

The Role of Government of Indonesia in Providing Aid and Protection to Indonesian Citizens Living Overseas

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Abstract. Under globalization, boundaries and gaps responsible for creating distance and promoting hurdles on people and their mobility are now slowly but surely obsoleting if not diminishing. This phenomenon has brought both positive and negative consequences - the ease of achieving economic, recreational, religious, and educational goals achieved by migrating, especially for Indonesian citizens, has been more attainable than ever. However, the increasing number of Indonesian going abroad goes hand in hand with several unintended social and criminal consequences such as kidnappings, detentions and people being misplaced. Cases such as the abduction of Indonesian citizens by the Abu Sayyaf Group (ASG), the arrest of Indonesian citizens by the Myanmar Navy, and the death sentence imposed on Indonesian citizens in Malaysia has opened up layers of discomforts, evolving around threats and risks faced by many Indonesians abroad. This has prompted Indonesian government to provide platform to overcome such alarming phenomenon. This article aims to seek the extent to which Indonesian government is present in providing aids and protection towards their citizens facing legal and security entanglement abroad. The research hopes to contribute into the recent existing studies and literatures on the development and complexion of old and new paradigms of threats against human security, particularly on national and governmental efforts in combatting legal disputes and advocating national interests abroad.

Keywords: Indonesia, National Interest, WNI, Abu Sayyaf, Philippines, Top-down.

1 Introduction

In the view of Robertson and Chirico, globalization could be defined as “a set of processes through which the world is becoming a single place” [1]. This implies the occurrence of interaction and interrelations among people from all over the world so they feel live in one place. Many factors, such as the technology and transportation progress, economic interdependency, enable human beings from many countries to connect freely. Globalization does not only bring benefits as it is easily conducting trade transactions among countries but it also results in the detriments such as the ease with which criminals commit transnational crimes [2].

Globalization that runs so fast today is allowing Indonesians with Filipinos to interact easily and it allows people from the two countries to make trade transaction. Indonesian traders sell merchandise, such as coal to Filipinos and they do this using boat transportation. As asserted above, that globalization which facilitates interaction between countries in fact can also harm relations among them as well like for example, the case of Indonesia cargoes

Brahma 12 and Anand 12. In March 2016, Brahma 12 and Anand 12, carried over 7,000 ton coal from Sungai Putting, south Kalimantan, Indonesia to Batangas, south Philippines [3]. When crossing the Basilan island, where there were several islands that patrol officers rarely passed, the two Indonesian ships were chased by the herd of pirates using speedboats. The small-sized ships with a large load certainly could not sail quickly. That was the reason why they became the target of piracy. The hijackers not only controlled the two ships but also took 10 crew members hostage using firearms. The hijackers who claimed to be from the Abu Sayyaf Group (ASG) demanded a ransom of 50 million Philippines Peso (PhP) and had to be fulfilled within two weeks. The hijacking of the cargoes and their 10 crews by the ASG, whose main movement is around the Mindanao and Sulu regions, south Philippines, certainly makes the Indonesian government concerned.

The following article will discuss the Indonesian government's attempt of providing protection to its citizens facing threat abroad, with specific case of Indonesian citizens being held hostage by ASG in the southern Philippines' territorial waters. This paper will be organized into four different parts. The first one is the introduction followed shortly by research method in the second part. The third and fourth part will be discussing research findings and its conclusion respectively.

2 Methodology

This research employs qualitative method by combining literature studies and interviews. Literatures studies are carried out by reviewing and gathering information from relevant scientific books, journals and chapters as well as from news portals and official websites. Interviews are conducted with senior officials and field diplomats at the Directorate for the Protection of Citizens and Legal Entities at the Ministry of Foreign Affairs. The interview was done directly by visiting the interviewees both in Jakarta and Semarang. Another interview was also conducted by a long-distance correspondence using telephone and electronic mail.

3 Results and Discussion

3.1 The Abu Sayyaf Group (ASG): The Origin and Development

The rebellion of the Moro people, which took place in Mindanao and Sulu, can be tracked back five centuries ago [4]. When Spain began to colonize the regions in 1565, the Moro people began a rebellion. They were not willing to be colonized, moreover the invaders were foreign nationals and other religion too, namely Christians. Likewise, when the United States wished to colonize the Mindanao and Sulu regions in the late 19th century, the Moro people were involved in a number of rebellions. As an illustration, there were at least 19 rebellions of the Moro people against the American invaders during the first fifteen years of XX century.

