



# Civilian Control of The Military in The Post-New Order Indonesia

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## Article Info

## ABSTRACT

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### Keywords:

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This study aims to determine how the control exercised over the military post of the new order. This study also uses descriptive method, using the historical approach will be discussed how the civilian control of the military post of the new order by using some theories, such as civil, military, civil-military relations and military orientation. Civilian control carried out against the military can be seen from the new paradigm shift military that contains redefenisi, repositioning and restructuring, then control over the military through its policies and relations civilian agencies and the military that took place during the reform such as the legislature, bureaucracy and political parties. The military paradigm shift leads to the enforcement of civil supremacy that change systematically and gradually, where the military is no longer involved in practical politics of national, work assignment abolish the military in civilian institutions and returned to the barracks as part of military professionalism. In addition, the civil administration after the new order also perform consistency for the establishment of civilian supremacy, in which the government minimize the role of the military in national politics as the policy of the Act No. 34 of 2004 which eliminates the military's involvement in the legislative body. Civilian control of the military is done after the new order does two control is to control the subjective control and control of the control objective.

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## 1. INTRODUCTION

The discourse on civilian relations with the military in Indonesia has always been an interesting topic to discuss ([An-Na'im, 2010](#)). This argument refers to the fact that from the beginning of independence, the existence of the military in Indonesia as a socio-political force has been the support for the

continuity of the state system and the Indonesian political system based on Pancasila and the 1945 Constitution (Rahmat, 2008). The birth of the role of the Indonesian military was inseparable from the war period of the Indonesian independence struggle against the Dutch where military and political functions did not have clear boundaries, even the two functions went together and could not be separated (Sugiarti, nd) (Istyaningrum, 2005). The nature of the struggle itself is political but also military. The struggle of the youth to take up arms against the Dutch at that time was driven by the patriotic motivation to defend and defend the independence that had been proclaimed by nationalist politicians (Nursiwi, 2011). These characteristics encouraged the tendency of the military to get involved in political matters. Most of the politically oriented military circles during the revolution felt that they had a big role in the struggle for independence so that they felt that they also had their own political interests. This situation gave rise to differences such as the negotiations with the Netherlands which were approved by the civilian government but not with the military at that time (Istyaningrum, nd).

The amendment to the constitution of the Republic of the United States of Indonesia and the temporary Constitution of 1950 which is based on liberal democracy has had a profound impact on the decline in the role of the military and even requires the military not to interfere in political affairs (Subekti, 2014) (Pranowo, 2010) (Hidayat, 2010). The role of the military regarding non-political power did not last long and was soon drawn back into the political arena. This was due to a political crisis that had to involve the military in it, namely the 17 October 1952 incident, in which a dispute occurred between technocrat officers and former defenders of the country (PETA) which also resulted in disputes in parliament between the opposition and the coalition (Hill, 2011a). These political developments further disrupted political stability in Indonesia as a result of violent clashes between political parties in the parliament.

The Indonesian Army, which was previously divided and conflicting with each other, began to realize its importance to unite because as long as the parliamentary system continued, the military suffered many losses and was neglected, especially the issue of distribution of funds. Formal reconciliation takes place from all the opposing military groups agreeing and vowing to maintain unity and integrity (Hudini, nd).

The self-confidence among the military that was so embodied in the New Order era, in which the army itself (ABRI), which should have been a state instrument in charge of maintaining defense and security, providing protection to the community and guaranteeing the political rights of the people, was caught in the political game of the Order new by not shyly discouraging potential officers from being involved in political positions such as being governors, regents or village heads with the aim of upholding Pancasila and the 1945 Constitution, maintaining political stability and overseeing the course of development in accordance with Suharto's instructions as commander. (Gunaryono, 2009) (Ihsan, nd).

The New Order was a new milestone after the Soekarno government period (Parawansa, 2002) (Hadi, 2007). Starting with the G30S / PKI rebellion which ABRI and the people could quickly overcome, then it was exacerbated by an uncertain political crisis due to Soekarno's reluctance to solve the G30S / PKI case, the economic crisis got worse, the people became restless and finally there was a massive demonstration that filed 3 demands or what is often known as the Tritura (Tri Tuntutan Rakyat) action. In order to overcome this worsening national crisis, on March 11, 1966, the president ordered the minister / PANGAD Lieutenant General Soeharto to take all necessary measures to ensure the security, peace and stability of the running of the government.

The transfer of power made General Soeharto the legitimate president by doing it according to a constitutional mechanism. The appointment of Suharto as full president in 1968 by the MPRS brought the military to a dominant position in government administration. The new government was warmly welcomed by a minority of politicians, while most accepted it with force because it was the military that was the strongest at that time. (Meliana, 2012). However, what steps the military will take as the holder of power in maintaining political stability is not yet clear, especially with regard to people's participation in politics.

Soeharto is a strong man who stands on three main pillars in his line of power, namely: the army, bureaucracy and golkar as an institution that has been politically used as a machine of oppression and a tool for Suharto's power which has various functions and roles in accordance with the line of command where Suharto is commander-in-chief (Hariyanto, nd). Militarization or political militarization is a step used in an effort to make the army or military as the political instrument of the rulers during the New Order era (Andriyani, 2010). The strategy used is usually by giving a large portion of the territory and the involvement of the army in all sectors of public life and taking a dominant part in making political decisions outside the area of defense, such as in the cabinet, political parties or interest groups that are not their area of duty, politicization. tentata itself is translated as an attempt by the army or military to create obedience, loyalty and submission to political decisions made by the rulers of the state (government) through a series of acts of intimidation.

