal rivalry had developed between Defense Minister and Armed Forces Chief Gen. Wiranto and Army Strategic Reserve commander Lt. Gen. Prabowo Subianto, a son-in-law of Suharto suspected of masterminding the botched operation to 'kidnap' student protestors which led to the death of four students mentioned above. Both Generals approached Habibie almost immediately upon his swearing in as president—Prabowo the same afternoon and Wiranto the following morning. Mere hours after his meeting with Wiranto, Habibie announced his new cabinet, in which Wiranto retained both of his posts. Prabowo was fired the same day.²¹ By allying himself with Wiranto, and by including a significant number of the General's military allies in his cabinet, Habibie passed the first hurdle. His next task was to appease the masses calling for genuine democratic reform.²²

¹³ Rasyid, 2005.

¹⁴ Sjahrir, "Dampak Negatif Kontraksi: Sampai Hancurkan Kita?" *Warta Ekonomi*, 6 July 1998, p. 8. in Suryadinata, 1999: 124, 127 note 19.

¹⁵ Malley, 2000: 166.

¹⁶ Suryadinata, 1999: 114.

¹⁷ Malley, 2000: 167.

¹⁸ Suryadinata, 1999: 114.

¹⁹ Suryadinata, 1999: 114-15.

²⁰ Suryadinata, 1999: 127.

²¹ O'Rourke, 2002: 142-45.

²² O'Rourke, 2002: 143-44.

Team 7 and the new rules of politics

Knowing he had to act fast, Habibie called a meeting with a number of respected reformist figures, and after conferring with them had a spokesperson announce that new parliamentary elections would be held, open to new political parties, as soon as the election laws were revised. The same day, Army Chief of Staff for Social and Political Affairs Susilo Bambang Yudhoyono issued a statement that management of the current crisis required a government with a genuine mandate from the people. The statement appeared to support Habibie, and whether it was made as part of an arrangement between Habibie and Wiranto, or at the latter's or Yudhoyono's own discretion remains unclear.²³ Less than a month later, as fears began to rise that Habibie was orchestrating a comeback of the 'old forces' of the Suharto era, Yudhoyono again released a public statement saying that the Army supported Habibie, but would thwart any attempts to return to the ways of the old regime.²⁴

Habibie faced demands from many sources, and it soon became clear that he hoped to win legitimacy for his own continued presidency by gaining credentials for genuine reform. However, he also faced incredible uncertainty as to which demands or reforms were most salient to the public. He turned to Ryaas Rasyid's group of academics, known as Team 7, whose project for the Minister of Home Affairs was now more urgent than ever, and tasked them with a comprehensive redesign of the legal framework of politics.²⁵

Rasyid had been thinking about the prospect of democratic reform for a long time. Both his master's thesis in 1988 and his PhD dissertation in 1994 concerned the need for a more representative government, and notably, for greater autonomy for non-Javanese regions.²⁶ Rasyid, his right-hand man Andi Mallarangeng, and President Habibie himself were all natives of Sulawesi, a major eastern island with a history of discontent with the Java-centric governments of Soekarno and Suharto.²⁷ The time may have seemed opportune to press this personal issue, but Rasyid and his team focused pragmatically on the task at hand. They left regional autonomy alone for the time being and made concessions on key issues to ensure the electoral laws would pass. For example, they had originally wanted to switch from a proportional representation system to a majority or single constituency system, but agreed to compromise under pressure from GOLKAR leaders by allowing losing parties with significant vote shares in a given region to be compensated with seats drawn from national lists.²⁸ In general, as most of the stakeholders involved had an interest in building their reformist credentials, Team 7 "enjoyed free rein to draft the best electoral laws they could."²⁹

After five months of intensive work, the team presented drafts of three new laws to the cabinet in November 1998: the Law on Political Parties, the Law on General Elections, and the Law on the

²³ Hosen, 2003: 485.

²⁴ Hosen, 2003: 489.

²⁵ Smith, 2008: 212, 221, 230.