Since the independence of the Philippines in 1946, the Moro people did not hesitate to carry out a rebellion. After all this time of independence, the Moro people did not feel any improvement in the socio-economic field. They remained backward. They were unhappy with the arrival of the large numbers of Christians in Mindanao and Sulu regions. They knew of the support of the national government for the migration of the Christians to the southern

Philippines. The arrival of the Christians in the south led to a reduction in the size of the land or area they controlled. Moro people felt their existence was increasingly pressed. The policy of the Philippine national government which they consider unfair was the trigger for the Moro rebellion.

One of the prominent Muslim rebel groups in southern Philippines in the 1970s was MNLF. The main objective of the establishment of MNLF, an organization led by Nur Misuari, a professor at the University of the Philippines is the establishment of an Islamic state in southern Philippines. The separatism which was sponsored by the MNLF made it involved in guerilla warfare against the Armed Forces of the Philippines (AFP). The feud between MNLF and AFP lasted about five years, i.e. between 1973-1978. The separatism which was accompanied by guerilla war encouraged the Philippine national government to hold negotiations with MNLF. These negotiations agreed to the establishment of the Autonomous Region of Muslim Mindanao on August 1, 1989 through Republic Act no.6734.

The establishment of an autonomous region for Muslim Mindanaos caused divisions among Muslim rebels. Some of those who wished to establish an Islamic state in Mindanao formed Harakat al Islamiyah (the Islamic Movement) which was then commonly known as ASG [5].

The ASG was founded by Abdurajak Janjalani, a native Filipino who came from Basilan in 1990. Since he was not satisfied with the compromise attitude of the MNLF, Janjalani left the organization and formed ASG. Actually, the dissatisfaction was only the trigger of establishing ASG. There were other reasons, such as poverty, history, unemployment, which actually encouraged the establishment the group[6]

In their activities in the second half of the 1990s, ASG was able to collaborate with other rebel groups, such as Jemaah Islamiyah and MILF. Considering it was still in its early stages of establishment, ASG had limited military and financial capabilities. However, ASG succeeded in carrying out operations such as ambushing, bombing, kidnapping and death executing. The target of ASG operations at this period were Filipino Christians and these operations symbolized their resistance upon their arrival to Mindanao and the surrounding islands. In 1991, ASG blasted Christian missionary ship *M/V Doulos*. The following year, it assassinated a prominent Christian missionary in Mindanao, while in 1995, ambushed Ipil, a Christian town on Zamboanga del Sur [7].

The Philippine military offensive in 1998 led to the death of Abdurajak Janjalani, the founder of ASG. Khadaffy Janjalani, who was Abdurajak Janjalani's sibling, as well as Ghalib Andang, who were later appointed to lead ASG, were apparently not successful in leading this group. ASG's relationship with Al Qaeda as a significant contributor to funds and military had experienced decreasing.

The death of Abdurajak Janjalani resulted in the ASG to change its orientation. Decreasing financial support from Al Qaeda caused ASG to have difficulty conducting operations. Therefore, ASG was oriented towards survival. Although ASG was still carrying out jihad to establish an Islamic state, its criminal activities seemed to be more prominent. ASG members committed attacks, theft, kidnapping to get ransom. Foreigners, especially the Westerners, were still the target of abductions to obtain ransoms. In 2001, ASG kidnapped 20 people in Pearl Farm Beach Resort. The following year, ASG abducted six people who were Jehovah's Witness in which two of them were beheaded. Still in the same year, ASG carried out a bombing in Zamboanga city where a US' soldier was killed.

When the relationship between ASG and Al Qaeda had improved again, the assistance from the latter to the earlier had also increased. This happened at the beginning of the XXI century and due to the change in the ASG's orientation, that is to refocus on ideology and

support for Al Qaeda operations. In this phase, Khadaffy Janjalani reaffirmed the position of ASG in fighting for ideology. This was successful after Khadaffy Janjalani could consolidate his position as emir and united the factions in the ASG. Khadaffy Janjalani was targeting attacks on objects that were related to the interests of Western countries in Manila and Davao. In 2003, Khadaffy Janjalani claimed responsible for blasting the Davao International Airport which caused 21 deaths and 148 injuries [8]. The following year, ASG managed to sink the 14 Superferry and left 116 people dead. On Valentine's Day in 2006, ASG coordinated the bombings in General Santos city, Davao city and Makaty city where eight people died and 147 were injured. During this period, ASG relations with other rebel groups, such as MILF and JI, experienced an increase. The increase in relations was marked, among other things, by training in making bombs.

