BUSINESS POLITICAL OLIGARCHY’S INVOLVEMENT AND THE STATE’S ROLE IN EXPORTING LOBSTER SEEDS

Yintrosius Bena
Faculty of Social and Political Science, Universitas Nasional, South Jakarta, DKI Jakarta, Indonesia
yintrosius.bena91@gmail.com

PAPER INFO

ABSTRACT

Background: The monopoly on freight forwarding services, the monopoly on lobster seed export permits, the evidence of corruption cases that indicted Edhy Prabowo, and the involvement of a string of Gerindra public policy party officials in the case are all symptoms of business political oligarch involvement, which can be seen from the extreme forces concentrated into several hands undermining public policy.

Aim: The researcher was interested in the role played by oligarchs and the state in the permitting of the export of lobster seed under President Joko Widodo's administration, as well as the state's capacity to exert control over oligarchs.

Method: This study uses qualitative research with primary and secondary data sources using the interview method. This thesis is based on an analysis of the theory of the state and power, public policy and oligarchy.

Findings: The extreme pressures concentrated into a few hands corrupting public policy can be observed as the involvement of business and political oligarchs in the case of lobster seed export approvals. Oligarchs are affected if money power creates a beneficial distortion for the select few who utilize their wealth to get results. Additionally, if everything is settled and paid for with money, oligarchy power is being displayed.

KEYWORDS: oligarchy, business politics, lobster seed export

INTRODUCTION

The distribution of lobsters in Indonesia is spread in the waters of West Sumatra, South Sumatra, East Sumatra, North and South Java, Bali, Nusa Tenggara, Malacca Strait, East Kalimantan, West Kalimantan, South Kalimantan, South Sulawesi, North Sulawesi, Papua, Arafuru Sea, and Maluku. Lobster management in Indonesia is regulated by the Regulation of the Minister of Marine Affairs and Fisheries (PERMEN KP). According to the IUCN (International Union for Conservation of Nature or international institutions for nature conservation), currently lobsters are declared still in the low risk category or least concern based on extinction risk criteria (Direktorat Jenderal Pengelolaan Ruang Laut, 2018).

Lobster is one of the important economic commodities both as local consumption and export. The level of demand for lobster continues to increase very high for both the domestic and export markets. Fulfillment of high market demand, encouraging an increase in lobster fishing efforts from nature (Pratiwi, 2018). The cause of the flexibility to buy and sell marine products provides an opportunity to be able to abuse actions by committing a criminal act of smuggling lobster seeds exported abroad.

This commodity needs to be further developed because its trading value and potential are quite high. The demand for lobsters is always increasing sharply every year as indicated by the FOA (Food and Agriculture Organization) or the Food and Agriculture Organization that a
lobster’s price is considered a sure sign of the increasing demand in the international market. It is expected that this trend will continue even more strongly as the pandemic subsides. The increase in the domestic market and exports has caused the capture of lobster commodities to intensify (Globelfish, 2021).

During the first term of President Joko Widodo’s administration, the former Minister of Maritime Affairs and Fisheries, Susi Pudjiastuti, once banned the export of lobster seeds through the Ministerial Regulation of the MPA Number 56 of 2016. The enactment of a ban on the trade of lobster fry measuring less than 200 grams abroad. Minister Susi Pudjiastuti expressed his concern if lobster seed exports are still enforced, because there are still many fishermen who depend on being seed seekers, even though marine resources are not only from lobster seeds. The policy on lobster seed exports is a strange thing, because only Indonesia allows the export of lobster seeds, where several countries such as Australia, the Philippines, Cuba to Sri Lanka do not open lobster seed exports (Fernandus et al., 2021).

Along the way, in May 2017 the Indonesian National Police in collaboration with the KKP succeeded in smuggling 65,000 lobster seeds worth billions of rupiah. In July 2017 the Government tried to suppress the increase in lobster seed smuggling rates by encouraging the agricultural sector. The Indonesian government is trying to limit the increase in lobster spawn smuggling by encouraging marine cultivation. For the first half of 2017, the value of lobster seedlings smuggled is estimated at Rp 158 billion (11 million USD). This figure represents an increase of 120 percent compared to the first half of 2016. The government is pushing to switch to aquaculture rather than catching lobster fry in open water which is prohibited.

During his time at the helm of the Ministry of Maritime Affairs and Fisheries (MPA), Minister Pudjiastuti has introduced a series of bold reforms that have elicited contrasting responses from various audiences. After banning the practice of trawling, President Joko Widodo received a number of rejections from political supporters and fishing groups who asked about the ban imposed by the government. President Joko Widodo called for greater investment in aquaculture in lieu of production lost due to trawl bans and a ban on juvenile lobster fishing. At the same time, fishing operators and politicians who suffered losses due to this policy in some cases protested aggressively the implementation of the policy (David And Lucile Packard Foundation, 2018).

Contrary to Susi, during the second term of President Joko Widodo’s administration, Edhy Prabowo as Minister of KKP reopened the export faucet and lifted the export ban through KKP Ministerial Regulation Number 12 of 2020. The Directorate General of Customs and Excise (DJBC) recorded that the total export value of lobster seeds reached 74.28 million US dollars or equivalent to Rp. 1.04 trillion from as many as 42 million fry. Edhy Prabowo views that the re-enactment of seed exports will be able to benefit Indonesia, because 80% of lobster seed imports in Vietnam come from Indonesia, but are sent by Singapore (Fernandus et al., 2021).

