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Actualization of Policy Deconstruction: Handling Overseas Refugees in Kupang City

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Abstract: This research is intended to discover the various injustices that befell foreign refugees in Kupang City. Injustice with a regulative paradigm is carried out by actors making public policy. In reality, refugees from women and children are objects who twice experience injustice from policies that at first glance appear to be impartial and impressive, but on the other hand are another form of oppression. This research departs from a post-positivistic paradigm, using inductive logic. The findings from this research are an effort to deconstruct the logic and ethics of policies that make refugees vulnerable, whether in their countries of origin or transit/destination countries. The results of the research prove that the factor behind the policy corpus actually resides in gender hegemonic behavior in the humanitarian balance, as well as the plight of refugee women and children becoming increasingly vulnerable when placed vis a vis climate adaptation.

Keyword: Overseas Refugees, Policy Deconstruction, Gender, Climate Adaptation, Injustice.

INTRODUCTION

Foreign refugee management policies in the past two decades have been fraught with multi-actor tug-of-war. The refugee problem has always been defined within the spectrum of humanitarian, justice, and securitization issues of a refugee hosting country. Countries ratifying the 1951 Geneva Convention and the 1967 New York Protocol as well as non-convention countries are legally obliged to accept refugees. Humanitarian reasons are a prerequisite for treating refugees well, because in themselves, refugees are in a moment of persecution on the grounds of race, ethnicity, religion, nationality, and membership of certain social groups and are not currently receiving diplomatic protection from their home country (Primawardani, 2018). As a result, refugee transit countries are required to treat the refugee exodus by upholding the principles of non-refoulement, non-penalization, and non-discrimination.

At the national policy level, Indonesia is still relevant to this day using Presidential Regulation Number. 125/2016 on Handling Refugees from Abroad. The option to ratify international refugee handling policies is not so urgent for Indonesia. Nevertheless, the Indonesian government is committed to treating refugees humanely (Novianti, 2019). In turn, this decision causes a dilemma when it comes to taking care of the needs and livelihoods of Indonesian citizens or meeting the needs of foreign refugees. The potential for social jealousy, friction, and traumatized by the issue of terrorism is easy to blow when these two population entities interact. Presidential Regulation No. 125/2016 has no provisions to integrate foreign refugees into Indonesian citizens, therefore the exodus of refugees cannot stay in Indonesia for long. In the global consensus, the handling of refugee problems is contained in the 1951 Geneva Convention on the Status of Refugees and the 1967 New York Protocol. Many modern countries have responded by ratifying these international regulations. However, in the last half decade, countries in Europe, Scandinavia and Australia have begun to implement hard policies as a result of the rise of anti-immigrant right-wing politics. Right-wing victories in parliament and/or government have favored the conservative establishment over responding to the changes brought about by human migration.

In Denmark during the 1970s with the Iranian revolution, Denmark was very open to asylum seekers. Refugees who were initially stateless were accommodated until they became citizens. In European countries when ISIS (Islamic State of Iraq and Sham) terrorism emerged in the 2010s, European countries became the target of migration. The problem is that refugees who are already comfortable do not want to be deported or repatriated. Therefore, the right-wing groups that are in flight now make the issue of immigrant flows in fact disastrous for their countries. The victory of right-wing parties is currently happening in Europe such as Giorgia Meloni (Italian Prime Minister), Geert Wilders (Dutch politician), Victor Orbán (Hungarian Prime Minister), Olaf Scholz (German Chancellor) since the biggest refugee crisis in 2015. Parallel to that, Indonesia - as a developing country - does not have enough strategic reasons to take part globally. This presupposes that Indonesia prioritizes taking care of the lives of its citizens in a fair manner first. But even so, Indonesia still adheres to the 1948 Declaration of Human Rights. Because of the protection- vulnerable position of refugees from a human rights perspective, they are easily subjugated, oppressed and disciplined. And within their membership are women who should experience twice the situation of vulnerability and suffering. Firstly, because of the refugee status per se, secondly, biologically women in their gender are often negated as weak and irrational parties. Without realizing it, refugee policies have contributed to multiplying the elements of violence against women's bodies. However, the process continues impressively until the time when using a gender lens is deemed urgent to carry out a deconstruction process on the policies and practices of handling foreign refugees in Indonesia.