In 2014, Khadaffy Janjalani was killed. After the killing, ASG experienced a setback of the movement and the vacuum of power. ASG's relationship with Al Qaeda also suffered a setback. However, ASG still carried out several attacks and casualties. Among many other things, ASG kidnapped three personnel of International Committee of the Red Cross and a Sri Lankan Peace Worker. In 2011, they were involved in kidnapping an Australian. Besides, ASG members were also involved in other criminal activities, such as stealing, ambushing and kidnapping with the main objective of obtaining ransom. In this period, the focus of ASG was how to maintain its survival.

Criminal activities carried out by ASG with the aim of obtaining ransom to get results, although the amount fluctuated. For 2010, ASG managed to collect ransom of 127 million PHP (Philippines Peso) [9]. In 2011, the ransom they received decreased sharply and they only obtained 14 million PHP. The following year, their ransom significantly increased and reached 139 million PHP. In 2013, the ransom they received fell sharply again and they only received 48 million PHP. Compared to the previous years, the ransom which ASG received in 2014 experienced a tremendous increase. In that year ASG gained 250 million PHP.

For ASG, collecting large amounts of money was necessary. This money was not only needed for the personal interests of group members, but was also used for group operational purposes, such as military equipment, communication technology, transportation facilities. In addition, the ransom was used to finance activities related to alleviate poverty, establish schools and public health centers that were needed by the community where ASG conducting operations. In this way, ASG received support from the community so that it could maintain its survival.

3.2 The ASG and Indonesian Kidnapping Case

Indonesian citizens are becoming one of many prominent targets made by the ASG concerning their kidnapping and collecting ransom activities. This is due to the fact that Indonesia is geographically located very closely from the Philippines, making a lot of mobilities from Indonesian people are taking places close to the ASG region as well. In addition, many of this travel activates are indeed heading to the Philippines for business and even only for leisure purposes. Brahma-Anand and Henry- Christy are two cases in which a number of Indonesian citizens being kidnapped by the ASG members. In this part, the cases will be shortly mentioned and explained just to provide a brief and general background on the cases.

On March 25, 2016 at around 3:20 pm, two Indonesian-flagged vessels, the Brahma 12 and the Anand 12, were hijacked by the ASG in the waters of the Malaysia-Philippines border, around Languyan Island, Tawi-Tawi province, the Philippines. The ship had sailed from

Tanjung Puting, South Kalimantan and was heading to Batangas, Southern Philippines. The two ships carried ten crew members of Indonesian citizenship. These ten crew members were then taken hostage and used as bait to obtain ransom money from the ship company. Since then, the company and the vessels' crews' family asked the Ministry of Foreign Affairs of the Republic of Indonesia to help them free the ten crew members.

In the midst of the efforts to liberate ten Brahma-Anand crews, the ASG again intercepted two Indonesian-flagged vessels, Henry and Christy carrying ten Indonesian citizens on April 15, 2016. The Henry-Christy ship was intercepted near Matakang Island with location coordinates of 4 ° 31'26 "N, 118 ° 58'44" E, at 18:31 while sailing towards Tarakan, North Kalimantan from Cebu, the Philippines. However, the ASG did not succeed in bringing the ten crew members this time because the crew and the captain tried to fight the Abu Sayyaf group until finally one crew member was shot. This made the captain and three other crews surrendered and let the ASG take them while six other crew members who survived the attack asked for help on Malaysian patrols via radio [10].