Former Minister of Maritime Affairs and Fisheries Edhy Prabowo is said to have deliberately created a special cargo company to monopolize the export of Lobster Seeds. Edhy Prabowo has been named as a suspect in a bribery case related to a lobster seed export permit. Based on the KPK report, Edhy Prabowo accepted bribes from the Director of PT Dua Putra Perkasa Pratama, Suharjito to be designated as an exportir lobster seeds through a forwarder, PT Aero Citra Kargo (PT ACK) which is the only lobster seed export forwarder appointed by Edhy Prabowo at a rate of Rp.1,800 per seed. Interested companies then transferred money to
PT ACK with a total of Rp.9.8 billion. It was the money that was strongly suspected of being used as a bribe for Edhy Prabowo. Based on the KPK's findings, Edhy Prabowo received IDR 3.4 billion from PT ACK along with USD 100 thousand or equivalent to IDR 1.41 billion from Suharjito. Thus, the total he received was IDR 4.8 billion (KIARA, 2020).

Politics and business have a pattern of interrelated relationships. Like mutual relations between individuals, political activity should be able to support business activities within a state sphere. The same happens with businesses that can support political activities to defend the sovereignty of the State. No wonder, business people are very close to the world of politics, even some of them are also political figures who are very well known by the public (Caporaso & Levine, 2008).

For businessmen, political parties are seen as a means of business for their benefit and for administrators, political parties doing business are seen as encouraging party independence. Political parties become unnecessarily looking at public budgets or abusing the power they have in parliament or the bureaucracy to dredge up profits for the cash of political parties.

Research from Anggraini and Dewi (2021) states that what Edhy Prabowo did was contrary to his vision in the MPA, namely sustainable fisheries development (sustainability) and welfare. The two should go hand in hand. The involvement of stakeholders as policy implementers can minimize the misuse of rules made for the benefit of several people.

On another occasion, Fernandus et al. (2021) discovered the fact that even though diplomacy planning of Indonesia's cooperation with Vietnam related to the natural resources of lobster seedlings is aimed at improving relations with Vietnam, strengthening Indonesia's position in the relationship, and bringing benefits to Indonesia from profits in the international market, but the threats that arise in diplomatic activities also need to be considered.

Another study with a discussion similar to this study is the study conducted by Jesika et al. (2020). The research revealed that the criminal act of smuggling lobster seeds in Lampung Province occurred due to the high need for lobsters from various countries while in Lampung waters it has sufficient lobster potential, low public awareness of environmental impacts, the provision of criminal sanctions to perpetrators has not provided education, and supervision in the border areas of the waters is not carried out optimally.

From the various studies that have been mentioned, researchers are interested in one gap that is not discussed. The gap is that all focuses on specific regulations related to the issues raised but no one discusses how the case is viewed from the lens of oligarchy and business politics although previously researchers implied that both aspects had a significant role to play in the case of lobster seed export licensing.

Based on the background above, the author feels the need to discuss the involvement of business political oligarchs and the role of the state in the case of lobster seed exports, specifically during the reign of President Joko Widodo which is a very important thing to research. With this research, the researcher wants to know the involvement of oligarchs and the role of the state in the case of lobster seed export permits during the reign of President Joko Widodo, as well as the state's ability to control oligarchs in the case.
METHOD

In this study, the author used qualitative approach. Researchers emphasize notes with detailed, complete, in-depth sentence descriptions that describe the actual situation to support the presentation of the data.

Researchers chose to conduct interviews with several interviewees to explore primary data. The speakers were MAA (Advocacy of the People's Coalition for Fisheries Justice / KIARA), RG (Indonesian academics and public intellectuals), and ARW (Gerindra). As for secondary data, researchers used recordings from Mata Najwa containing interviews with Fahri Hamzah and Tama S. Langkun (Indonesia Corruption Watch/ICW).

RESULTS AND DISCUSSION

Involvement of Business Political Oligarchs in the Case of Lobster Seed Export Permits During the Reign of President Joko Widodo

The picture of the involvement of business political oligarchs in the case of lobster seed export permits can be seen from the extreme forces concentrated into several hands subverting the rule of law or also public policy. Oligarchs stand in the way of forming the rule of law (public policy) when their personal power is sufficient to bend and influence the legal system in favor of the oligarchy (Jeffrey, 2021). Oligarchs have an appreciation of power done in a bad way, the bad way of power is only used for personal or group interests only (Wibisono & Djumadin, 2020).

Involvement of Business Political Oligarchy

Corruption cases in the form of bribes for licensing ponds or other similar water commodities that happened to Edhy Prabowo, former Minister of Maritime Affairs and Fisheries in 2019-2020. In its indictment, the KPK alleged that the Deputy Chairman of the Gerindra Party had received gifts or promises related to the licensing of ponds, businesses and/or management of fisheries or other similar aquatic commodities, one of which was related to the export of lobster seeds. Edhy Prabowo allegedly received Rp 1,800/head of lobster fry involving PT Dua Dutra Perkasa (DPP) and PT Aero Citra Kargo (ACK). PT DPP is alleged to have transferred a sum of money to PT ACK's account amounting to Rp 731.57 million and has made as many as 10 shipments so that if totaled, it is IDR 9.8 billion. Of the many billions, it is known that IDR 3.4 billion is personally intended for Edhy Prabowo and his wife (Pratiwi, 2018).