Under Soeharto's umbrella, the Indonesian National Army not only served as a safety fence and protective shield for Pancasila, but also became a driving force for national development, both in economic development and political development, which was placed in efforts to create healthy and dynamic political stability in order to protect patrons. business patrons, capital and anticipating the rampage of the masses that can appear at any time. The widespread influence of the military began to appear in the formation of the first cabinet in 1968 which filled the seat of the government department and also in the Election Law No. 16/1969 Article 10 which gave ABRI a share of 75 seats to sit in the DPR / D and the MPR. Widespread political militarization also crosses the boundaries of the business world which creates perpetuity of maintenance of power with enormous material support, created through the cooperation of natives and non-natives who underwent a pattern of mutually beneficial relations with the military. On the one hand, the military plays a role as a night guard for the sustainability of the business of entrepreneurs by banishing the labor movement in the mass sector that can threaten the sustainability of the company, on the other hand it also receives a number of compensation from its work in addition to enjoying joint business ventures between entrepreneurs and the military (Ramdan, 2009).

The New Order government which was able to maintain power for more than three decades finally fell in May 1998 (Hill, 201b). The collapse of the government was inseparable from the monetary crisis that occurred at that time, the failure of the government to handle the economic crisis had destroyed the legitimacy of the government so that it no longer gained the trust of the people. Because based on these reasons and the repressive military actions that took place during the New Order era, there was an increasingly massive resistance against the government, especially among students, such as demonstrations demanding the abolition of ABRI's dual function. Since the fall of the New Order government on May 21, 1998 by the student movement acting on its behalf as the reform movement, then ABRI's position on the political map in Indonesia also fell (Suparman, 2013) (Wahyuni, 2014). During this transitional period there were many important changes within ABRI, especially at the conceptual and organizational level (Bakrie, 2007). Along with the swift flow of democratization and by looking at the state of the strategic environment in the country that calls for these various demands, ABRI finally realized that it had to immediately carry out internal reforms as mandated in the MPR decision NO. X / MPR / 1998 Concerning the main points of national development reform as the direction of the state, especially regarding the agenda of adjusting the implementation of this dual function with a new paradigm and civil being its strength (Suparman, 2013). especially at the conceptual and organizational level (Bakrie, 2007). Along with the swift flow of democratization and by looking at the state of the strategic environment in the country that calls for these demands, ABRI finally realized that it was necessary to immediately carry out internal reforms as mandated in the MPR decision NO. X / MPR / 1998 Concerning the main points of national development reform as the direction of the state, especially regarding the agenda for adjusting the implementation of this dual function with a new paradigm and civil being its strength (Suparman, 2013). especially at the conceptual and organizational level (Bakrie, 2007). Along with the swift flow of democratization and by looking at the state of the strategic environment in the country that calls for these various demands, ABRI finally realized that it had to immediately carry out internal reforms as mandated in the MPR decision NO. X / MPR / 1998

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The term civil society is often misunderstood. The notion of civil society is sometimes opposed to the military community (Masrifah, 2014). In the New Order era, such views dominated. Civil society has always been characterized by military groups. This dichotomy has reduced the real meaning of the term Civil Society, which is the equivalent of the word civil society. The term civil society is actually only one of several other terms in Indonesianizing the word Civil Society (Hill, 2011b). Apart from civil society, other equivalent words that are often used are civilized or cultured society, civic society, and civil society.

Civil supremacy is the rule of law which is the answer to public anxiety regarding the repressive actions of the military apparatus (Zein, 2011). With the existence of civilian supremacy, the military is forced to accept its lower position, submit to civilian supremacy and obey the laws made by the civilian government so that the military apparatus cannot interfere in matters outside the field of national security and defense. In the context of political reform, dismantling the discourse of civil-military relations is an iron law of social change towards the formation of a democratic political order. This is the imperative of an authoritarian transition process towards democracy which should be increasingly recognized by every element of the military and politicians in Indonesia. The aim is none other than to make the position and role of the military more conducive to the realization of democracy. In today's democracy, the most important thing is how civil society can carry out the role represented by the civilian government in controlling the role of the military for the realization of a more professional military.

## 2. RESEARCH METHOD

Researchers used this type of interpretive case study research (Jaedun, 2011). Interpretive or disciplinary-configurative case studies aim to explain / interpret a single case, but that interpretation is implicitly constructed by a solid theory or theoretical framework that focuses on some specific theoretical aspects of reality and ignores others. The data and information collection technique in this research is to use the library research method or literature study, namely by collecting data by collecting books, papers and documents as well as other information facilities which of course relate to research problems. this (Mulyarsi, 2013). This research is descriptive with the expectation that it can provide an overview of the conditions and situations that occur (Mulyadi, 2011). The data that has been collected will be presented in the form of a description then analyzed and then explored in depth by making an explanation of the post-New Order military in the new TNI paradigm, government control of the post-New Order military and post-New Order civil-military relations such as military relations with political parties and bureaucracy (Usman & Akbar, 2008) (Semiawan, 2010).