²⁶ M. Ryaas Rasyid, "Regional Responses to Central Government Authority: A Comparative Study of South Sulawesi and Aceh" (masters thesis, Northern Illinois University, 1988); M. Ryaas Rasyid, "State Formation, Party System, and the Prospect for Democracy in Indonesia: The Case of Golongan Karya, 1967–1993" (PhD diss., University of Hawai'i-Manoa, 1994). Cited in Smith, 2008: 232 note 22.

²⁷ Tedjasukmana, Jason. "A Fair Share of the Spoils," TIME Asia, August 21, 2000 http://www.time.com/time/asia/features/ontheroad/indonesia.oil_fight.html; O'Rourke, 2002: 146.

²⁸ Hosen, 2003: 496.

²⁹ Hosen, 2003: 491

Composition and Structure of National and Regional Legislatures. State Secretary and GOLKAR Chairman Akbar Tanjung voiced strong objections, which Habibie knew were in his own interests and those of his still-delicate military allies. However he also knew that the bill still had to go through parliament, where Tanjung's (and Habibie's own) party controlled the largest number of seats. He decided to submit the bill to parliament unchanged, counting on parliament to make the changes and become the focus of any backlash from the public.³⁰ In the end the combined proportional/majority system was dropped in favor of keeping the old proportional system, but GOLKAR managed to exact other concessions that played to the advantage provided by their extensive national organizational network.³¹ Habibie had attempted to have it both ways: to play the genuine reformer but still stack the deck for his own party, and for a time it seemed to be working. Team 7, significantly, had weathered the process, by luck and prudence, without making any enemies.

A Window of Opportunity: Team 7 moves on to decentralization

Once Habibie signed the electoral bills into law, Team 7 had an opportunity to set their own agenda for their next project. The parliamentary elections were scheduled for June 1999, and the resulting parliament would hold elections for president and vice president the following October. Hoping to run and win, Habibie asked Team 7 for ideas on how to strengthen his image as a true reformer. Rasyid and Mallarangeng responded with a proposal to decentralize government authority and increase regional autonomy. Based on interviews with Rasyid and Mallarangeng in April 2004, Smith asserts that "for Ryaas in particular... the issue of regional autonomy was a personal one."³²

For a brief period in mid to late-1998, the issue had gained public voice in response to rising inter-ethnic violence in the provinces.³³ But it would seem that decentralization as a solution to anti-government sentiments originated from within the GOLKAR party as opposed to outside it. *Suara Karya*, the news media voice of GOLKAR ran an article in late August 1998 arguing that the regions must be given greater autonomy "*before they demand it*."³⁴ Indeed, as this statement implied, almost no one was demanding it,³⁵ but that didn't stop the administration from fearing that they would. The fact was, after three decades under Suharto, nobody really knew what kind of reforms would translate into votes.

Team 7 took advantage of this uncertainty to sell an agenda of their own professional and personal interests on behalf of the country. In Smith's words, this team composed mostly of foreign-educated Indonesian academics were "idealistic intellectuals eager to seize a window of opportunity."³⁶ This may have been so, but they were also focused and pragmatic. Within four months of completing the election laws, they presented Habibie with a bill that would devolve significant authority not to the provincial, but to the district level of government in every province. They argued that this approach would make it difficult for separatism to gain traction as individual districts struggle to coordinate.³⁷ Devolving power to the third tier of government had the strategic appeal of what has been called the 'divide and rule'

³⁰ Hosen, 2003: 491-92. I have adjusted Hosen's translation of the third law for clarity.

³¹ Hosen, 2003: 498-99.

³² Smith, 2008: 221.

³³ Smith, 2008: 222.

³⁴ Smith, 2008: 232 note 23.

³⁵ With the exception of East Timor, and long-standing movements in Aceh, Papua, and a small minority in Maluku, none of which were resolved by the decentralization law. From the standpoint of electoral votes, these exceptions still amounted to "almost no one."

³⁶ Smith, 2008: 213.