In an interview with Rocky Gerung regarding the response to the involvement of oligarchs in the lobster seed export permit case, Rocky Gerung also said that "What is clearly visible is corruption, due to the fact that someone was arrested. All corruption is interplay power (the power of mutual influence) behind it, interplay power can be interpreted as a snob between 2 (two) or 3 (three) people in power or behind that there is a regime that allows interplay to occur and that oligarchy is a regime that allows interplay. Behind the event there is a power game because corruption always ignores the surplus of power, behind the surplus of power there is an oligarchy. I argue that behind that there is an oligarchy because the theory to explain corruption is only the most methodological, namely through the oligarchy explained by Vedi R. Hadiz, and Prof. Winters. So, that's one breath which is corruption, power games, and oligarchy" (Bena, 2022c).
Support between oligarchs and elites for stronger laws and institutions would make corruption a high-risk game not universal. All these power resources are only one that defines a group called an oligarchy, the study of oligarchy is an investigation of what material power is, how that power functions and has an impact within a political system. Oligarchs reflect capacity and do not reflect their activities, using money to defend their position and status, can act as individuals or in groups (Jeffrey, 2021).

According to the author, if money power makes a favorable distortion for the few people who use their money to get the result that is the case of oligarchs. If all is closed and cleared up with money so that there is no action it is an expression of oligarchy power. One of the reasons why an Edhy Prabowo can become a victim is that the material power possessed is very lacking. Edhy Prabowo cannot pay, he doesn't have bullets to threaten anyone, but there are other figures who don't seem to be involved.

In describing the involvement of the oligarchy, Rocky Gerung said "We can see the symptoms of the oligarchy that can be explained, if I say the A oligarchy, the B oligarchy, I must have access to prove that, but that access is closed. So, his methodological question regarding the role of oligarchs is a symptom of who did that and who should prove that. Just like the case of Ubedillah Badrun, Ubedillah explained the structure of the oligarchy, and then people told him to explain which person he was, if he had to explain the person, he had to have access to dismantle the person's body and that was impossible. So, that's the methodological limit of oligarchic theory" (Bena, 2022c).

The methodological limits to describe the involvement of oligarchs in the lobster seed export permit case are seen from the oligarchic symptoms seen in the lobster seed export permit case are the monopoly on lobster seed export permits, the freight forwarding services monopoly in lobster seed export permits, and the evidence of corruption cases that indicted Edhy Prabowo as well as the involvement of a row of Gerindra party people in the position of lobster seed export company.

The same is also supported by the opinion of the Executive Director of the Center for Social Political Economic and Law Studies Ubedilah Badrun in a discussion mentioning the Gerindra people who do business and get projects from the MPA as a lobster seed export company, of course also enter as a problem of political oligarchy and economic oligarchy. While being ministers, they use it to find financial resources, because they come from the same party between politicians who become ministers and those who become businessmen. Actually, it can be ensnared by the KPK if the procedure is not standard (Murpratomo, 2020).

Public policy in the form of a Ministerial Regulation (PERMEN) is meso or medium in nature. Policy formulation is an effort by the government to intervene in public life to find problem solving. The Minister has the authoritative authority to issue a PERMEN. In elite model theory, in addition to society there is a small group or several people who rule is not a typical representative of the governed masses. Policy flows from the will of the elite through the officials and administrators who carry out the policy with the target of the people. The people are many the objects of the desires of the elite. Public policy is not reflecting on the demands of society in general, but rather highlighting the values of the interests of a group of people in power (elite). Changes in public policy are more incremental than revolutionary (Arifin, 2018).
Deputy Secretary General of the Great Indonesia Movement Party (Gerindra) Andy Rahmad Wijawa expressed his opinion in an interview regarding the picture of power and monopoly in lobster seed export permits that "The Minister has the authority to grant lobster seed export permits, it's just that this authority caused controversy that occurred at that time. The cargo used is single, and there are some people who have started to complain about why it was made single as if it were a monopoly, but that is again the minister of maritime affairs and fisheries (MPA) has the authority to grant lobster seed export permits with all sorts of pros and cons, however Edhy Prabowo was then authorized. The Minister is his realm of making public policy, this public policy he must give decisions of every policy that has an effect on the public. Indeed, there is a subjectivity of the minister to determine exporters, according to Andy Rahmad Wijawa, the overly subjective authority is called oligarchy. So, the oligarchy is the circulation of power which in the circle is what is called an oligarchy". Andy Rahmad Wijawa also saw some exporters connected to his circle minister Edhy Prabowo, but there were also genuine professionals in the case of lobster seed export permits (Bena, 2022a).