## 3. RESULTS AND DISCUSSIONS

### 3.1. Post-New Order Military.

The transition to democracy in Indonesia is inseparable from the big role of Suharto, who has the authoritative power to determine the transfer of power to his deputy, BJ Habibie. Therefore, reading the transition process in Indonesia needs to be placed in the frame of Soeharto's vision as sole control. Soeharto's steadfast power before the transition was caused by the autonomy and dominance of Soeharto's power which was supported by its main machines, namely Golkar, the military, the bureaucracy, the technocrats and the domestic bourgeoisie who lived from Suharto's kindness. Soeharto also had coordination at the elite level and mass organizations that could be used for any purpose, including for the preservation of Suharto's power itself.

- a. 1. An economic crisis triggered by the regional economy
- b. The loss of confidence in Suharto as the ruler who was able to take policies to overcome the economic crisis and stem the community led to a hole in poverty.

- c. The strong pressure of demonstrators who wanted to overthrow Soeharto's power, and
- d. There was betrayal and panic among the elite supporting Soeharto and the destruction of machines supporting Suharto at the pressure of the demonstrators.

The worsening situation in Indonesia in 1997-1998 was caused by the aforementioned reasons, demanding that President Soeharto resign from his power. Massive mobility to overthrow Suharto and his accomplices was carried out by various elements such as civil society, laborers, NGOs, community leaders etc. which was held in various regions. Finally, the big demonstration was directed towards the DPR / MPR building which became the symbol of the people's representatives. As a result of the demonstration, the DPR leadership quickly took a firm stance to resolve and smooth the demands of the demonstrators. On May 20, 1998, the leadership of the DPR, upon a dialogue agreement with the community delegation who packed the building area, issued a threat that they would immediately hold a special session of the MPR if President Soeharto did not immediately resign. Through these threats, Harmoko as the chairman of the MPR also announced a deadline that if by the deadline of Friday 22 May 1998 the president did not declare his resignation, the DPR / MPR leadership would hold a meeting with all factions to discuss the agenda for implementing the MPR Special Session. Due to such a large wave of pressure, on May 21, 1998 at the State Palace, President Soeharto announced that he would resign from his position as president. With President Soeharto's resignation from his position, the constitutionally Vice President BJ Habibie automatically replaces the position of president. The delegation of government power in the hands of BJ Habibie gave rise to pros and cons. The contra groups, namely civil society and students, want a total change such as revoking the mandate given to BJ Habibie, elect a new president and vice president and conduct general elections as soon as possible. Meanwhile, the pro wanted the MPR Special Session to confirm the status of BJ Habibie and discuss the MPR Decree relating to the implementation of the general election. This MPR Special Session produced a very controversial product, in which the Special Session did not revoke MPR Decree No.IV / MPR / 1978 which established President Soeharto as President, then MPR Decree No. VI / MPR1998 appointed BJ Habibie as vice president. The transfer of power to BJ Habibie raised the issue of division among ABRI into two groups, namely the TNI General Wiranto and TNI Lt. Gen. Prabowo Subiyanto. The situation is increasingly leading the new government to take swift action in response to the demands of the demonstrators, With this fact, the government took several actions, including the following: Civil government under the leadership of President BJ Habibie, the policy of civil-military relations tended to be like in the New Order era. although BJ Habibie is a civilian group, basically the president has a very close relationship with the military, even though there are many rumors about the hatred of the military against BJ Habibie. During this transitional period, to show the existence of civilian control over the military, the government still maintained the strategic position of military officers during the Soeharto era. BJ Habibie's success in maintaining good relations with the military lies in how BJ Habibie's attitude toward the military. As a person who was raised politically by Suharto, B. J Habibie learned a lot from his mentor. Although President Soeharto interfered in internal military affairs, it was still carried out in an elegant manner through formal military institutions. During the reign of President BJ Habibie, which was more transitional, was not yet a strong government, because it did not fully control the army as President Soeharto did. This situation opens the opportunity for the re-enactment of Objective Civilian Control (objective civilian control). President BJ Habibie's policy in managing the post-New Order military role was largely left to the ABRI Commander, General TNI Wiranto. Therefore, during the reign of BJ Habibie, there was a relatively open opportunity to make military institutions professional without subjective civilian control.

The fall of the New Order government had an impact on changes in the political system in Indonesia. During the New Order era, the Political Law was considered by political organizations (general election contestants) such as the PPP and PDI to be unfair because they contained more rules that favored the ruling party. Therefore, with the fall of the ruling regime, the euphoria of freedom of association, assembly and expression emerged as an overflow and manifestation of the democratic system which was manipulated during the New Order era. The form of this euphoria was the emergence of a number of new political parties totaling more than 100 parties as a form of citizens' freedom to

participate in politics. Recognizing that Law no. 3 of 1985 regarding Political Parties and Golongan Karya can no longer accommodate the political aspirations of the people, Moreover, with the plan to hold general elections that are democratic, honest and fair, the DPR will immediately discuss the Political Bill. After going through hard work and long and very tough debates and accompanied by student demonstrations from outside the DPR Building, finally the three bills were mutually agreed upon and then formulated into the Political Law, namely:

- a. Law of the Republic of Indonesia Number 2 of 1999 concerning Political Parties which was ratified and promulgated on February 1, 1999
- b. RI Law Number 3 of 1999 concerning General Elections which was ratified and promulgated on February 1, 1999, and
- c. Law of the Republic of Indonesia Number 4 of 1999 concerning the Composition and Position of the MPR, DPR / DPRD which was passed and promulgated on February 1, 1999.