The case of gender injustice of refugees in Kupang City shows that women are the victims, or to borrow the vocabulary of Marxism, the proletariat. In measuring the gender justice index, it can be observed from the availability of health facilities, the availability of places of worship, strategic lodging locations, and representative security and public order (kamtibmas) situations (Muhtar, 2023). The fulfillment of the above standards of needs involves multi-actor relations; i.e. international, national and local actors take care of refugees, but unfortunately it is rather difficult to compromise the ideology of interests across actors. In terms of relations, Foucault's postulates sort of signal a "wake up call" that power is not centered on a subject or institution. Rather, it is omnipresent in every social relation. Power does not stop as soon as it is achieved, but is exercised in relations and continues to move (Konrad, 2017). The way power operates through a network of strategic relationships by producing knowledge to discipline people is always confirmed in public policy. Examining the policy of handling refugees abroad (specifically in Indonesia, more

specifically in Kupang City) requires critical discourse to dismantle the way actors carry out the homogenization of refugees' wants and needs. Actors tend to have the will to control refugees in building perceptions of social reality. At this stage, every policy actor realizes the status of refugees who no longer have hope in their home country. So that actors take advantage of hegemonic actions to schematize compliance, submission, and submission to the competent authority. Every actor is tempted to simplify the refugee issue. The complexity of taking care of Indonesian citizens, or even the repatriation of Indonesian citizens (Kamarullah, 2023), causes the refugee issue to be included in the interests of state security. So that when faced with the work of handling refugees, they often pretend to quickly solve the refugee problem. Therefore, it spontaneously builds strategic actor relationships. With the intention of controlling refugees responsively, quickly, and practically. In turn, through the objectivation and stigmatization of negative things in refugees both socially, religiously, and culturally, the actors try to control. Thus, control is carried out by strategically combining knowledge and power localized in refugees' bodies.

The vulnerable position of refugees is multiplied as a humanitarian project. It is common knowledge that the desire for international institutions to exist has always been as a mechanism to exert influence in all countries. International institutions including donor agencies proclaim themselves as saviors to help alleviate the problems of all countries in the world. This cross-interest leaves a big hole of destitution and hopelessness for refugees. Several refugee cases in Kupang City have led to a wave of demonstrations in the last three years. The voices of refugees are mostly unheard because they are attributed to being unspoken (Dragojlovic & Annemarie, 2021). In the end, their desperate voices have led them to commit reckless acts. Women become victims who accept their fate in misfortune. Their entire existence and life experience is uprooted from the life that should be more emancipatory, egalitarian, and gender equity-based. Therefore, the process of defining the problem and setting the agenda must be understood by carrying out the deconstruction method on the latent humanitarian distortion that undermines the existence of refugees, especially women and children.

In the discourse of climate adaptation that carries the concept of environmental ethics, women metaphorically represent the image of conquest of nature. One of the reasons for the migration of boat people (refugees) is due to war, disease, and natural disasters. This irony is legitimized by a human exploitative and predatory instinct in nature that produces alienative situations for refugees, especially women and children (Budianto, 2023). The actualization of deconstruction in refugee policies contributes a major discourse to the knowledge model that has been driven by oppressive dominant reasoning. Deconstruction is not a single, universal, and absolute truth but is used as a critical foundation to open the Pandora's box of exploitation of nature, human migration, and the handling of refugee problems characterized by gender inequality. Through humanist treatment of refugees with integrative policies, it is considered resilient and reconciliative, because the destruction of nature occurs because of the fading of respect for humans, which has implications for the disappearance of respect for nature. The situation of war and terrorism in Middle Eastern countries contributes to gases that worsen the climate situation. As a result, the global temperature has risen beyond the tolerance limit. The disrupted climate and weather stability also drove women and children to become refugees abroad and arrive in Kupang City. They are physically weaker and less able to cope with these extreme events, leading to psychological disorders. This condition is exacerbated when refugees' existence is at the nadir of life in transit/destination countries. They often easily lose their basic rights to live a better life. Therefore, the way out of their nightmare is to present a policy oasis (especially in transit countries) that seeks to deconstruct (Silverman, 1989) and reconcile policy "mistakes" in refugee countries of origin. With

gender-just and climate-adaptive deconstruction, the handling of refugees abroad does not perpetuate or inherit degradative and dehumanizing policies.

METHOD

The effort to deconstruct the policy of handling foreign refugees based on the post-positivistic paradigm with the method used is qualitative (Creswell, 2015). Qualitative methods provide information in a more descriptive and exploratory way of knowing and describing behavior that can be seen (Neuman, 2014). In this way, researchers can get closer to empirical facts (Vanderstoep and Johnston, 2009). Qualitative methods use their induction logic footing so that they provide opportunities for theory to be used as a medium/tools of analysis. Therefore, researchers are never subject to theory but instead are facilitated to find the most relevant theory again in solving problems. The main assumption of qualitative research is the use of bright information in explaining people's actions and so as not to forget the human side of social life. In essence, qualitative researchers are flexible in how they record facts and data. It is like the policy researcher is a social engineer or doctor for political personalities. Qualitative social scientists are driven to realize themselves as well as social situations. There are guidelines, but they are never enslaved. Methods serve researchers; researchers are never conquered by procedures and techniques. Qualitative research methods present information about the phenomenon under study, research informants, and research locations (Tailor, 2016). This research took place in Kupang City, more specifically in each agency/institution that acts as a policy stakeholder in the topic area of refugees.