In the oligarchy, those who hold money are still very powerful, money becomes the fuel of political bribes. There is a close link between the company's business and oligarchs. Illegality or corruption always occurs and companies or figures who want to get a huge profit or profit will always try to get something that is at a low price or violates existing regulations. So everyone in the business is always looking for or will often look for any way to make a profit. Indeed, most try to be on the path of legality because they don't want there to be consequences. If it is beyond the limits of legality, the capacity or power of the oligarch appears in the form of no action.

In a Trans7 national media interview at the Mata Najwa event, Fahri Hamzah as one of the lobster seed exporters who also serves as the deputy chairman of the Gelora Party gave his statement about the licensing process of lobster seed export permit companies, namely "There are indeed 30 checklists assessed by the government from the administration. So, for example, before we apply for a permit, we must have a foster fisherman who is categorized in two categories of fishermen catchers and aquaculture fishermen are two types of jobs that are not easy actually. Then we have to sign an MoU with them because including permen KP Number 12 of 2020 which requires that we buy from fishermen above Rp5,000, especially for lobster seeds, to protect so that fishermen can get a good price and indeed this policy if Fahri Hamzah's experience comes down to the spaciousness of all fishermen it is a party and happy with this policy because this immediately gives them life" (Mata Najwa, 2022).

"So the order is the administration or collection of documents, namely starting in April and then May 2020 while taking care of permits and then verifying the entire administration of the spaciousness to check whether fishermen do exist or not, where the office is the cooperative, where our office is for shelter and then then quarantine permits and so on in detail until then field verification comes down his team is from Jakarta to check until approximately the permit is out in July 2020" (Mata Najwa, 2022).

"So the first export shipment on July 16, 2020, I monitored the price and it was a loss, "I forgot the price details at that time, because I am not the President Director, I am the Commissioner. Then the second one is about 180-200 million I said that I have stopped this, there must be a problem of governance methods, since then (July, August, September, October, November 2020) there has been no operation because in my opinion, if it is continued, it is not
strong, from which our money is walling maybe there are also those who just fight until the last until whoever wins wins by himself, the one who died, yes, just died, like I've died this”. "The process was transparent, the meeting was open because it was a Covid-91 protocol at that time but, he used open Zoom, I think from the security side it was well executed from the beginning" (Mata Najwa, 2022).

This was then refuted by the Indonesia Corruption Watch (ICW) Tama S Langkun who said, “We have not yet obtained in detail how the stages are. But then what we want to try to see when there are for example the names of politicians then also the business is average new but it's a permit that has come out even though in terms of requirements there are many that are met or other editions there are entrepreneurs whose fields have fulfilled and so on but out the permits that we want to underline are from the company because we know the term whose name is beneficial ownership”. Who gets the benefits and when it comes to decisions then, we have to clear first that this exists or is not involved with a conflict of interest”.

It can be seen that the accumulation of short-term short-term political and economic benefits outside the formal regulatory framework is the main objective of transactions through the informal market. In this context, each party will maximize the resources they have to be traded in an informal market. The modus operandi or mechanism of work of the informal market and shadow state through manipulating public policy and through a network of alliances between personal individual alliances as well as alliances between institutional alliances actors involved in informal markets and shadow states are state organizers state actors and actors in society societal actors (LIPI, 2010).

Muhamad Afif described an example of Fahri Hamzah's involvement in the lobster seed export permit case, namely "From this case, it is actually a little vague. We do not then justify for example here there is Fahri Hamzah. Fahri Hamzah was found in the case and the name of the company he was registered but not then in general there was any involvement of the business political oligarchy. Interms of the oligarchy of the business chain, there are actually other actors who have relationships but not political relations. In the general public’s view, Fahri Hamzah is involved but we also cannot justify whether or not to be involved. Only one company that controls namely PT. This ACK later became a monopoly" (Bena, 2022b).

"The People's Coalition for Fisheries Justice (KIARA) found one critical question that has never been published or not in some media aboutthe old erapa of lobster farming that can then be exported, jadi if we say when to catch then be cultivated and when to export. Meanwhile, it was carried out quickly to issue PERMEN 58 of 2020, issued by the company, issued a direct recommendation permit there was an export that did not last for one year, only for six months. It is known that the policy process is technically for 18-24 months. In the Minister Of Environment and Forestry (KKP) Regulation number 12 of 2020, exporters must carry out two conditions as follows, namely (1) repair both by means and activities, (2) releasing cultivated products by 2%. We see from the birth of permen KKP number 12 of 2020, then the emergence of companies izin export recommendations, then the practice of the occurrence of exporter findings does not happen as it should as stated in PERMEN 58 of 2020 or with scientific standard knowledge where cultivation must take place must occur like that, according to friends in Lombok, it takes time 8-10 months to produce ready-to-market lobsters. Conto the fact that we don't do cultivation means there is no automatic sustainability he has to do the enlargement
of the lobster seeds and then he can release it if he has done the practice it is legal for him to export” (Bena, 2022b).

In looking at the discrepancy from the facts of the findings of KIARA (People's Coalition for Fisheries Justice), it can be explained that with respect to the practical nature that exists in the policy implementation process, it is natural that this implementation is related to the political and administrative process. This is because it is related to the objectives of holding policies (policy goals). When viewed from the context of policy implementation, this will be related to the power, interests and strategies of policy actors, in addition to the characteristics of institutions and regimes as well as permits for implementation and response to policies. Thus, the context of the implementation of the new policy will be seen after the policy is implemented. This shows that the process of implementing policy implementation is one of the important stages and momentum in the subsequent policy formulation process, because the success or failure of a policy in achieving its objectives is determined in its implementation (Arifin, 2018).

