

Revisiting self-determination conflicts in indonesia: an international law perspective / M.Ya'kub Aiyub Kadir

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Abstrak

Indonesia is a former Dutch colony which declared its independence on August 17, 1945. However, it was not internationally recognised until December 27, 1949, when the Netherlands formally transferred the sovereignty of the Dutch East Indies to a new political entity called 'Indonesia' at the Round Table Conference in the Hague. This occasion marked the political union of all diverse kingdoms and regional communities spread over the Indonesian archipelago. This step has been frequently associated with the global spirit of many other countries around the world to gain independence from Western colonisers and with the international principle of self-determination. However, the relationship between the central government in Java and some regional communities has been fluctuating for decades after the independence. This paper examines three conflicts over the rights of self-determination in in three areas in Indonesia by reflecting on the historical background of Indonesia's struggle for self-determination. Besides that, it also seeks to demonstrate the way Indonesia's integrity has been negotiated to accommodate internal and external forces to achieve self-determination from international law perspective. Furthermore, this paper also contributes to the scholarly discussion on the concept of self-determination and the conflicts that it caused in Indonesian context, while also proposing some insights into the efforts to preserve Indonesia's unity and integrity for years to come.

Indonesia adalah sebuah negara bekas jajahan Belanda yang memproklamasikan kemerdekaannya pada tanggal 17 Agustus 1945. Namun, Indonesia baru diakui secara internasional pada tanggal 27 Desember 1949 ketika Belanda secara formal menyerahkan kedaulatan negeri Hindia-Belanda kepada entitas politik baru yang disebut 'Indonesia' di dalam Perundingan Meja Bundar yang diadakan di Den Haag. Peristiwa ini menyatukan secara politis berbagai kerajaan dan komunitas lokal di seantero nusantara. Peristiwa ini pun dianggap sebagai implementasi dari semangat global anti penjajahan asing dalam bingkai hukum self-determination. Namun demikian, hubungan antara pemerintah pusat di Jawa dengan wilayah-wilayah tertentu mengalami dinamika dalam bentuk konflik yang terjadi selama beberapa dekade. Tulisan ini ditujukan untuk mengkaji latar belakang dari tiga konflik yang berhubungan dengan hak selfdetermination dan cara Indonesia bernegosiasi dengan kekuatan-kekuatan self-determination, baik internal maupun eksternal, ditinjau dari sudut pandang hukum internasional. Kajian ini diharapkan dapat menambah pemahaman teoritis tentang konflik terkait self-determination dan upaya penyelesaiannya dalam rangka mempererat persatuan dan integritas bangsa Indonesia di masa yang akan datang.