The researcher presents a narrative of the involvement of the above actors, finds new and more accurate facts, categorizes and classifies types, and documents the process. As the intention of this research is to review with a close reading the hegemonic public policy landscape towards overseas refugees. Because of the injustices that surround the daily lives of refugees, they, especially women and children, are assumed to experience many moments of totalitarian but pretend tolerant policy repression. The object of this study is to review through deconstruction discourse to position the policy more just and adaptive. The subject of the study was determined through purposive sampling. The qualitative method part becomes urgent to follow the deconstruction scheme that views reality as a trace or sign so that with great prudence the researcher always tries to double-check every reality that appears. If we borrow Immanuel Kant's dichotomy in seeing reality, it is necessary to be careful to distinguish phenomena and noumena, *das ding an sich*. With the deconstruction scheme, there is no permanent truth as well as eliminating the belief that the current policy most corresponds to the truth. Instead, it aims to formulate public policies that are more fair to refugees and more adaptive to the climate.

RESULTS AND DISCUSSION

Refugee Injustice Corpus

For almost a decade, Kupang City has been inhabited by foreign refugees because its waters are a strategic route for refugees to Australia and New Zealand. However, when referring to Australia's policy of placing a moratorium on the acceptance of refugees, the flow of refugees has stopped in Kupang City. Foreign refugees will certainly not be able to stay in Indonesia for long and moreover the government has no policy in integrating refugees as free and independent citizens of Indonesia. The confusion of asylum granting countries at the same time also positions the status of stateless people (see: boat people) as an easy way to manage and discipline. Australia as an asylum destination for refugees has been skeptical of recent events. The increase in the number of refugees and asylum seekers in Australia affects local economic, social and cultural conditions, so the policy practices there are not in line with the principles of Good International Citizenship under the pretext of constructing

refugee issues against aspects of state conduciveness (order). Now that the Australian Government has stopped accepting refugees, over time, refugees are forced to transit to be accommodated for a hazy period of time in Kupang City.

Australia is in the process of adjusting its regulations on the treatment of foreign refugees and/or asylum seekers because there are decision mechanisms displayed by the progressive Australian Labor Party with soft policies and the traditional Liberal Party with firm policies. The victory of Prime Minister Anthony Albanese from the Labor Party for the first time since the last nine years attempted to then control the parliament and form his government. After previously the refugee policy tended to be rigid, or hard policy, which resulted in rejection by the global public from transit areas close to the Kangaroo Country, such as Indonesia. By neglecting the non-refoulement commitment, it is difficult for Indonesia in its capacity as a transit country for foreign refugees and asylum seekers. The fact shows that the city of Kupang is a strategic transit area for refugees (due to its close proximity to the Pacific Ocean), making it the center of the waterways for asylum seekers coming from abroad. Meanwhile, the quantity of foreign refugees or asylum seekers in Kupang is known from data on refugees in specific shelters. If referring to Australia's policy, there may be fluctuations in the number of refugees.



Source: MyKupang.com

Figure 1. Map of Indonesia-Australia Seas

Australia is in the midst of an external dilemma regarding the implementation of regulations for managing overseas refugees. Due to security reasons and limited access (Katie and Lenore, 2012), Australia has neglected its non-refoulement commitment, leaving refugees stranded in Kupang City. The number of overseas refugees in Kupang City varies from time to time, influenced by the volatility of the refugees' countries of origin and the anomalies in the policies of countries of asylum.

Table 1. Refugee Data for March 2022

No	Citizenship	Male		Female		Total
		Adult	Child	Adult	Child	
1	Afghanistan	152	19	23	19	213
2	Pakistan	03	-	-	-	03
Total		155	19	23	19	216
		174		42		

Source: Immigration Division, Regional Office of the Ministry of Law and Human Rights NTT