On May 1, 2016, ten crews of ABK Brahma-Anand were released by the ASG by secretly being put in front of Sulu Governor's house. By the next day the crews returned to Indonesia and were taken to the Gatot Subroto Army Hospital first to do a health check before being sent home to the family at the Pancasila Building, Jakarta. The ten Brahma-Anand crew members had a 37-day hostage period. One of the crew members said that at the time of the hostage, they were often forced to move places because of the ASG's limited freedom due to the strict patrol of the Armed Forces of the Philippines (AFP). The same method of liberation took place for the four crew members Henry-Christy on May 11, 2016. They were placed in front of the Governor's house, secretly after being held hostage for 26 days. During the hostage, one of the four crew members of Henry-Christy admitted that they sometimes experienced physical violence during the hostage taking [10], in contrast to the ten Brahma-Anand crew who admitted to the Foreign Ministry that they were treated very well when taken hostage. On May 13, 2016 at 07:00 WITA, the four crew members finally arrived at Tarakan and arrived at the Halim Perdanakusuma Airport at 10:24 WIB. At 15:30 WIB the four crew members were sent back to their families at the Pancasila Building, Jakarta after previously undergoing a health check at the Gatot Subroto Army Hospital.

3.3 Indonesian Government Role in the Attempt of Releasing Hostages

This chapter will discuss the role of Indonesian government to protect its citizens who were being abducted by the ASG. The research finds that the role of Indonesian government can be broken down into two major approaches, namely, a direct one in which the Indonesian government is directly involved with the rescuing attempt under Indonesian formal institution and or identity whereas the second one is indirect approach over which Indonesian government uses alternative channels and backdoors to establish communication and effort with other parties to undergo the rescuing mission.

In carrying out the rescue mission, the Indonesian government has always put primacy to the principles of no ransom policy. Indonesian government denies any form of demands of exchanges as it is considered to be undermining the power and sovereignty of Indonesia. In addition, ransom policy is deemed to be inefficient and risky since it will foster criminal activity [11]. Especially on ransom with financial or money approach, it is perceived to be of a high liability as the money could go anywhere or be used to foster any other terror activity in any given area.

Departing from such situation, Indonesian Government represented by Ministry of Foreign Affairs (MOFA) has always preferred to use other possible approach such as conducting direct or indirect coordination with Mindanao entities and the locals to help them approach the ASG. As an alternative, this 'socio-identity' strategy emphasizes the identity resemblance between ASG and hostages' religion and economic situation. Both identities share adherence to Islam and are equally suffering from world's economic unfairness and poverty. Because of this similar background, truthfully spoken, many of Mindanao community were not in favor to the fact that the ASG chose Indonesian people to be taken as hostages. This reservation later proved to be influential as the ASG eventually decided to treat Indonesian hostages differently. There are two hostages that particularly were treated so highly, one was always pointed to be *imam* or leader in prayer and the other one was always pointed to be *mu'adzin*.

Collective identity shared by the ASG and hostages of religion and culture could be a reasonable point used to explain the release of the Indonesian hostages. Before colonialism exists, they were once close relatives; people in Mindanao Island and Tawi Tawi Island that is presently located in the Philippines are of family from people living in Sangihe Island which is part of Indonesia today. Under social identity approach, ones define their own identities from social groups and those identifications will then be their references to protect and bolster one's self identity. This creation of group identities will make two categorizations, an "in group" and an "out group" and it is most likely to build one's positive bias on their own group vis-à-vis their out group. This will turn into creating identification with a collective, depersonalized identity based on group membership and favored with positive aspects [12]. ASG members, perceived their and the hostages' collective identity, chose to treat them nicely as the hostages are their "in group". Even though their means was to obtain money from this kidnapping, given the fact that the hostages they took are their "in group", later it made them voluntarily release the hostages without any ransom obtained.

Although shared roots and culture have been established, the release of the hostages was not instant as it needed the Government of Indonesia under MOFA and Indonesian Armed Forces Strategic Intelligence Agency (BAIS) to capitalize the issue and make the approach fruitful. The way it was done was by maximizing G to G communication over which MOFA and BAIS received great assistants from the Government of the Philippines. All communication made between the operation team and the Philippines Government with the ASG were centered through MOFA. Through the channel of Philippines National Police, MOFA and BAIS obtained the hostages' proof of live in form of videos and pictures. the Philippines government, also with a 'no ransom policy' approach, gave Indonesian MOFA a liaison officer to help them communicating with other actors and entities in the Philippines, specifically in Zamboanga. Other communication and coordination among two countries include the visit and subsequently the meeting of Indonesian Foreign Minister Retno Marsudi with Philippines Foreign Minister Perfecto Rivas Yasay. In addition, MOFA also coordinates with Indonesian non-governmental actors such as Kivlan Zein and Surya Paloh's team and Philippines' Liaison Officer Lieutenant Colonel namely Paulo Perez in their support to release the hostages.