Before the Political Bill was passed into a Political Law, on January 26, 1999 it was mutually agreed upon Government Regulation Number 5 of 1999 concerning Civil Servants who became Members of Political Parties which was subsequently amended again in Government Regulation Number 12 of 1999 concerning Amendments to Government Regulations Number 5 of 1999 concerning Civil Servants who are Members of Political Parties.

During the reign of President BJ Habibie, many important changes took place within ABRI, especially at the level of organizational concepts. As strong as the wave of democracy was formed from the demands of demonstrations, ABRI finally realized that it had to carry out internal reforms as mandated by the MPR Decree No.X / MPR / '98 on the Principles of Development Reform in the Framework of Saving and Normalizing National Life as the State's Direction, especially regarding the agenda. adjusting the implementation of the dual function of the TNI with a new paradigm. Coinciding with ABRI Day, October 5, 1998, the Minister of Defense / Armed Forces General Wiranto issued a book entitled "ABRI XXI Century": Redefinition, Repositioning and Reactualization of ABRI's Role in National Life. Referred to as Redefinition, Repositioning and Reactualization of the role of the TNI are as follows:

- a. Redefinition: ABRI's dual function during the reform era has changed its terminology to the role of ABRI, this is intended to avoid misinterpretation. The term ABRI's role implies the existence of a complete integration of functions so that there is no longer any dichotomous and distinctive role.
- b. Reposition: Reposition is intended as an arrangement of ABRI's position which is placed on the discourse of the life of the nation, which originates and ends with the point of freedom and transparency as the vocabulary of reform.
- c. Reactualization: efforts to restructure the implementation of ABRI's role in the future. It is ABRI's commitment to implement its future role appropriately in accordance with the times and the aspirations of society.

As a realization of the above concept, ABRI began to carry out fundamental change steps which included:

- a. ABRI's political attitudes and views on the new paradigm of ABRI's role in the twentieth century.
- b. ABRI's political attitudes and views on the new paradigm of ABRI's Sospol role.
- c. The separation of the Police from the ABRI body, which was the decision of the ABRI leader starting April 1, 1999, was the initial transformation.
- d. Abolition of the Central Socio-Political Council (Wansospolpus) and the Level I Regional Socio-Political Council (Wansospolda).
- e. Change of Social and Political Staff to become Territorial Staff.
- f. Liquidation of ABRI's Employee Staff (Syawan), ABRI's Kamtibmas and ABRI's Kekaryaan Development Agency (Babinkar).

- g. Abolition of the Kodam socio-politics, the Military Regional Military Command (Kodam) Guidance Body, the Military Command Social Politics and the Military District Command Social Politics
- h. Abolition of ABRI's employment through retirement or status transfer.
- i. Reducing the number of ABRI factions in the DPR.
- j. ABRI will never again become involved in practical politics.
- k. Organizational severance with the Golkar party and an equal distance from all existing political parties.
- l. Commitment and consistency of ABRI neutrality in elections.
- m. A paradigm shift in the relationship between ABRI and the ABRI Family (KBA).
- n. The software revision of various ABRI doctrines was adapted to the reform era and the role of ABRI in the twentieth century.
- o. Change of name ABRI to TNI.
- p. Change of Social and Political Staff to become Social Communication Staff (Komsos).
- q. Dismissal of the National Strategy and Coordination Agency (Bakorstanas) and the Regional Coordination and Strategic Agency (Bakorstanasda).

### 3.2. Government Control Over Post Order Military

When the reformation wave was rolled out by civilians such as students, NGOs, community leaders, etc., the military was the main target. Basically, the movement was directed at bringing down President Soeharto from power, but on its way to also demand that the military carry out internal reforms, especially in the conception of ABRI's dual function which was carried out during the New Order era. The loss of the legitimacy of Suharto's power to the civilian government under President BJ Habibie is expected to establish civilian supremacy which is the guideline for democracy. In the government of president B. J Habibie, the policies pursued to restore the conditions that had occurred during the New Order era were more directed at the management of civil-military relations such as ABRI's internal management and restructuring of the political system as guided by the reformists. The military in the era of BJ Habibie was a legacy from President Soeharto whose political role was only at the doctrinal level and the military was ingrained to submit to and obey Soeharto. So it is not surprising that the new government is supported and welcomed by the military even though it comes from civilian circles. In the administration of President BJ Habibie, there were relatively few policies carried out during this transitional period to demonstrate the existence of civilian control over the military. Maintaining the strategic position of military officials during the New Order era was still carried out by the B government. J Habibie, as if giving confidence in General Wiranto of the TNI to continue to hold the position as Commander of ABRI. In fact, it was clear that Suharto was close to General Wiranto. This gives the impression that the government is just half-hearted in breaking Soeharto's chain of power.