Based on the latest data accessed by researchers, the number of refugees is 216 people, with 42 women. They are accommodated in the Kupang Detention Center, which currently oversees refugees from abroad and/or illegal immigrants. They are also housed in community homes, namely three hotels in Kupang City (i.e. Lavender, Ina Bo'i and Kupang Inn). Refugees should not be treated like prisoners. They are refugees under the responsibility of IOM (International Organization for Migration) and UNHCR (United Nations High Commissioner for Refugees). Immigration Detention Center (IDC) officers only carry out supervisory functions according to the outgoing hours, namely from 06-00-21.00 pm. After 21.00 pm the gates at the IDC and the other three hotels are closed. Every refugee who departs from the accommodation location is equipped with an up-to-date identification letter. The general majority of foreign refugees residing in Kupang City, East Nusa Tenggara Province are from Afghanistan. The next order of refugees comes from Pakistan. Previously, there were also refugees from other countries in the Middle East such as Bangladesh, Ethiopia, and more recently from Rohingya (however, they did not temporarily settle in Kupang City but there were findings about the falsification of their residence data to become Kupang City ID cards), so that for now the refugees in Kupang City only come from two countries. The above data also affirms the condition of Kupang City, which has recently been categorized as an area that accommodates refugees from abroad (foreign) in addition to the major refugee hosting cities in Indonesia including; Jakarta, Aceh, Medan, Tanjung Pinang, Surabaya, Makassar, and Pontianak. The refugee problem is even more complex if it is described from political, economic, social and cultural factors. The irony in the marginalization treatment is evident coming from the actors. The treatment was even when the refugees were voicing their aspirations. The researcher then tried to investigate further the dispute that occurred between the IDC staff and the refugee protest. From it, it is possible to understand all the superiority and power relations, exhibited by the actors to the helpless refugee group, which must be regulated, conditioned, and ridden by their consciousness. The psychosocial paradigm of refugee control is the entire mechanism of action that rides on the refugee's mind through persuasion, stimulation, seduction, rules, norms (normalization), consciousness riding, homogenization of wants and needs and various other subtle forms. Policy is not understood in terms of institutions or structures but in terms of complex strategic relations in society. Policy mechanisms or strategies are deeply intertwined with each stakeholder. Policy hegemony is empowered through knowledge that can manipulate refugees on how they can govern themselves. The affair between power and knowledge that manifests in the policy is operationalized over the body in constructing cultural reality a neat combination of power and knowledge.



Source: Pos Kupang Newspaper (Edition: Nov, 19, 2021)

Figure 1. News of an argument between a female refugee and an officer of the Kupang City IDC

The potential for disputes occurs because the behavior of each party is already in the bored phase. On the one hand, refugees are vulnerable to provocation because they have held dozens of demonstrations but have not yet reached a common ground. Refugee behavior becomes aggressive and chooses a certain attitude in order to be heard. But despite these human traits, the rudenim officer argued that he did not demonstrate the cursing symbol with a finger. The officer was recording the protest process normally and was perceived by the refugee (female) as displaying the cursing symbol with the middle finger while holding the cell phone when recording. This phenomenon can be read that the degrading treatment of women is often recognized as a common orientation that does not need to be questioned or debated (Jack and Jonathan, 2004). Refugees in Kupang City have recently continued to demand their rights from stakeholders who handle refugee issues. While in Kupang, refugees and/or asylum seekers are at risk of despair, so the role of refugee policy actors should be maximized. The process of identifying inter-actor relations is an instrument to examine the state of attitudes, mentality, and motives so that they can respond to the needs of refugees. General descriptions of the mentality and characteristics of the actors will further clarify the potential positions and personality traits of each party. The deconstruction scheme thus attempts to find the right way to transform attitude-making between actors in a progressive, reflective direction.

Uncertain conditions trigger high levels of boredom and stress in refugees. There is a sense of hopelessness due to the social environment that refugees do not enjoy to the impression of indifference from related actors in responding to urgent issues from refugees. Therefore, the refugees resorted to reckless actions. The desperate act of sewing lips performed by a woman from Afghanistan is an expression of resignation to channel the refugees' struggle (Ruth, 2022). It is known that they have lived in Kupang for more than five years. The actors handling refugees such as the IDC in this case continue to make persuasive efforts for refugee victims to be cooperative and continue to do goodness. In the uncertain wait, the refugees did not hesitate to take actions that could endanger their own safety and the security of the surrounding community.



Source: Pos Kupang Newspaper (Edition: June, 16, 2022)

Figure 3. News of refugee women sewing lips

Refugee women and children come from different sociological, psychological and geographical backgrounds. Therefore, the understanding of refugees must be placed on treating them as equal subjects, not vis a vis to negate each other. However, other facts show that there is a tug of interest. Local actors on the one hand consider the presence of refugees

as extra homework. So from the start, they will apply a defensive attitude in managing refugees. This condition manifests community behavior as xenophobia towards refugees (Massay and Novri, 2023).