³⁷ Smith, 2008: 222.

effect—that intra-provincial competition and rivalry will diffuse secessionist demands by troubled provinces, especially Aceh and Papua.³⁸

At first Habibie resisted, but as Mallarangeng recalled, “Ryaas was able to use this opportunity, where Habibie was very vulnerable. [Habibie] wanted to be seen as progressive, reformist.”³⁹ Eventually Habibie agreed to endorse it, and passed on to parliament with only minor changes. Here it is worth quoting Smith at length:

*The process by which the decentralization bill moved through [parliament] is telling. In Ryaas’s words, “The discussion in the DPR was peaceful, smooth, and productive.” In part, the members of Team 7 who worked with members of parliament could rely on trust and good will generated during negotiations over the laws on elections and political parties. During these earlier negotiations, the team had compromised on several key issues, most important of which was the agreement to rely on a proportional system of representation rather than single-member district elections, which fell to party leaders’ preferences.*⁴⁰

Whether by plan or by luck, Team 7 had gained the trust of those who held power, which they used to emphasize the short term gains of looking like good reformers out of all proportion against the long-term losses of power and privilege spelled out in black and white in the bill. The president and parliament were entirely holdovers from the authoritarian era. The two 'opposition' parties allowed under Suharto had their leaders chosen from a list that the incumbent party had to approve. All three parties were highly invested in continuing the centralized system. Although they all perceived that they would benefit from supporting democratic reform in the general sense, the actual electoral payoffs and the specific policies that might maximize them were highly uncertain. Nevertheless, the decentralization bill and a follow-up bill (Laws 22 and 25 of 1999) on fiscal issues were passed into law in May 1999, one month before the general election. The debate up to that point had featured an “almost complete lack of involvement” of local elites such as governors, regional parliaments, mayors, etc⁴¹—those who stood to benefit most directly from Team 7’s innovations.

Laws 22 and 25 greatly devolved administrative power from the central government to the district and city level, largely bypassing provincial governments. Both provincial and district legislatures were given the power to elect their own local leaders, to initiate statutes and regulations, to create new government bodies, and to approve budgets—all without the approval of the central government, which had previously been required. Local heads of government had previously been chosen by and responsible to the central government.⁴²

Nearly 2 million civil servants transferred from the central government to the city and regency levels, bypassing the provincial second tier of government. These third-tier administrative branches also

³⁸ Fitriani, Fitriana, Bert Hofman, and Kai Kaiser. “Unity in Diversity? The creation of new local governments in a decentralizing Indonesia.” *Bulletin of Indonesian Economic Studies* 41, no. 1 (2005): 60-61.

³⁹ Interview with Andi Mallarangeng, April 8, 2004, quoted in Smith, 2008: 223.

⁴⁰ Smith, 2008: 224.

⁴¹ Smith, 2008: 218.

⁴² Rasyid, M. Ryaas. “Regional Autonomy and Local Politics in Indonesia.” In *Local Power and Politics in Indonesia: Decentralisation & Democratisation*, edited by Edward Aspinall and Greg Fealy, 63-71. Singapore: Institute of Southeast Asian Studies, 2003, 64.

received authority over "more than 40 percent of government expenditures and more than 60 percent of the national development budget."⁴³

Thus, by playing to the perceived interests of the powerful in a time of uncertainty, a group of outsiders to power were able in large part to shape the agenda of sweeping reforms that comprehensively overhauled the government structure of the world's fourth largest nation. In the following section we will examine this story in light of the theoretical framework outlined above.

Concluding Comments

Rasyid himself, writing in 2005, attributes the legislative success of the decentralization bills to their appeal as a compromise between the contending ideas of federalism and continued centralism. "Members of parliament generally considered the bills...too good to be true; for the first time, the government itself had initiated a policy to reduce its own powers...for both parliament and the public, Laws 22 and 25 reflected a genuine commitment to the reform of governance."⁴⁴

However, others have found it hard to believe that the actors involved would have so willingly harmed their own interests had they understood what exactly they were doing. Was there a public outcry for regional autonomy strong enough that the incumbents perceived on their own the benefits of publicly supporting it? Smith argues convincingly that this was not the case, noting that in the 2004 election, only two parties ran on platforms that had regional autonomy issues as a primary focus, one of them led by Rasyid himself. They won a combined 2% of the vote.⁴⁵