Based on ABRI's explanation of the new paradigm being carried out, it is not related to eliminating the socio-political role, but at the stage of adjusting the socio-political role such as changing the position and method that ABRI does not have to be in front, the conception of occupation becomes influencing and the existence of togetherness in making more constructive state decisions. . If studied comprehensively about ABRI's new paradigm which contains Redefinition, Repositioning and Reactualization, it means that the military is different from the military in the New Order era, if during the New Order era the military placed a central position, then after the New Order the military was willing to give way to related functional agencies. implementation of tasks according to their fields. Then it contains the meaning of influence not as what is meant by intervention but the contribution of constructive thinking, avoiding excessive involvement in fields that are not military expertise and the existence of a more functional division of roles with civilians. As the realization of ABRI's new paradigm by taking steps for internal changes as described earlier, at least reduce access to the application of the doctrine of ABRI's dual function. These changes are viewed positively by civilians, where they prioritize ABRI's territorial function which is more focused on its proper function, namely as a national defense and security apparatus not on socio-political functions anymore. avoid excessive involvement in fields that are not military expertise and the division of roles with civilians that are more functional in nature.

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Demilitarization of bureaucratic positions or in other words the abolition of ABRI's employment policies is intended to realize a systematic and gradual reduction in the number of ABRI employees who are less strategic in departmental and non-departmental institutions. The implementation of ABRI's repositioning with the separation of POLRI from the ABRI body is intended for the professional posture of the military itself, in which POLRI is expected to be able to provide community services and play an active role in the law enforcement process.

These violations occurred in many areas which were claimed to be the basis of the Golkar Party which was the axis of power during the New Order era, while bureaucratic violations were also committed by Civil Servants. Based on the observation that the TNI relatively has carried out or implemented it about the new TNI paradigm. Although there are still violations, what must be realized is the seriousness of the TNI in maintaining the same distance from all political parties participating in the election. During the administration of President BJ Habibie, the TNI has carried out many internal reforms, and has proven its commitment to maintaining neutrality in elections, whether it is a safeguard or impartial nature of any political organization. So it can be said that the elections held on June 7, 1999 were relatively smooth and the creation of an order that was more democratic than before. However, this level of the concept of internal reform is not the end of a change towards a professional military and a favorable climate for democracy. Therefore, after the 1999 elections which resulted in a new President after BJ Habibie, namely Abdurrahman Wahid, the TNI in principle will continue to make changes according to its new paradigm, especially the involvement of the TNI in the dual doctrine of ABRI's function.

During the reign of Abdurrahman Wahid, there was a tendency for a pattern of civil-military relations to lead to civilian supremacy. This fact can be seen because the military legally has returned to its original role as a state instrument that only focuses on the defense sector, is not involved in politics and the current wave of democracy around the world demands a democratic system of government.

The initial steps taken by the Abdurrahman Wahid administration in building a pattern of civilian-military relations were placing civilians in the position of Minister of Defense and placing the position of TNI Commander from the Navy which is always held by the General of the Army. Not only that, the government also supports the Commission to Investigate Human Rights Violations (KPP HAM) to carry out trials for military officers who involved in human rights cases. During the reign of Abdurrahman Wahid, the tendency of civil-military relations based on Samuel P. Huntington's theory was more towards Subjective civilian control (subjective civilian control) where civilian-military relations in this case were carried out by minimizing military power. Civil rights were enlarged and made

the military politicized. This model is a form of disharmony between civilian and military relations, because the military has very limited space for movement. On the other hand, civilian power has become very broad, or in other words maximizing civilian control. The civilians became a force that controlled the military. This can be seen from the reluctance among high-ranking military officers to acknowledge the existence of civilian supremacy which leads to the civil-military dichotomization. These military officers are of the view that civilian supremacy is not a civilian controlling the military, or a military under civilians but that civilian supremacy is a legal supremacy. The relationship in question is the mutual trust between the two parties where the military manages operational matters and internal management that is guided by law. One of the efforts taken to build democracy is to distance military power from political matters, return it to the barracks, and make it a professional instrument of the state. However, in reality, this effort is not something easy. Especially in developing countries, the military displays a strong desire to continue to intervene politically.

The appointment of the TNI Commander from the Navy is a very bold policy. Because for 32 years this position was only controlled by the Army. Therefore, the change in the TNI leadership structure carried out by President Abdurrahman Wahid is a myth buster that has always been filled by the Army. Basically, this policy refers to equality within the TNI, where by law every TNI soldier has the same position in the TNI leadership structure. Not to mention the policy adopted by TNI Commander Wiranto which enforces early retirement for TNI soldiers who serve outside the TNI structure.

Another presidential policy in order to minimize military involvement in politics is to remove the National Stability Consolidation Assistance Coordinating Board (Bakorstanas) and the Special Research Institute (Litsus) through a presidential decree. During the New Order era, this agency was a forum whose task was to store and collect files related to the PKI movement. During the time of President Abdurrahman Wahid, the issue of appointment and dismissal of military officers tended to be under the control of the president. The government really dared to control the military on the grounds of enforcing civilian supremacy. The climax of this civilian supremacy policy was seen when General Wiranto was replaced from the position of Coordinating Minister for Political, Legal and Security Affairs. This was a bold step for the government, at which time General Wiranto was very powerful in the military. In political calculations, these policies can have a bad impact on the wheels of the government and can bring out the nature of military contestation against the government, so that the consequence is one of the reasons or factors for Abdurrahman Wahid's downfall.

