

ABSTRAK

Desertasi ini adalah studi tentang politik luar negeri Indonesia dengan fokus kajian pada pergeseran politik luar negeri Indonesia pasca Orde Baru terhadap standar hak asasi manusia (HAM) internasional. Dengan menggunakan perspektif yang berbeda dengan pendekatan *mainstream*, yaitu perspektif Konstruktivisme, kajian ini dimaksudkan untuk menjawab tiga pertanyaan utama yang saling terkait satu sama lainnya. *Pertama*, bagaimana dan mengapa konstruksi Indonesia era Reformasi terhadap berbagai standar HAM internasional berbeda dibandingkan dengan konstruksi Indonesia terhadap hal yang sama di era Orde Lama dan Orde Baru? *Kedua*, sejauhmana pengaruh konstruksi Indonesia di era Reformasi tersebut terhadap kebijakan Indonesia mengenai standar HAM internasional sejak kejatuhan Pemerintah Orde Baru sampai sekarang? *Ketiga*, apa dampak positif kebijakan Indonesia era Reformasi terhadap berbagai standar HAM internasional tersebut pada upaya Indonesia meningkatkan *hard power* dan *soft power elements*, khususnya kepentingan ekonomi, politik, kekuatan pertahanan dan penegakkan HAM dalam negerinya?

Hasil penelitian ini menunjukkan bahwa, berbeda dengan pemerintah era Orde Lama dan Orde Baru yang pada umumnya mengkonstruksikan standar HAM internasional secara negatif, maka pemerintah era Reformasi mengkonstruksikan standar HAM internasional secara lebih positif. Dalam pandangan Pemerintah Indonesia era Reformasi, standar HAM internasional bukan saja tidak bertentangan dengan ideologi dan dasar negara Indonesia seperti tercantum dalam Pancasila dan UUD'45 serta nilai-nilai sosial, budaya dan adat istiadat yang hidup dalam masyarakat Indonesia, akan tetapi bahkan dianggap penting bagi pembangunan Indonesia di segala bidang; sosial, ekonomi dan politik serta keamanan dan perdamaian dalam negeri dan dunia.

Konstruksi positif Indonesia terhadap standar HAM internasional ini telah mempengaruhi secara langsung kebijakan luar negeri Indonesia terhadap standar HAM internasional. Jika sebelumnya Indonesia bersifat pasif, *reluctant* dan bahkan menolak untuk mengadopsi (meratifikasi), maka Indonesia di era Reformasi berubah menjadi lebih akomodatif, aktif dan bahkan proaktif bergabung dengan masyarakat internasional dalam mengadopsi berbagai standar HAM internasional tersebut. Lebih lanjut, Indonesia di era Reformasi juga telah menunjukkan komitmen untuk menjalankan tanggungjawabnya sebagai negara pihak (party state) dari berbagai standar HAM internasional tersebut dengan cara berusaha mengimplementasikan prinsip-prinsip dan nilai-nilai HAM internasional tersebut dalam berbagai bidang kehidupan dalam negeri. Pada akhirnya, kebijakan Indonesia yang pro-HAM tersebut terbukti bukan saja tidak bertentangan dengan nilai-nilai dasar negara Indonesia tetapi juga telah membawa manfaat positif bagi kepentingan pembangunan sosial, ekonomi dan politik nasional Indonesia.

ABSTRACT

This dissertation is a study about the Indonesia's Foreign Policy with a special focus on Indonesia's Foreign Policy towards the international human rights standards in the post New Order era. Unlike most studies in the same area which tended to use mainstream approaches (based on distribution of material power), this essay uses an alternative approach namely Constructivism. There are three main interrelated questions that are going to be answered in this dissertation. *First*, how and why did Indonesia in the era of Reformation construct the international human rights standards differently with the way of Old Order and New Order governments did. *Second*, how far has this "new" construction influenced the Indonesia's Foreign Policy on the international human rights standards in the era of Reformation? *Third*, what are the positive impact of the "new" Indonesia's Foreign Policy on the international human rights standards to the efforts of Indonesia to increase its *hard power* and soft-power elements, especially for economic, political and security interest as well as human rights promotion in Indonesia?

From the research has been conducted, it is known that, unlike the governments in the Old Order and New Order which constructed the international human rights standards negatively, the governments in the era of Reformation constructed international human rights standards positively. While the governments in the era of Old Order and New Order perceived international human rights standards as incompatible with, and even threatened, the Indonesia original value and norms, the government in the era of Reformation saw them in other way round. In the government of Reformation view, the international human rights standards were not only in accordance with the state basic Ideology as can be found in Pancasila and Constitution (UUD'45), but they were even supportive for every aspect of Indonesian national interests such as social, economic, political and security development.

Furthermore, such a positive construction, in turn, has influenced strongly Indonesia foreign policy on the international human rights standards in the era of Reformation. While the governments during New Old and New Order tended to passive, reluctant and even rejected to engage with international community in ratifying international human right standards, the government during Reformation era tended to be more active, accommodative, and even proactive in adopting them, including those are categorized as covenants and conventions with a high legal and political risk such as ICCPR, CERD and CAT. This research also found that the governments in the era of Reformation has tried hard to comply with its responsibility as a party state of the international human rights covenants and conventions. Indonesia has shown its strong efforts to implement human rights norms and principles in every aspects of life in Indonesia. This strong efforts can be seen from many laws has been made and laws enforcements has been taken in relation to the relevant issues by the Governments in the Reformation era. Finally, such Indonesia policy which pro-international human rights standards proved advantageous for Indonesian economic, social, political and security development as well as human rights promotion in Indonesia.