Refugee Activism: Rejuvenating the Meaning of Fair and Adaptive

Considering the diverse backgrounds of the actors handling refugees in Kupang today, how distinctive are the local (local government), national (IDC) and international (UNHCR and IOM) actors? Of course, there is a lot of tug-of-war. For example, IOM, if there are no refugees then they will also lose some of their jobs. Doesn't IOM exist because of refugees? Meanwhile, for the region, this refugee issue needs to be handled simply because the state of East Nusa Tenggara is a poor area and in Kupang City there are still many residents who need help after being hit by the Seroja storm disaster in 2021 alongside the Corona Virus pandemic. The IDC thinks that according to the standard of handling refugees, the leading sector is the local government (Primawardani and Kurniawan, 2018). The common view above increasingly requires actors to play a coordination strategy in order to secure the interests of each party. Each actor does coordinate according to their main tasks and functions, but there are still elements of interest that must be prioritized by each party. As a result, refugee women's activism is seen as necessary and even urgent as a deconstruction discourse to open the veil of oppression and blockage of justice canals and climate resilience (Widiantini and Manalu, 2022). Many of the answers given by the actors are that refugees must be patient because the communication process is being carried out. That is a subtle way to minimize the activism of refugees.

The refugees who come to Indonesia (Kupang City) come from countries in South Asia, Central Asia, West Asia and Africa, all of which are potential countries of war and disaster. The direct effect of war, for example, is the increase in world temperature which results in global warming. This vulnerable situation encourages migration, which if done massively can trigger overcrowding in an area. This is a systematic and procedural transfer of social and environmental problems. The city of Kupang now looks slum-like and overcrowded as a result of an ever-increasing population, producing massive amounts of waste based on the arrogance of masculinity over nature (Purbadani and Mahaswa, 2022). Through activism is not a vulgar mechanism of explaining knowledge or fallacies but a progressive mechanism of gaining emancipatory discourse on cultural circumstances. Through activism is a praxis intelligence that frees humans from slavery by studying the utilization of logical communication games. Activism is logically understood in the efforts of comprehensive conversations vis á vis with stakeholders towards egalitarian consensus. The activism model has the support of data intelligence, theories, paradigms that are then able to resolve the form of relations in an effort to understand symbols in text and context. The model of understanding realization is able to propose an agreement inspired by the participants through a dialogal paradigm. Refugee activism when expressing their aspirations is at the same time highly vulnerable to lawlessness. Actors have various responses in assessing refugee protests. Demonstrations are the freedom of every person, but keep in mind that the refugees' movement will certainly worsen the image of local and national governments who are considered less responsive to refugee issues. Therefore, the actors certainly take strategic steps in coordination to ensure that refugees remain obedient and obey the authorities to accept their fate, and stop the activism movement. Because each party argues that so far the service has been good, if they are still stubborn then the refugees will be deported.



Source: Researcher's personal collection (March, 31, 2022 at 11:02 A.M)

Figure 4. Activism of Women Refugee and Children in front of the NTT Governor's Office

According to an interview with a refugee, Hassanim said: *"I have been in Indonesia for 6 years. In my country, Afghanistan is not safe. There is always war there. They like to kill people. In fact, I really love my country, but if it is there it will destroy me. Now when I am in Indonesia I still try to find out peach and justice. I have no work and no activity that makes me bored. I hope the Indonesian Government can help me because I don't know where to go."*

The above interview excerpt implies an impression of a social and environmental situation that is not conducive. Climate and welfare issues are intertwined in the veins of life, hence the need for involvement (sorge) and sensitivity (Dewi and Wongkar, 2022). If social problems strengthen, the environment will have an impact, on the contrary, the various disasters that occur are caused by neglect of human living space. It can be understood now that the refugee story is an activism that rejuvenates policy repression so that stakeholders are not ignored or even build the impression that as if the situation is just and adaptive is fine, even though it is not the case (Parsons, 2005). Activism involves communication that takes three kinds of performative stances to reach consensus. Validity claims include: truth claims, honesty claims, accuracy claims (Hardiman, 2009). So the validity of communicating an understanding of the universe clears multielement motivations to expand thinking in everyday life (lebenswelt). Through it can be explained the model of realistic nature, sociological nature, and individual nature to achieve validity in discourse. A public policy philosopher from the Institute of Social Research, Frankfurt, Jürgen Habermas explained that lebenswelt guides the fulfillment of agreements because it operates as a common foundation for each party that builds discursive behavior through activism.