Since Abdurrahman Wahid's fall, there have been fears of the weakening of the civilian supremacy that has been pioneered by BJ Habibie's government. The Megawati government does not seem enthusiastic about carrying out military reform, this can be seen from the government's powerlessness to block the military's desire to remain involved in national political circles. The pattern of civil-military relations during Megawati's administration illustrates its weakness in the face of military desires. The development of the military at that time was not demilitarized as a pressure from civilians, although symbolically Megawati was a civilian representative but what she did was more towards remilitarization. If during the reign of Abdurrahman Wahid dared to defy the old tradition that for 32 years the military had dominated, this would not be the case with the Megawati government which maintained more harmony between the two. This fact can be seen from the existence of the War Emergency Law which gave authority to military operations in Aceh in May 2003. Martial law created controversy because at that time the deployment of military forces in a state of emergency was possible without waiting for the permission of the President and DPR. However, during Megawati's administration, the representatives of the TNI and Polri in the representative institutions (MPR / DPR) were eliminated. The positions of Minister, Governor and Regent are no longer from the military circles. The military has returned to life and is no longer playing in national practical politics. Domestic security was assigned to the Police, while the role of the military was limited to being a tool for national defense, with the hope that military domination would not be repeated as in the New Order. The government at that time was not enthusiastic about encouraging the enforcement of military reform for the sake of upholding civilian supremacy. This is because during the reign of Abdurrahman Wahid, there was an opinion that the fall of the government occurred because of the bad relationship between the civilian

government and the military. Therefore, the Megawati government tends to be careful in making policies concerning the existence and interests of the military.

Concerns about the return to domination of the military in Indonesian politics arose when Susilo Bambang Yudhoyono took office as president after winning the 2004 elections. However, this concern was dismissed by the military officer with a figure known as a more moderate military who supported the abolition of ABRI's dual function. The very rapid development of democracy did not give the military a chance to return to its dominant appearance in the national political arena, such as during the New Order era. This development was also supported by the policy of President Susilo Bambang Yudhoyono by appointing Prof. Juwono Sudarsono as Minister of Defense from civilian circles and also on policies regarding the welfare of military soldiers. Civilian control of the military in this government is more towards the ideal form. Civilian supermasi, which is carried out in maintaining a harmonious relationship between civilians and the military, is very much in line with Susilo Bambang Yudhoyono's main thoughts, who tend to be moderate and reformist military who uphold the values of military professionalism.

The government's move at that time in upholding military professionalism was inseparable from the placement of people who had the capacity and capability in a civilian and military understanding. Like Prof. Dr. Juwono Sudarsono as Minister of Defense who was given the mandate to carry out the neutrality of the TNI and systematic control over the procurement of alusitas at the Department of Defense. This action is like an absorption model carried out by the civilian government in increasing military professionalism, where this model of civilian government obtains devotion and loyalty by instilling ideas and political experts into the body of the armed forces. The similarity in political ideas between the two parties that arises will then erase the symptoms of conflict between them. This form of absorption was impressive in maintaining civilian control. In the event of a conflict of interest and political ideas, civilian parties have a higher capacity to carry out investigations and surveillance. The success of this government in limiting the role of the military in politics to the pattern of civil-military relations was due to the objective civilian control approach. The government also avoided further involvement in internal TNI matters. The military at that time had a more moderate character and the government made the military have clear boundaries in the scope of national politics and government. The military strength in Indonesia is currently getting better with proof of achievement by KOPASSUS, namely by being named the number 3 best troop in the world according to the Discovery Channel Military version. So it is undeniable that several reforms carried out in the military sector have had a positive and good impact on the sovereignty of the nation. So that currently the Indonesian military can equal the military forces of other countries. The addition of the TNI alusitas for this can be said to have experienced a significant increase which has been implemented in 2009. During the Susilo Bambang Yudhoyono administration, his cabinet was people who came from civilian circles, as was the case with regional heads. regional heads are also mostly civilians. In replacing the TNI pan, it also appears to be more careful, the government chooses based on its loyalty to the military institution. Although there is a discourse that the government at that time appointed General Moeldoko as TNI commander, deviated from the provisions of the military itself, what should have been the TNI commander was from the Air Force but instead from the Army. However, basically the military itself has a formal procedure to determine who is appropriate and after that there has also been no major upheaval against the stability of the agency.

### **3.3. Post-New Order Civil-Military Relationships**

The existence of the military faction in the People's Representative Council (DPR) raises many questions about the confusion of post-reform democracy enforcement. The provisions for the existence of a military faction in the DPR are contained in Law No. 5 of 1995, in essence, the number of members of the DPR consists of members of political parties and appointed members of the military. The presence of the military in the DPR is clearly a violation of the principles of democracy and the process of upholding civilian supremacy. The 38 seats for the TNI and Polri also clearly violate the principle of justice. The number of 38 seats for the TNI and Polri is not comparable to the number of TNI-Polri,

which ranges from 500 thousand to 600 thousand personnel. If the TNI-Polri are allowed to form a political party and participate in the election, it is relatively certain that they will not get seats in the central DPR. linked to the quota determination system per region. The 38 seats assigned to the DPR-Polri thus did not respect the electoral mechanism. Moreover, these 38 seats imply a message that the price of a TNI-Polri is higher than other citizens. In this situation, the TNI and Polri have argued why they should sit in the DPR, as follows:

- a. As an institution, the TNI-Polri are state instruments, in our safe understanding that in the state there are elements; territory, legal government and the people. The aspects, vision and mission of the TNI are clearly subjectively and objectively perpetuated in the interests of the nation and state. As citizens of the Republic of Indonesia, the individual political rights of members of the TNI-Polri are in accordance with the consensus of the past, present and future, the TNI-Polri and all their members will not use their voting rights in channeling political aspirations in general elections. This does not mean that the TNI-Polri lose their political rights in national life. The TNI-Polri do not exercise their right to vote in elections, with the following considerations: (a). when the state is facing various dynamics of state life which have the potential for national disintegration. In this case the TNI-Polri can cover various interests. (b). Because they did not choose, logically their existence was appointed, because the TNI-Polri were part of the nation's components and could contribute to the nation's development. (c). TNI-Polri as warriors and warriors cannot give up their responsibility for the life of the nation and state.
- b. The presence of the TNI-Polri in the MPR and DPR is part of this effort. TNI-Polri in the MPR together with other components of society to actively participate in determining the formulation of strategic policies and decisions of the state as the direction of national development.
- c. The existence of the TNI-Polri in the DPR does not need to be debated because there is not a single article in the 1945 Constitution that denies their existence in the DPR.

Meanwhile, the reasons why the TNI-Polri are also in the DPRD are as follows:

- a. In accordance with article 18 of the 1945 Constitution, that in the future we will implement regional autonomy, one of which is feared that it will cause disintegration or separation so that it will damage unity and integrity, therefore it is necessary to have the TNI-Polri sit in the DPRD.
- b. The diversity of Indonesian society has not yet functioned as a social glue, therefore it is necessary to have the TNI-Polri in the DPRD to realize the integrity of the nation in order to make reforms a success.

The existence of the military in the people's representative institutions has become a long and unavoidable debate in the reform era towards democracy. Moreover, in the MPR annual session in 2000, where all factions in the DPR agreed that the TNI-Polri would remain in the DPR until 2004 and in the MPR until 2009. This fact has led to pros and cons between civilians and the military. The existence of military members who are still active in the DPR and the MPR shows that civilian politicians are not confident in carrying out the democratic process. Civil politicians still recognize the great strength of the military in practical politics, so it is very necessary for civilian politicians to garner support from the military. Although there are various commercials regarding the existence of the TNI-Polri in the DPR / MPR, However, the facts and the reality of politics through the 2000 annual session, the factions in the DPR agree and want that the TNI-Polri remain in the DPR until 2004 and in the 2009 MPR. The presence of the TNI-Polri in these political institutions, although it is temporary by civilians, is expected The TNI-Polri remain firmly committed to the new paradigm, namely not to play at the practical political level and to maintain their neutrality towards all parties or groups. The neutrality of the TNI in the DPR was seen when President Abdurrahman Wahid issued a Presidential Decree hoping that the military could maintain national instability at that time. However, the TNI and Polri rejected the decree because it did not match the spirit and spirit of the 1945 Constitution. This refusal is considered a good gesture and has proven that the military is not a tool of power for individuals and groups of people. However, in a modern democracy it does not make sense for the military to play a dual role as a means of national

defense and security as well as a national political force. In essence, this dual role only exists in countries that adhere to an authoritative system, such as during the New Order era where there was a conception of the dual function of ABRI. At the end of Megawati's administration there were very significant changes, where the government issued a policy requiring the TNI faction to leave the DPR / MPR and Law No. 34 of 2004 for the sake of the creation of a professional military and to uphold civilian supremacy, the principles of democracy, upholding human rights and the provision of national laws. The existence of a new TNI paradigm, one of which is eliminating employment for members of TNI soldiers through retirement decisions and status experts has been implemented since April 1, 1999. The policy of abolishing ABRI employees is a good step considering the many distortions and creating a monopoly of power and reducing opportunities for non-ABRI or civilians. in civil office. The ABRI leadership at that time, General Wiranto, immediately took steps as the realization of ABRI's employment policies, namely: The policy of abolishing ABRI's employment is a good step considering the many distortions and creating monopolies of power and reducing opportunities for non-ABRI or civilians to hold civilian positions. The ABRI leadership at that time, General Wiranto, immediately took steps as the realization of ABRI's employment policies, namely: The policy of abolishing ABRI's employment is a good step considering the many distortions and creating monopolies of power and reducing opportunities for non-ABRI or civilians to hold civilian positions. The ABRI leadership at that time, General Wiranto, immediately took steps as the realization of ABRI's employment policies, namely:

- a. Reduce systematically and hopefully the number of ABRI employees who are less strategic or career positions in departmental and non-departmental agencies.
- b. The status of non-organic employees, consisting of retired ABRI soldiers, is not retained as ABRI employees. This is because institutionally the retired officers have left ABRI.
- c. Employee placement is in accordance with the urgency, in the sense that it is not only formal legitimacy, but there are benefits.

