Mangadar Situmorang

International Humanitarian Intervention in Intrastate Conflicts

Indonesian Case Studies

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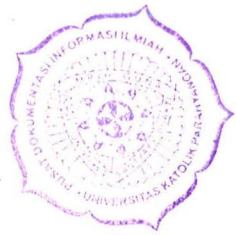

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Acknowledgements

Humanitarian intervention has been a very controversial issue in international practices and studies. In Indonesia the controversy is not an exception. Politicians and scholars have been involved in various forums, but, as at the international level, the debates have never been concluded. Due to the developing environment, both in political and academic fields, the issue of military intervention for humanitarian purposes has not yet been investigated properly. Politicians tended to avoid talking about the issue because it is a very sensitive issue in regard to their nationalist sentiments. Scholars have not fully understood the issue and at the same time tended to subject it to national politics. Nevertheless, the possibility of violent internal conflict erupting remains high, while the national capability to resolve the conflict is still very limited. Internationally, globalization leads to interventionist tendency. These two conditions tend to keep the problem unresolved, while fear still exists about the future of Indonesia as a unitary state (in territorial and political terms) within this globalized world.

This research emerged out of such a circumstance. And this research was made possible by the AusAID sponsorship and support from Parahyangan Catholic University. The completion of this research was also made possible by the generous assistance in one way and another from a number of individuals and institutions. All those who made this research to be carried out and completed deserve a great gratitude.

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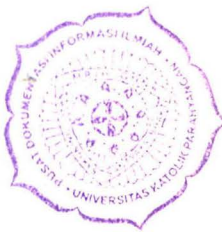
CHAPTER ONE

INTRODUCTION



A. Research problems

Indonesia from 1997 to 1999 was a state in limbo. Its government, which had for decades coercively tied the vast diverse nation together, had lost its authoritative control. The power and credibility of the state apparatus, in particular the security forces and bureaucracy, were gravely resisted by popular groups. The national economy, which had contributed to keep together the very heterogenic entities, was severely hit by the Asian financial crisis. Its people, who had been ruled by coercive force, defused by economic development or unified by nationalism-secular ideology, found themselves as different to each other. This condition, widely seen as a transition era of contemporary Indonesian politics marked by hesitation, vagueness, ambiguity and insecurity, led to dislocation and disorientation.[1] The *reformasi*, another word positively used to describe the transition, was marked by tumult, intrigue, tragedy and misery.[2] And *era reformasi* (reform era) was also "the period of paradoxes".[3]

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1 Anas Urbaningrum, Mewaspadai Ranjau-ranjau Reformasi, *Kompas*, 6 January 1999.

2 Kevin O'Rourke, *Reformasi: The Struggle for Power in Post-Suharto Indonesia* (Crows Nest NSW: Allen & Unwin, 2002).

3 Amich Alhumami, Paradoks-paradoks Reformasi, *Kompas*, 15 September 1999.

Due to this uncertainty, the politics of Indonesia was marked by huge speculation. Not only individual observers but also research centres and state agencies attempted to assess the future of Indonesia. Colin Brown,[4] William Liddle,[5] Jamie Mackie[6] and Harold Crouch[7], just to name a few established Indonesianists, sought to foresee Indonesia's prospects for democratization. The International Crisis Group (ICG) closely examined every political movement and regularly revealed short-term assessments of the country. The US, the EU, Australia and UN organizations took similar measures in documenting the political changes, assessing the country's future and offering several recommendations on what they could or should do individually or collectively.[8]

The assessments and recommendations of what the international community should do were all based on the recognition that Indonesia's future was complicated. Within the global system, whether it was called interdependent, interventionist or solidarist, it was obvious that neighbouring states, international major states and non-governmental institutions had certain interests in Indonesia's political changes and its near future. The situation became problematic when the international interests were against Indonesia's. Many elements in Indonesia's domestic politics saw the international system not as a source of assistance but of obstruction to solving the crisis. The international system was part of the problem rather than the solution. Many domestic groups tended to believe that foreign states and organizations were more likely to undermine Indonesian territorial sovereignty and destabilize national politics.

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4 Colin Brown, *A Short History of Indonesia: The Unlikely Nation?* (Crows Nest, NSW: Allen & Unwin, 2003).

5 R. William Liddle, Indonesia's Democratic Opening, in *Government and Opposition*, Vol. 34 No. 1, January 1999, pp. 94-116.

6 Jamie Mackie, What will the post-Suharto regime be like? in Geoff Forrester and R.J. May eds., *The Fall of Soeharto* (Bathurst NSW: Crawford House Publishing, 1998), pp. 200–7.

7 Harold Crouch, Indonesian Democracy, in Geoff Forrester and R.J. May eds., *Ibid.*, pp. 208–11.

8 See for example Commission of the European Communities, *Indonesia: Country Strategy Paper 2002-2006*, IP/02/862, Brussels, 13 June 2002; Australian Parliament House, *Indonesia's Dangerous Transition: The Politics of Recovery and Democratization*, Research Paper, 28 April 1999 available on http://www.aph.gov.au/library/pubs/rp/1998-99/99rp18.htm; and *After the Election, After East Timor: What's Next for Indonesia?*, 28 September 1999 available on http://www.aph.gov.au/library/pubs/CIB/1999-2000/2000cib05.htm, accessed on 27 July 2006.