Under the new laws, Jakarta retained authority over foreign affairs, defense and security, fiscal and monetary policy, religious affairs, and the judicial system.⁴⁶ The formation of new political parties, nearly impossible during the Suharto era, now only requires the signatures of 50 citizens 21 years of age or older, and registration with the Ministry of Justice.⁴⁷ However, in order to participate in national elections, a party must have "an office established in at least one-third of Indonesia's provinces and at least half of all districts in those provinces."⁴⁸ All candidates for public office must now belong to a registered party, the central leadership of which largely determines the selection of local legislative candidates.

However, shortly after the laws passed, the tenuous coalition behind them fell apart. Habibie lost his bid for the presidency, PDI won the largest share of seats in parliament, and Abdurrahman Wahid was elected president. More importantly, the elections provided incumbent elites with a reality check about the kind of electoral payoff they could expect from their efforts at reform. For decentralization to take effect as Team 7 had intended, it still required about 100 presidential decrees enabling various supporting mechanisms and processes.⁴⁹ But stakeholder incentives had shifted, and implementation

⁴³ Smith, 2008: 212.

⁴⁴ Rasyid, 2005: 63.

⁴⁵ Smith, 2008: 217, 230 note 6.

⁴⁶ Rasyid, 2005: 69.

⁴⁷ Kimura, Ehito. "Proliferating provinces: territorial politics in post-Suharto Indonesia." *Southeast Asia Research* 18, no. 3 (2010): 424.

⁴⁸ King, 2003 in Kimura, 424.

⁴⁹ Rasyid, 2005: 73.

met resistance.⁵⁰ Meanwhile, local district leaders began to respond opportunistically to the parts of the plan already in place, some passing new local taxes on extractive industries and thereby discouraging investment or production. Others issued fishing or forestry concessions far in excess of what the central government had previously allowed.⁵¹ The net impact of the decentralization laws on the strength of Indonesia's democracy remains a subject of considerable debate.

As a final comment, it is worth comparing the political floundering of decentralization to the case of the Corruption Eradication Commission (KPK), which has seemed to gain considerable momentum in subsequent years. The single general election that took place in June 1999 was enough to recalibrate the elite's perceptions of their own interests under the new system, and the unusually sweeping influence of Team 7 thus began to dry up (Smith, 2008: 227-8). However, three members of Team 7 went on to secure prominent positions in the cabinets of subsequent presidents. Two of the three were later convicted of embezzlement by the KPK. This trajectory seems to tarnish the legacy of Team 7's reform accomplishments.

Like election reform and decentralization, the creation of the KPK was first called for in a bill passed during this same period of uncertainty before the first parliamentary elections, drafted by a team led by a respected law professor named Romli Atmasasmita. Like Rasyid and Team 7, Atmasasmita was an academic with a reformist reputation, and the legislation he managed to pass certainly benefited from the same elite misperception of interests as did the decentralization laws. Two significant differences can be hypothesized, but a full argument is beyond the scope of this paper. First, the fight against corruption had broad grassroots legitimacy while decentralization did not. Second, this public support enabled members of the KPK (after its eventual establishment in 2003) to make good on their mandate to remain independent of the elite patronage networks on whom Team 7 relied to champion its agenda. Team 7 had no involvement with the drafting of the anti-corruption law (Law 33/1999), but while decentralization stalled, its members were parlaying to join the elite themselves. By contrast, Atmasasmita later became one of several prominent KPK-related players to be (possibly falsely) convicted of various crimes under suspicious circumstances. These convictions threatened KPK legitimacy until a high-profile case was publically proven to be a false attack on KPK leaders, which greatly strengthened public support and trust for the KPK.

⁵⁰ Butt, Simon. "Asian law in translation: translator's note on the Indonesian corruption court law." *Australian Journal of Asian Law* 11, no. 2 (2010): 302-308.

⁵¹ Rasyid, 2005: 73-4.

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