**Political Party Engagement Relationship**

Relationship bonding is based on the relationship of mutually utilizing and expressing common interests. Between the blater strongmen and the party oligarchy a pattern of patron-client relations was created (Wibisono & Djumadin, 2020). Normatively, the party was formed as a forum for every cadre to take part. However, in the real context of politics, especially when it comes to power games, the world of parties is a world of elites with an autocratic disposition. Even parties that claim to be democratic socialists will soon be caught up in a pattern of oligarchic organization. In this country some parties have even been plagued by acute elitism, characterized by an almost total dependence on figures. This context relates to the fact that it was found that some people from Political Parties occupied positions in the involvement of lobster seed export permits (Michels, 1984).

In an interview with Muhammad Afif as Deputy Advocacy of KIARA (People's Coalition for Fisheries Justice), mentioned the names of business political oligarchs who were known to have been involved in the lobster seed export permit case during the reign of President Joko Widodo, namely the president director of Agro Industri Nasional, Rauf Purnama who was active in the gerindra party, Commisionary Sugiono who is active in the Gerindra party, the President Commissioner is Wahyu Trenggono who currently serves as minister of maritime affairs and Perikanan. PT Alam Laut Agung Surya AD, Akuatik Lautan Rejeki. Marabeka Karya Semesta, namely Iwan Darmawan Aras, is active as a Member of the House of Representatives Fraction Gerindra, Fahri Hamzah, Royal Samudra Nusantara’s representative, Ahmad Bahtiar, is active in Gerindra. Bima Sakti Nusantara’s representative Hashim Djojohadikusumo who is Prabowo and Rahayu Saraswati Djojohadikusumo’s younger brother who is active in the Gerindra (Bena, 2022b).

The involvement of the politicians behind the lobster seed export company is an irony of public policy that should have been directed to the greatest prosperity of fishermen, now to the greatest extent the prosperity of businessmen and politicians. This is evidenced by the presence of politicians involved behind the lobster seed export permit company by the Press Release of the People's Coalition for Fisheries Justice (KIARA) (Siaran Pers Koalisi Rakyat untuk Keadilan Perikanan (KIARA), 2020).
These politicians include the top brass of the Gerindra party, namely Hashim Djojohadikusumo, Rahayu Saraswati Djojohadikusumo, Iwan Darmawan Aras, Sugiono, Sudaryono, Rauf Purnama, Dirgayuza Setiawan, Hariyadi Mahardika, and Simon Aloysius Mantiri. This politician is involved in the companies PT Bima Sakti Mutiara and PT Agro Industri Nasional (Siaran Pers Koalisi Rakyat untuk Keadilan Perikanan (KIARA), 2020).

Fahri Hamzah, a former politician of the Prosperous Justice Party (PKS) who is currently a senior official of the Gelora Party, joined PT Nusa Tenggara Budidaya. As for Eka Sastra, a Member of the Industrial Commission of the House of Representatives 2019-2024 Golkar politicians are engaged in PT Agro Industri Nasional. Sakti Wahyu Trenggono as deputy minister of defense is engaged in PT Agro Industri Nasional. As well as Eko Djalmo Asmadi as the Former Director General of Supervision of SDKP KKP who is also engaged in the same company. Fishermen became victims of exploitation only, but businessmen and politicians remained the first actors to beneficiaries of this policy (Bena, 2022b).

In his interview Muhammad Afif gave a response regarding the picture of the involvement of political parties in the export permit of lobster seeds "If we actorize we know, but in terms of political party affiliation it is difficult to identify because we sort this name not because of the party but listed in a company, so it is a bit difficult if we justify one political party in this case. There was no involvement of any particular political party but more of the political power of the ministryerian at that time was held by Edhy Prabowo who we know he was one of the DPP of Partai Gerindra yang later served as a minister. However, in our case, we are not justifying that it is the party that plays fully inside, because we are talking about the body of government as a whole through the MPA. If we're talking oligarchs in the business chain, it could actually be that there are other actors who have relationships but, not political relations" (Bena, 2022b).

Politicians also need the role of business people in their political activities. The political party they belong to needs funds to carry out the activities of the political party. Political actors need business people or vice versa. The representation of political actors is a political party. A political party is a non-profit organization but a party needs money or funds to move the wheels of its organization (Situmorang, 2009).

In fact, gerindra party officials denied this in an interview with Andy Rahmad Wijawa Wasekjend of gerindra party revealed that "If the party institutionally has no involvement, if it is involved, the party is officially in business, but there is none. Maybe it's political parties because it's something different. So political parties don't do business but the people who do business. If there are many people involved, as far as I know, there are also from PDIP not from the exporter but there is a special staff of Edhy Prabowo who is from the PDIP and Gerindra. From the Gerindra side, if the lobster seed export permit is not a problem, the problem is that the minister is from Gerindra, Minister Edhy Prabowo has resigned from the Gerindra party, maybe if Edhy Prabowo does not resign, it may be expelled from the Gerindra party itself" (Bena, 2022a).