With the foundation of discourse ethics, Habermas - while affirming Immanuel Kant's categorical imperative - sees that only thoroughly embodied values can be understood to represent the mind. So to ensure the morality of norms Habermas does not refer to certain beliefs, certain religions, or certain understandings but strictly to a procedure: which is possible to be universally accepted. A norm can only be generally accepted if all parties concerned can agree to it. This is the so-called Principle of Universality (U). Furthermore, to ensure that consent is only possible through the Discursive Ethics Principle (D) (Suseno, 2000). The principle (U) is adopted in deliberative communication in the effort of actual activism (practical discourse) thus Habermas shows the ethics of discourse (D) starting from the principle (U), namely: if values are claimed to be reliable to be agreed upon by each party involved in their respective competencies as participants in a conversation. Society is essentially communicative. So Habermas, who is the intellectual successor of Marxian

theorists, tries to replace the production paradigm of historical materialism with a communication paradigm. Thus he hints at an ideal situation that allows each party to rationally engage in joint efforts to formulate an ethical consensus.

Discursive opportunities in activism that must be provided, so that the power of ideas can be convinced. These provisions are then analyzed with something called the ideal speech situation (Bertens, 2014). Therefore, in interpreting and applying the legal umbrella of refugee regulations, Presidential Regulation 125/2016 on Foreign Refugees, which requires coordination across stakeholders, the effort of activism becomes urgent to be manifested in every strategic relationship of all parties. As a result, communicative conditions need to be met, so that the forces of opinion can be convinced.

Refugee activism is without misargument on that reasoning, so it goes on to formulate the possibility of egalitarianism from mechanical reasoning to discursive reasoning. This discursive reasoning has settled in people's minds implicitly, and in the skills of the parties dialectic with each other, therefore it can always exist and cannot be eliminated as long as people exist. Thus reasoning understood from activism is characterized by liberating refugees from the oppression of dehumanizing dogma and dominative power. Reasoning motivates people to realize personal reflection, to consider their intentions in a balanced way, and to rejuvenate the understanding of refugee life for the realization of equality and freedom, justice and sustainability.

Critical Reflections on the Deconstruction of Refugee Policy

There are many reasons why it is necessary to deconstruct the public policy of handling refugees. Deconstruction here is a dismantling without the king's tools (the master's tools will never dismantle the master's house). But it is a self-imposed demolition to find the basis for emancipation. Demolition and destruction do not lead to emptiness/nihilism. Deconstruction here comes in the spirit of openness by challenging all establishment. There are various policy motives/intentions, for which the best way is to expose the degree of inconsistency (cognitive responses, or responses involving ideas) and anxiety (demagogic ones, or feelings, and responses). The increasing degree of inconsistency and hegemony will hinder the meaning of justice and engagement (sorge) with the surrounding realities. Deconstruction in refugee public policy should not be separated from responses to gender problems and climate crises that seek stability for the powerful at the expense of others. Deconstruction as a strategy to examine the extent to which the formed structure is established and its boundaries are surpassed by its definition. In the mechanism of deconstruction, the ideal potential is certainly integrated in every discourse. In this case, the situation of policy domination can be described as traces to the extent that it is shaped by the reflective understanding of competent actors. The deconstruction between them should be free from self-deception, strategy, and the use of power.

The advantage of Derrida's deconstruction thinking is that it seeks alternative policies amidst the dominance of existing values. This spurs dynamics and stimulates humans to always dynamically look for policy models that are truer, better, and more attractive. Deconstruction here is understood as reasoning proposed through emancipation efforts. Apparatus and actors have not been equipped to become philanthropic volunteers with the skills to address humanitarian problems. In the past, immigration personnel have served as a component of immigration enforcement. Presidential Regulation 125/2016 is apparently still limited to dealing with the public policy problem of responding to refugees from abroad (Muthahari and Almudawar, 2022). To facilitate the thinking of a rational public policy that

respects the vulnerability of refugees' needs and desires (Yu, 2020), the proposal for deconstruction in public policy is something that cannot be done (*conditio sine qua non*). Indonesia's regulation, which only relies on Presidential Regulation 125 of 2016 with a gesture of coordination between stakeholders, does not clearly regulate the duration of time refugees can stay and cannot be deported, until the verification process as refugees is completed. Regarding the monitoring of refugees and asylum seekers in the current accommodation, local governments need to prepare regulations or rules with the Immigration Detention Center (IDC) by adjusting local identity and wisdom. The presence of foreign refugees may at any time trigger horizontal or vertical conflicts. The government and related parties need to disseminate policy ideas about the existence and status of refugees (Dunn, 2003). The deconstruction bridges the interests between actors or stakeholders handling refugees and the surrounding nature. For a clearer identification of actors' interests, see the table below:

Table 3. Inter-Action Interests of Refugee Handling

No	IOM and UNHCR	NTT Regional Office of Kemenkumham and IDC	Kesbangpol and Unit Intelkam Polresta Kupang	Policy Deconstruction
1	As long as there are refugees, international organizations exist to distribute aid and funds	Conduct surveillance and data collection	Prepare accommodation and maintain refugee security	The need for open reflection of ethical and logical values by favoring gender equity and climate adaptation.
2	Expanding the UN's humanitarian reach	Regulating the entry and exit of refugees as well as the presence of refugees in the country	Taking care of the citizens of Kupang City as the main task of the government in the region	The establishment of a work unit or team between stakeholders by accommodating refugee responses, especially women and children
3	Upholding human rights internationally	Developing and implementing regulatory procedures and state laws	Calling for the relocation of refugees to places other than Kupang city	Each actor needs to have dialog and evaluation meetings that involve the presence of refugees to equally know the needs and desires of each stakeholder.