As an inseparable part to the official coordination and communication above is economic diplomacy, designed to fulfill the needs of economic improvement of ASG and their locals without necessarily obliging to the ransom policy they have been putting forward as requirement for releasing the hostages. Indonesian government understood that economic improvement plays imperative role in deradicalization process and thereby sees that offering such strategy may provide solution to both recent and possible crises in the near future.

Indonesian government understands that the current crises faced by Indonesia would not have happened if the rebels in Mindanao are educated and possess the ability to have and undergo professional work. Thereby, through some school foundation, Indonesian government tries to contribute in the development of Mindanao's children education by channeling out religious-based scholarships originally provided by Muhammadiyah and Nahdlatul Ulama, two largest Islamic organizations in Indonesia.

The scholarship program is designed to equip students with both modern science and religious knowledge in the hopes of providing them with comprehensive education for the betterment of their future. The scholarship is fully implemented under Indonesian government initiative but funded by the foundations of the aforementioned organizations. Indonesian government will fully support the program and will provide communication and administration channel.

The scholarship program has been underway and is quite successful; to date a number of Mindanao students have been elected for scholarships and are carrying out their undergraduate and postgraduate studies in some of the appointed universities in Indonesia. Since 2015, NU has been giving scholarships to 11 students from Mindanao to take undergraduate study at the Nahdlatul Ulama University in Surabaya (UNUSA) for four years starting in the 2015/2016 Academic Year. The eleven students took different majors, including 4 people majoring in Nursing, 3 people majoring in Elementary Teacher Education, and 4 people majoring in Management. On 20 April 2019, the eleven Mindanao students who received the scholarship were inaugurated with 70 other graduates.

In addition, some other students receive scholarship from Indonesian organizations and to some extent also from Indonesian government. The Sukma Foundation was specifically asked by the Ministry of Foreign Affairs to provide scholarships to children in Mindanao during the ABK liberation negotiations. 31 children from Cotabato, Zamboanga, Basilan, Sulu, and Tawi-tawi were then given a scholarship to take full education from junior to senior high school in the Sukma Bangsa Aceh School owned by the Sukma Foundation. Other program is called *Sahabat Indonesia* or Friends of Indonesia and funded directly by the host universities itself. It has been decided that the scholarship coverage will be enlarged to also include grantees from Myanmar and South Thailand. The enlargement aims to introduce Indonesian Islamic culture to a wider audience and neighbors in Southeast Asia with many different races, religions, and cultures but need to live together harmoniously and peacefully.

3.4 Indonesian Non-state Actors' Role in the Attempt of Releasing Hostages

Other than the attempt made by government, the success releasement of Indonesian hostages also owes to some non-governmental efforts carried out by external parties who are not formally representing formal offices and channels. Among various external parties involved in the attempts of releasing hostages, two main actors stand out namely Indonesian businessman and media mogul Surya Paloh and Indonesian former vice president Jusuf Kalla. It is worth noting that due to their position and power, these two actors are somehow associated both with government and political parties. However, the aid they provided to ASG was humanitarian in nature and did not represent any Indonesian formal and political entity, making the aid they provided can be regarded as purely humanitarian. The very significant role played by these actors, among others, is to provide social and non-technical aid to the negotiation stages and overall process of the rescuing attempt.

Jusuf Kalla's contributions speak on providing basic needs such as food and cloths. As a successful businessman, Kalla utilizes his charity teams and foundations to distribute his aid to

the ASG members. The assistance provided by Surya Paloh takes a quite different form. Paloh uses his highly-rated media in Indonesia to help raise awareness about the whole issue including the economic aspect and needs of Mindanao people and ASG members. This persuasive step was also followed by practical action in Mindanao when Paloh commands his employees and team stationed in the Philippines to contribute in technical assistance towards the attempt of communicating directly with ASG people in Sulu. This team consists of volunteer, educators and negotiators and was funded by Paloh's Sukma Foundation to communicate and coordinate with ASG members. Due to their neat and well-established channels, the mission could be achieved successfully. The communication carried out by Paloh and his team was an important factor that softened ASG members and persuaded them into releasing the hostages later.