The company as a business organization cannot run on its own. The company is still and will always depend on many parties. The company needs the role of the Government as an institution that has the authority to make regulations related to business. In terms of the export-import business, the regulations made by the Government should not hinder companies carrying out export-import activities. However, in this case, the statement from the gerindra
party officials gave firmness regarding the absence of party involvement in the lobster seed export permit case, but only as an individual in the company's relationship as a businessman (Bena, 2022a).

The Role of the State in Lobster Seed Export Permits

An Overview of the Role of the State

The state made great efforts to force the oligarchy and its elites to submit to the rule of law and public policy. After a very strong start, the competition between the law and the most powerful actors in Indonesia has changed decisively for the sake of the strong by referring to the KPK. The fundamental interrelationship between the rule of law and the power of the person is analyzed in two important elements that are that the first part is to clearly define the policies that allow to say whether the rule of law and policy exist and what are the main obstacles that stand in the way (Jeffrey, 2021).

In an interview through the national media Trans 7 at the Mata Najwa event, Dedi Mulyadi gave a statement about the lobster seed export permit policy related to his role as deputy chairman of Commission 4 of the House of Representatives of the Republic of Indonesia in charge of the marine sector. Dedi Mulyani revealed that "From the beginning I did not agree that I would no longer question who the winner is, who is the manager, who is the advantage because for me whatever is done is detrimental to the country whatever is done even though it is official and according to procedures" (Mata Najwa, 2022).

"It is actually the first that the export of lobster seeds is to suppress smuggling. According to Dedi Mulyani, there are two smugglings, namely informal smuggling (which is culturally common) and formal smuggling as carried out by companies. Dedi Mulyani saw that at that time a logical space had been created, an administrative space, a space that had a strong legal basis because of the pride, so commission IV with the government of the Ministry of Maritime Affairs at that time agreed to revoke his permit" (Mata Najwa, 2022).

The second element is to understand how the policy is enforced. These two dimensions require an emphasis on power much more general in political science than in the field of law. At the surface level, Indonesia's experience with the Corruption Eradication Commission (KPK) is only about corruption. However, on a deeper level, this is a battle to tame the oligarchy, it's a contest of power with important consequences for the rule of law in Indonesia, and a fight that is currently won by the most powerful actors (Mata Najwa, 2022).

In an interview with Andy Rahmad revealed that: "The role of the state in the export permit of lobster seeds must be seen from the minister, minister Edhy Prabowo has a role because he represents the country, opening the tap of the lobster seed export permit. Others regarding the role of the state, such as the KPK which arrested The Minister of Marine Affairs and Fisheries Edhy Prabowo for abuse of authority, this is the role of the state as well. Because there was an unconstitutional act so the team in that form carried out the assessment there was gratification, the role of the state as well, because the KPK is a firm of the state. The minister tried to make a policy but it turned out to be misused by business, smelling of money and finally the organs of the state also came down to clean up" (Bena, 2022a).

The KPK was created to focus on corruption by officials, which is only part of all violations of power at the top involving wealth. From the very beginning, imposing legal constraints on Indonesian oligarchs and elites was an uphill battle. And the ongoing design,
scope and struggle facing the KPK reflect the confrontation of the titanic forces (business political oligarchy) involved. If the KPK cannot become a broader instrument of transformation in the legal system (which is the power game), or if the centers of power in the system do not encourage changes in other areas of the law apparatus, then the isolation of the KPK will become a formula for failure (Bena, 2022a).

Rocky Gerung revealed: "There is no role of the state in controlling the export permits of lobster seeds, it is the activity of a person who has political power whose name is the minister, it is different if it is state policy. So, normatively the state is not involved but in a system whose information is crypto adblock (blocking information and digital transactions) we must draw conclusions whether the country is involved or not. Stating to be involved means that the policy is actually sponsored by the first factor is the result of a trade-in of power. The minister of fisheries at that time was the result of a transaction not someone who was appointed because of his technocracy. So if he's technocratic then we assume he decided it based on technocratic expertise, but because he's a political appointee. And so, it's a policy caused by his surplus of power as a political appointee minister (Bena, 2022c).

Political appointee can be said to be when the Minister should show wiseness in a presidential system of government when filling political-strategic positions and is considered quite qualified in his field and the filling is carried out through direct appointment by the president as an effective presidential government implementation strategy after he is intensively involved in the election campaign period and becomes part of the drafting team for the presidential candidate winning program based on expertise in the field. Appointments and appointments to political-strategic posts such as ministers in government are reasonable.

**State Perpetuates Oligarchy**

According to Winters, after the end of the 1998 New Order in Indonesia the oligarchy remained but changed shape. In the New Order era, what happened was the "Sultanistic Oligarchy" or oligarchy with a monopoly on the means of coercion lies in one person, namely Suharto. The relationship between the oligarchs is patron-client to the ruling oligarchy. Authority and violence are controlled only by the main rulers, while other oligarchs depend on the defense of their wealth and property on the single oligarchy (Ma’mun & Kosandi, 2020).