Source: Researcher data processed in 2023

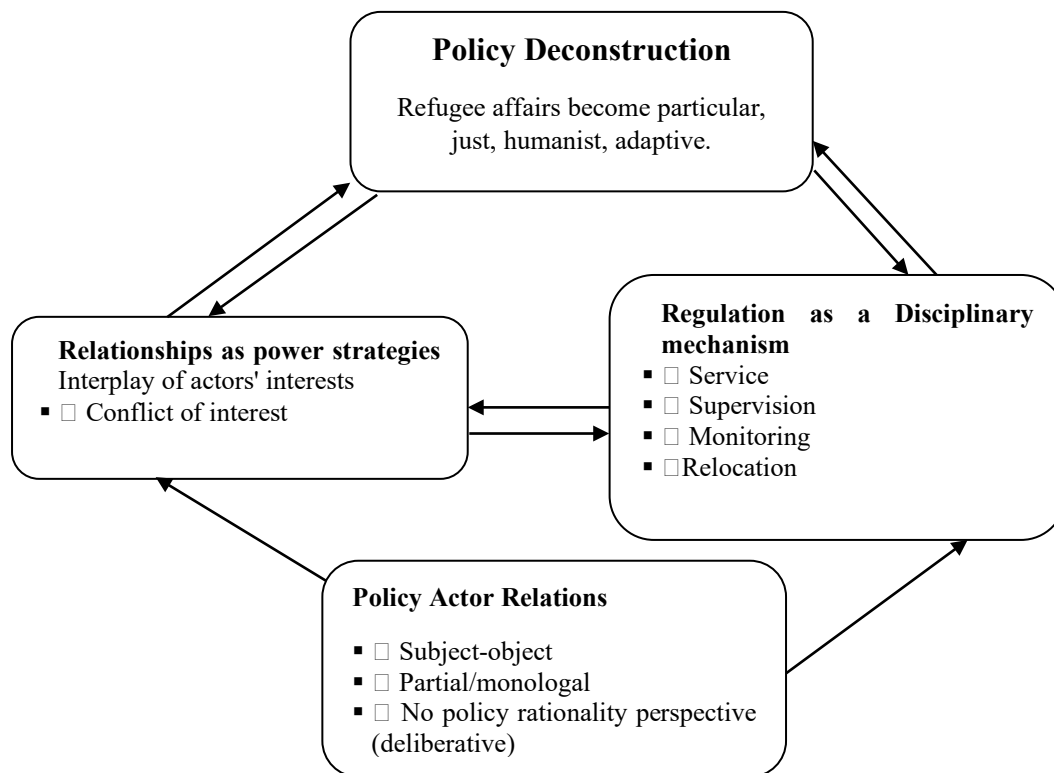
The challenges for local governments in dealing with refugees are complex. One of the obstacles at the practical level is the implementation of the rules. Since Indonesia has not ratified the 1951 Refugee Convention and the 1967 Protocol Relating to the Status of Refugees. All asylum seekers are placed in the territory of the Republic of Indonesia without a comprehensive regulatory basis. There is not yet one regulative provision in Indonesian territory that specifically deals with refugee problems.

The regulations related to the response of refugees from abroad in Indonesia's legal infrastructure are Law No. 37 of 1999 on Foreign Relations (Foreign Relations Law), Law No. 6 of 2011 on Immigration only deals with the traffic of foreigners. The immigration law

prioritizes the realization of the implementation of sovereignty as a result of terrorism mobility (Damayanti, 2022). Meanwhile, if it relates to refugees, it is determined later by Presidential Regulation. Article 27 of the Foreign Relations Law implies that the President determines public policy on the problem of foreign refugees by considering proposals from presidential apparatus.