Another non-governmental or private actors in this releasing attempt was Kivlan Zein. He was an Indonesian former military officer who was once the chief of staff of Elite Corps at the Indonesian Armed Force, KOSTRAD. Kivlan and Nur Misuari were involved in Peace Agreement between the Philippines Government and MILF whereas Indonesian Government was acting as a broker. Ever since, Kivlan Zein has always been maintaining good relationship with MILF leader Nur Misuari and the Philippines government and this good relation provides Kivlan with medium to contribute to the mission. Kivlan Zein's roles in the releasing attempt are mainly twofold; the first one is to communicate and lobby with the Government of the Philippines to provide Indonesian Government with assistance pertaining to the government effort in releasing the hostages and second, to communicate with Nur Misuari and persuade him to cooperate with the releasing plan. As the founder and leader of MILF, Nur Misuari has been a central and powerful figure in Mindanao and his influence proves fruitful in helping Indonesian government to the releasing attempt specifically in the part of negotiation with Abu Sayyaf Group indirectly.

Other actors that also play important role in this releasing attempt was the Philippines Government's appointed liaison officers. These actors are neither part of official government nor were they members of political parties, but due to their past relations and occupations with the government (former politician, soldier and government consultant) as well as their skills and capabilities, the Government of Philippines decide to acquire their assistance. These actors for instance are, Paulo Perez and Jesus Duarez. Paulo Perez is a former active soldier and was a combatant against ASG soldiers. Because of this experience, upon direction and coordination with the Philippines Government, Perez was able to assist the releasing attempt by communicating with the locals in Mindanao and acquiring hostage's proof of live.

As a Mindanao origin, Jesus Duarez has a more impactful role. Although working as a governmental staff, Duarez manages to keep maintaining knowledge and local contacts in Sulu, including ones that have close and direct channel with Nur Misuari and MILF. Duarez was appointed to assist and give some advice to Indonesian government throughout this releasing attempt whereas he also played role as a negotiator to the ASG members. Without the liaison officers sent to help Indonesian government, it would be undoubtedly hard for Indonesian government to undergo the releasing attempt successfully. Liaison officers, who are locals like Duarez, knows the premises and backgrounds better than anyone else. In addition, these officers have already had past experiences and contacts with ASG members which to a large extent has been very useful in helping them determine their best strategy and engagement with the ASG members.

Philippines government and the Armed Forces of the Philippines also helped a lot in this releasing attempt. As had mentioned before, Indonesian government was indeed the main actor in this releasing attempt. But, in front of Abu Sayyaf Group, Indonesian government did

not show their existence. Abu Sayyaf Group members only knew that they were being approached by the company whose workers was taken hostage. Except for the company, they only knew that they were being chased by the Armed Forces of the Philippines.

Philippines government through their liaison officer in their approach to Abu Sayyaf Group said that they do not need to worry anymore as the current president, Duterte, has already made some development plans for their area. So that they don't need to do kidnapping activities like this anymore to gain some money for their life basic needs. All they need to do is just to trust the Philippines government.

4 Conclusion

Globalization has brought both benefits and negative consequences to the people living in the modern world. One of many positive feeds caused by an increasingly-integrated boundaries is the opportunity to travel and move freely for a betterment in life. Unfortunately, such a freedom does not come without negative consequences [13]. Travelling abroad may not always be beneficial as many unprecedented events pose risks to the travelers. When this occurs, the government of the travelers is a primary actor responsible to overcome such issue.

As a country with many citizens moving and living abroad, Indonesian government has demonstrated capability and excellence in dealing with crises faced by its citizens abroad. By using the case of Indonesians being held hostage by ASG in the Philippines, this paper found that the role of the Government of Indonesia in tackling and ending the crises was prominent, especially on the aspect of building communication and maintaining negotiation. The role of the government was also supported by aids and assistances provided by other non-governmental channels such as from private entities carrying out personal negotiations. In this regard, the efforts to release the hostage made by each government and alternative actors are not standing on their own and competing against each other. Rather, the alternative path may have provided greater assistance to the Government in releasing the hostages and thus strengthen the role of the government in providing protection and security to its citizens abroad. Henceforth, the widely-held belief on incompatibility between government and a globalized world may not be the case in hostage-release situation where the role of the government is vital and very much needed.

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