In the reform period, the oligarchy changed to the "Collective Ruling Oligarchy" that is, the oligarchy that rules collectively ruled through institutions that had norms and rules of the game. In this collective ruling oligarchy the oligarchs work together to maintain their wealth and rule a community. In the author's observation, there was a reorganization of business actors during the New Order era, where business people did not die after the monetary crisis and reforms occurred in 1998, but transformed with the current political situation to continue to control economic resources (Ma’mun & Kosandi, 2020).

Economic power during the New Order period, called oligarchy, persisted after the New Order regime collapsed. In fact, they remained a major business force in the reform period (Solihah, 2016). Thus, the economic strength remains the same. However, they were then forced to follow a pattern that required them to move in an arena of political attraction that was different from the New Order regime. The situation is related to the pattern of institutional change after the reform (Solihah, 2016).
The involvement of economic forces (business people) also directly or indirectly (through deregulation), is still the most profitable because it is the most powerful economic force. Therefore, when the arrangements (regulations) were released in the market with the existence of democratization, they had taken control of the market (Solihah, 2016).

The study of business and political networks in the history of the New Order’s power stage shows us a reality of conspiracy between state actors and market actors. It is built by utilizing the institutions of power, regulation, and patronage relationship patterns to accumulate economic and political resources (Muhammad, 2016).

In an interview about opinions related to the state that perpetuated power over political-business oligarchs during the reign of President Joko Widodo, especially in the case of lobster seed export permits, Andy Rahmad Wijawa gave the opinion "Indeed, public policies will definitely have a good negative and positive impact on business, too. It will inevitably bring up conjectures from the political side, and from the other side many as well. The state has not tended to perpetuate its power against the oligarchy of politico-bussnise but rather there are people who take advantage of it, so that policy exists that nebeng harnesses for pragmatic gain. This policy that the state does can be ridden by the oligarchy of politico-bussnise. It's something happens a lot in all countries" (Bena, 2022a).

In contrast to Andy Rahmad Wijawa, Muhammad Afif as KIARA’s Deputy Advocacy said "The state perpetuates politically cannot be eradicated, but if it is a global context, this could be what we know as a free market. If we enter this sector of the economy which is called an economic clue, artinya is given the ease of investment to exploit natural resources. Hence, in terms of defacto, it actually enters the free market. However, if we are talking about liberals that the power or power of a country is seen from how the power of the market is. It is possible that when viewed in the context of this fishery he tried to imitate that power. In the fisheries economy, there are so many factors that we cannot call one by one that are actually in the context of commodities regardless of the many players" (Bena, 2022b).

Based on the results of the interview above regarding the country that perpetuated power over the political-business oligarchy during the reign of President Joko Widodo, the author can conclude that in this case there are allegations from the political side that tend to perpetuate its power over the activities of business political oligarchs who in fact benefit pragmatically through the influence of policies ridden by business political oligarchs. This is in accordance with the reality of the same conditions carried out in many cases during the reform period, in which the collective ruling oligarchy through institutions that have the norms/rules of the game work together to maintain wealth between state actors and economics (business politics) because it utilizes institutions of power, regulation, public policy, and patronage patterns in accumulating economic and political resources.

**The State’s Ability to Control Oligarchy Involvement in the Lobster Seed Export Permit Case**

The emergence of oligarchy in Indonesia along with the growth and expansion of market capitalism during the New Order was seen as the product of the struggle for the accumulation of personal and corporate wealth and the way of controlling state institutions and authorities (Jeffrey, 2021). The study of state relations (politics) and capital (business) in Indonesia has
been divided into two polarized points of view at the state-center and the society-center (Djani & Saputro, 2011).

The state-centric pole views that the state is the dominant component that controls the relations of rulers (politics) and entrepreneurs (businesses). While the pole centered on society is of the view that the power of community groups, including business association groups, has influence and controls that relationship. Business groups with financial strength are able to dictate and determine government policies (Djani & Saputro, 2011).

It has been vividly described by Richard Robison in the scientific magazine Prisma Volume 32 of 2013 written by Luky Djani and Putut Aryo about the pattern of relations that existed between the New Order regime and the conglomerates. Richard Robison pointed out that most of the business columns that grow in Indonesia are not capitalists independent. They are the family, relatives, or associates of the state's peddlers (including military officers) as well as ethnic Chinese businessmen close to them. In other words, the dependence of businessmen's groups on the government in power is very, very high (Djani & Saputro, 2011).

The state during the New Order period was relatively autonomous and was able to counteract economic interventions and influence the politics of groups in the policy process. But the current conditions are changing quite drastically. The assertiveness that separates the ruling elite from business groups is biased because political openness gives the rulers the widest opportunity to become public officials (elected officials) then a role in the country's autonomy over capital is lost (Djani & Saputro, 2011).

According to Johnson, an oligarchy is a system of government in which almost all political power is held by a handful of people who structure and shape public policy primarily for their own financial gain through direct subsidies for their farmland or enterprises, lucrative government contracts, and protectionist measures aimed at harming their economic competitors, while showing little or nothing at all caring about the interests of the people (Achwan, 2011).

Although oligarchy tends to be a system of political power closed attachment (embeddedness) provides more airy space for the excluded group to constantly interact with the state and capital through public policy. A deep connection is understood as a form of interdependence between the state, economy, and civil society (Achwan, 2011). It is the form of capital and the habitus of various actors that gives them access to certain business opportunities. Each network seeks to influence the state to take action and form a social structure that directly changes the rules of the prevailing economic game for their benefit (Achwan, 2011).