Half of the people are housed in the Kupang City IDC. The available infrastructure is generally a temporary correctional facility for foreigners involved in immigration matters and is also used to accommodate foreign refugees. The treatment and service standards of the rudeness should be no different from those of correctional institutions for immigration crime suspects, ranging from iron bars to limited restrooms. It has not been seen that the refugee response funds are dependent on IOM. The government does not yet have a financial ceiling in responding to refugees from abroad. To facilitate the thinking of a rational public policy that respects the needs and desires of refugees, the proposal for deconstruction in public policy is something that cannot be done without (*conditio sine qua non*). If not, refugees will be objectified by the conditions of treatment that are still one-way. In looking at the logic and public ethics that have been applied, it can be seen in the chart below:

Chart 1 Deconstruction of Refugee Handling Policy



Source: Processed from author's data

Policies that are created from inter-actor relations that are subject-object, partial/monological, and do not have the insight of communicative rationality occur in how to address the refugee problem. In fact, relations as a power strategy and regulatory impressions as a disciplinary mechanism. This relationship positions refugees to be subordinated. The theme of awareness and liberation from hegemonic refugee policy inter-actor relations is through dialogical policy deconstruction so that refugees do not continue to be trapped. The UNHCR and other international organizations have been involved in providing

moral/material support as donors. However, the utilization of funds in the detention centers is inappropriate and indeed lacking. In turn, the immigration authorities tried to give permission for special refugees for children under five, women who were about to give birth, and elderly people to be housed in community houses funded by the donor, in this case IOM. In addition to normative problems, immigration authorities are also worried about the consequences of the arrival of asylum seekers over a long period of time. If there is an absence of regulations to deal with asylum seekers, the result will be cultural problems and securitization of the nation. Despite the presence of Presidential Regulation 125/2016, in fact the regulation only takes care of limited components during the initial emergency response; furthermore, it does not take care of mitigation, repatriation, and responsible parties thoroughly. The question is how long can refugees linger in Indonesia, while the UNHCR has not seriously ensured that the mechanism for checking and validating refugees can be completed in a day, a month, a year or how long? The Standard Operating Procedure has not yet been drafted.



Figure 5. News of refugee demonstration
Source: Pos Kupang Newspaper (Edition: Nov, 24, 2021)

Although the UNHCR does not have an office in Kupang City, attention to refugees occurs everywhere, given the international role of the agency. Extra public policy must be born to get out of the grip and weakness of national law in responding to the humanitarian issue of refugees. A common order in responding to refugees should actually consider how to respond to the understanding and essence of life. Considering that all cultures in this world undoubtedly have a model of what is called the essence of life. What is the meaning of life, what is its purpose, and what is its realization. On the essence of life, there are various responses. Then it needs to be balanced. As a result, if attention to each of the above components is carried out with good, measurable, and emancipatory deconstruction, the strategic relations of the actors handling refugees will continue to create a sense of love for the homeland and homesickness in refugees. By installing bill boards and banners in the language of the refugees' speech which are placed in the hotel where the refugees stay; giving magazines or brochures about their countries; Showing films while containing appeals, socialization, advice and persuasion for them to return home and continue to give them motivation, initiative, and enthusiasm to live and love their home country and build a spirit of nationalism and patriotism to be willing to fight for their country. In addition to the above methods, continue to foster a spirit of patience, improve the quality and potential of refugees,

and a commitment to improve the quality of life if in turn successfully resettled to a third country to start a new career path and life that is idealized.

CONCLUSION

Actors in Kupang City rely on Presidential Regulation 125/2016 on Refugees from Abroad. This legal protection allows cooperation between local actors, namely Kesbangpol Kupang and Kupang City Police; national actors, namely the Regional Office of the Ministry of Law and Human Rights of NTT and Rudenim; and international actors, namely UNHCR and IOM. This cooperation in fact forms an element of gender inequality that is linked to the climate crisis with the intention of mechanizing refugees into subordination to the legitimate authorities. In the practice of relations, each actor has interests and motives that distinguish them. So that each actor has a different perspective on refugees. The problem of Indonesia not being a ratifying country of the refugee convention causes actors to easily play power strategies. Refugees, more specifically women and children, who are affected by power relations, are in turn helpless and resigned to the situation as if everything has proceeded well and properly. The problems of refugees from abroad in Kupang City include technical problems, namely lodging, assistance, and the duration of the mechanism for imposing refugee status, gender, and climate crisis. The issue of regulations where Presidential Regulation No. 125/2016 is still limited, there are no rules or legal footing that become a compass and guide in handling refugees from abroad in Indonesia in a fair and adaptive manner. In addition to all of this, given the clear adverse impacts caused by the power relations of the actors, it is time to expand deconstruction through activism led by refugee women and children. This approach is a brilliant solution with humanitarian persuasion efforts to promote gender justice and climate adaptive. This is important because deconstruction is a dynamic and dialectical mechanism to correct, accept, or rejuvenate policy designs that were previously universal, singular, and absolute can become plural, particular, and relative.

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