This policy was welcomed by civilians who had been pressured by the military presence in the bureaucratic institutions that had always been monopolizing. However for the military this is the culmination of their destruction because it is not profitable for them. For military circles who wish to retain their bureaucratic positions, they must retire from their military service, while those who choose to continue working in the military must be prepared to become regular officers without having a structural position. Some of the high ranking officers affected by this policy include Major General Mardiyanto (Governor of Central Java), Major General TNI T. Rizal Nurdin (Governor of North Sumatra), Maj. Gen. Sutiyo (Governor of DKI Jaya), Major General Adang Ruchiatna (Inspector General of the Ministry of Social Affairs), Lt. Gen. TNI AM Hendro Priyono (Minister of Transmigration and Forest Squatter Settlements), as well as Lt. Gen. Yunus Yosfiah (Minister of Information). Most of the officers, in fact, prefer to retire early so that they remain in civil bureaucratic positions. The policy of placing high-ranking military officers in bureaucratic positions occurred during the reign of Abdurrahman Wahid. Although the position of Minister of Defense was given to civilians not to military, the government at that time still placed military officers in civilian positions such as Agung Gumelar as Minister of Transportation and Susilo Bambang Yudhoyono as Minister of Mines and Energy. Another civilian position filled by the military is the position of Minister of State Apparatus Empowerment. Former Governor of Irian Jaya, Rear Admiral Freddy Numberi, was entrusted with this position. Then President Abdurrahman Wahid also appointed the former Indonesian Ambassador to Singapore, TNI Lieutenant General Luhut Binsar Panjaitan as a replacement for the old position of Laksamana Sukardi who was removed due to corruption allegations. The civilian positions occupied by the active military do not last long, because the government has imposed restrictions on practical political activities in accordance with the guidelines regarding the new paradigm and Law No. 34 of 2004 concerning military professionalism. So that military officers must resign or have retired from their military positions in order to be able to pursue a career in practical politics, this is evident from the fact that currently many retired officers are involved in practical politics and join political parties such as Susilo Bambang

Yudhoyono as chairman of a political party. Although in the post-New Order era, the TNI legally stipulated the MPR Decree Number VII / MPR / 2000 that it was neutral in political life and did not involve itself from practical political activities, in reality it has not yet fully done this. The existence of the military in the DPR after the New Order was one example, where there was a dilemma if military personnel were in the DPR. The DPR institution is an institution that cannot be avoided from political activities, this dilemma can be seen from what the military can do in that institution if they are neutral. Meanwhile, if the military in the DPR acts to support or reject a policy, it means that the military has reneged on the commitments previously agreed upon. The high political temperature after the New Order was due to political struggles. However, the military itself, after leaving itself from practical political activities, became very dependent on the leadership of political parties. Likewise, the leadership of political parties also desperately needs the military to get political support. This dependence of the military can also be seen from the appointment of high-ranking military officers who still use political procedures even though the military itself has formal procedures. If during the New Order era, retired military personnel who were members of the Indonesian Armed Forces (Pepabri) and the Armed Forces Family (KBA) tended to be under Golkar, but since the reformation agenda, these retired officers have had the freedom to determine their political rights according to their respective aspirations. The prediction that was so large about the role of retired officers into the Golkar party was not true and most retired officers chose to form a new political party or join a political party that had more promising high positions. The transfer of retired generals (who used to be supporters of Golkar) to other parties shows a sign that the Pepabri and KBA, organizationally and functionally, no longer represent military political interests. KBA and Pepabri as well as other social organizations no longer have certain ties of interest with the military, but rather as a place to accommodate former soldiers or extended military families to convey ideas or foster a sense of kinship among fellow militaries. Civil politicians who still feel the need for support from the military to continue their political steps give important positions in their political parties. This fact makes the process of democratization and internal reform not totally in upholding civil supremacy and tends to be half-hearted. This utilization is a mutually beneficial political agenda for both. The splintering of military political interests was also evident from the many new political parties initiated by the generals such as the Justice and Unity Party, the Democratic Party, the Gerindra Party, the Hanura Party etc. to continue their respective political desires. However, there are always those who use military power for the status quo of their power according to their respective interests.

#### 4. CONCLUSION

During the reign of B. J Habibie, control was exercised over the military, namely: (1). It tends to be elitist because the government is part of the legacy of the new order. (2). Even though the control exercised is like objective civilian control in which the internal military reform process is given more to the military itself, in reality it actually causes the situation to become a redomination of military political power because in the perspective of objective civilian control the military has been given its own military domain so that it does not intervene anymore. in politics, but it should be what happens. (3). Changing the role of military politics in Indonesia is carried out in a gradual manner, such as the process of neutrality in elections, the separation of the TNI-Polri, removing the conception of military employment in the bureaucracy. (4). Removing attachments to an interest group or being close to any political party, and eliminating the dominance of the military faction in the People's Representative Council / People's Consultative Assembly (DPR / MPR). During Megawati's reign, the controls exercised over the military were: (1). By exercising control with a tendentious perspective and leading to a civil-military dichotomization. What needs to be underlined is that civilian control over the military does not mean that civilians control the military, but that civilian institutions place the military under its subordination under the applicable law. (2). Taking advantage of the political power of the military was still felt to be very strong at that time. (3). Leading to the remilitarization of military political power. During the reign of Susilo Bambang Yudhoyono, control was exercised over the military, namely: (1). Tending towards objective civilian control, in which the military is given its own domain in enlarging a

professional military, provides welfare worthy. (2). Government intervention against the military is minimized but in no way diminishes military power but provides certain limited powers necessary to carry out its profession. (3). Although the government had a military background, it did not represent the military but from civilians. (4). With the liberal political system adopted by the government,.

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