In an interview about the state's ability to control the involvement of oligarchs in the case of lobster seed export permits during the power of President Joko Widodo, Andy Rahmad gave his response that "The role of the state is less firm and tends to be too late to anticipate, because it has actually become a monopoly, indeed the country can be monopoly but in measure. Cargo export permits for only one company became a problem that eventually caused the price to rise, so this is where there are coffers of profit. According to Andy Rahmad, the state is too late to anticipate. From the executive side, the president was late and then the Business Competition Supervisory Commission (KPPU), which had the authority to decide disputes about business competition, did not immediately process the report" (Achwan, 2011).
This is also supported by the opinion of Muhammad Afif as Deputy Advocacy of KIARA, which is to reveal that "Actually, if KPK law enforcement is the role of the state, don't forget the birth of this policy is actually the negligence of the state. The critical question is that there is a state justification in the sense of looking at the policy structure that was born without looking at the policy that was looked at, which on the one hand in 2016 there was already a statement regarding the refusal of the lobster seed export permit, one of which was a study from the state that stated that resources related to the crab lobster were minimal. It is back in its critical potential. In this case the state succeeded in its actions such as KPK. However, directly (in the case of the state) means that there has to be a statement or rules created regarding this. For example, the banning mechanism related to lobster fishing. In this case it is still in the process of being resolved in relation to the case subjectively against the captured minister, bukan against the object. Apart from the two perspectives that came out of PERMEN 56 of 2016 and PERMEN 58 of 2020, there are two legal perspectives i.e. we do not see a scientific perspective because this is a policy context that automatically legal people will see technical things. If we interpret it in the context of lobster, for example, where lobster actually exists, the extent of the potential that exists in Indonesia, where are the points of lobster distribution. Talking about policy, it means there is a political economy interest there" (Bena, 2022b).

Rocky Gerung revealed "Of course the state is capable of controlling that. However, the notion of the state being able to control means that the state is capable of obstruction. If the state gets in the way it means that he loses the sources to finance politics. Oligarch theory says the sources of the country's political financing in the sense of the regime come from the oligarchic sector that assumed (took money first) power long before the government was formed. Even before the government was formed, the oligarchy was already controlling in other words, it was impossible for the country to turn to control the oligarchy. So, the notion of controlling is not a hindrance precisely to a win-win solution (a solution that is profitable and satisfying to all parties). So, in the eyes of the ministers, a perception has been formed because this country is taken care of by oligarchs, so let us contribute from the oligarchic side. It is different if from the beginning the entire cabinet was chosen from not political appointee but because of technocratic expertise. That's what the President can't do, because the oligarchy wants every minister appointed by the President to have unwritten permission from the oligarchy, which is commonly referred to as a passive agreement. If the president wants to appoint a fisheries minister, there must be an agreement with the oligarchy. Because wanting to get capital at election time through extractive projects is not in the written agreement, but it is indeed the nature of the oligarchy, because the oligarchy only sends signals. Then you have to be careful because not everything the President wants must be written, because oligarchs actually avoid written agreements. The oligarchy operates at night after sunrise for all" (Bena, 2022c).

Based on the above, the author can conclude that in the case of lobster seed export permits, the role of the state is less firm, justifying the uncertainty of the lobster seed export permit policy and the state tends to be late in anticipating the monopoly on lobster seed export permits, the monopoly on freight forwarding services and the birth of defective policies. The role of this state includes the role of the Business Competition Supervisory Commission (KPPU) and the KPK (Corruption Eradication Commission). KPK law enforcement is the role of the state.
which in this case only looks at subjectively the arrested minister, not yet objectively. The notion of controlling is not a hindrance precisely to a win-win solution (a solution that is profitable and satisfying to all parties). The election of ministers conducted by political appointee with passive agreement allows oligarchs to send business political signals to carry out oligarchy extractive projects.

CONCLUSION

Based on the research result, it can be concluded that the involvement of business political oligarchs in the case of lobster seed export permits can be seen from the extreme forces concentrated into several hands subverting public policy. If money power makes a favorable distortion for the few who use their money for results then that's the case for oligarchs. Also, if all is closed and cleared up with money then it is an expression of oligarchy power. One of the reasons why an Edhy Prabowo can become a victim is that the material power possessed is very lacking. Edhy Prabowo can't pay, he doesn't have bullets to threaten anyone, but there are other figures who don't seem to be involved.

The state needs to follow up again on the Minister’s KKP regulation Number 56 of 2016 by paying attention to the welfare of fishermen, maintaining the lobster ecosystem and other things that prioritize the interests of the community. The state needs to strengthen the role of the KPK and KPPU in terms of supervising and evaluating lobster seed export permits, so it is hoped that this role can tame the oligarchs, where the fight over the context of power and political-legal supremacy in Indonesia is no longer won by the most powerful actors in power and money politics.

REFERENCES

Bena, Y. (2022b). Wawancara dengan Muhammad Afif Deputi Advokasi KIARA tanggal 27 Januari 2022 di Jalan Tebet Utara 3C No 9 Kantor KIARA.