By the fall of President Suharto in May 1998 Indonesia was in disarray. The thirty-two year authoritarian regime collapsed and left the country without effective authority to control the people, the nation and the state.[9] As students and democratic movements in Jakarta were demanding democracy, communal entities in different regions were calling for independence from Indonesia, or at least demanding more power in administering their local interests. Demands for such political changes, however, had led the country into internal violence. Whereas in Jakarta the violence was relatively quickly brought under control, violent conflict outside Java tended to be perpetuated due to inappropriate government policy. Thousands of people lost their lives, many more people were forced to flee as their homes and other social and economic infrastructures were severely devastated. It was not only various societal groups that were involved in destabilizing national security; the security forces (the military and police) were also responsible for causing such unrest. This research focuses on violent conflict that took place in East Timor, Maluku and Aceh.

The number of casualties and the intensity of the conflict are generally used to define a humanitarian crisis and as the basis on which international humanitarian intervention is made. As nearly a thousand East Timorese were killed and almost all the East Timorese people were forced to seek safe places due to the intensifying violence following the August 1999 referendum, there was a consensus among leading members of the international community in sending a peacekeeping force (INTERFET) into Dili. Its mandate was internationally recognized, that was to restore order and security in East Timor[10] by which the lives of East Timorese could be protected from further repression by either Indonesian security forces or pro-Indonesia supporters. In the same year violent conflict was erupting in Ambon and armed clashes were re-intensifying in Aceh. There was a higher death toll and more internally displaced persons (IDPs) and physical destruction occurred in these two areas. Ironically, the international major powers paid less attention and allowed the bloody conflict to continue.

This research examines such an apparent contradiction or inconsistency. If an international humanitarian intervention is fundamentally motivated by universal humanitarian values or is altruis-

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9 Jusuf Wanandi, "Indonesia: A Failed State?", *The Washington Quarterly*, Vol. 25 No. 3, Summer 2002, pp. 135–46.

10 *UN Security Council Resolution 1264*, S/RES/1264 (1999), 15 September 1999.

tically intended to save people from suffering and gross violation of human rights, the international community should act fairly in handling problems in East Timor, Ambon and Aceh. Why were foreign states and international organizations prepared to send a multinational force to East Timor (INTERFET) in order to end suffering and resolve the violent conflict, while failing to intervene in the humanitarian crisis caused by violent conflict in Maluku and Aceh? This is the first problem explored in this research.

Political commentators may argue that the East Timor case was totally different from the cases of Maluku and Aceh.[11] By believing East Timor with its colonial history, ethnicity and religion was different to the rest of Indonesia, there was some sort of acclamation that East Timor deserved the right to be independent from Indonesia. It was fortified by a legal fact that the United Nation never recognized the incorporation of East Timor within Indonesia. Nonetheless, it was self-evident that the international humanitarian intervention through INTERFET only occurred when the territory was embroiled in violence following the popular consultation held in August 1999.

By considering East Timor's historical and cultural background, one may see that the imposition of international humanitarian intervention was not purely based on international norms of human rights and humanitarian laws. This leads to an observation about the political context of the violent conflict which was theoretically decisive in determining what the international community had done and should or could do.

At the time the international community paid attention and poured resources in to stopping violence in East Timor, Christian and Muslim groups were involved in bloody conflicts in Maluku. Armed clashes were also re-escalating in Aceh where the Free Aceh Movement (GAM) was fighting against Indonesian armed forces. Each of the conflicts had its own background, but both occurred in quite similar political contexts in terms of Indonesia's political transition. There was no meaningful presence and role played by the international community in the two regions to help people from great misery, however. The international community seemed to perceive

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11 See, for example, Jacques Bertrand, *Nationalism and Ethnic Conflict in Indonesia* (Cambridge: Combridge University Press, 2004) and Garry van Klinken, "Big states and little secessionist movements", in Damien Kingsbury ed., *Guns and Ballot Boxes: East Timor's Vote for Independence* (Clayton: Monash Asia Institute, 2000), pp. 157–68.

the domestic political context of the two internal violent conflicts in different ways. This leads to another research question: to what extent were the dynamics of the internal conflict and its political context were significant in giving a reliable explanation for the imposition of international humanitarian intervention?

The political transition in the aftermath of the collapse of Suharto's New Order regime is believed to have been central to either the eruption of a number of intrastate or domestic conflicts or the imposition of external intervention. It was widely and positively referred to as *reformasi* (reform) to express a great hope for a better system which was generally identified as *demokratisasi* (democratization). Freedom was then the very core of every discourse starting with freedom of the press, the release of political prisoners, and opening a space for political participation and association. Social associations, which had had no political freedom for more than three decades in the past, now found a broader space to articulate their particular identities and to organize their different interests. Regional entities too had the opportunity to revise the relations with the central governments and revive their significance to their local communities.

In the name of democratization, various organizations raised the need for human rights protection, demanded a reduction of the military presence in East Timor and Aceh and asked for justice in social, economic and political life. Most importantly, as it was the time of reform, people in East Timor re-asserted their right for self-determination that had been fiercely denied by Suharto's government. President Habibie, in responding to such demand, decided on a popular consultation in East Timor through which the East Timorese fairly and democratically would determine their political future. Facilitated by the United Nation Mission in East Timor (UNAMET),[12] the popular consultation resulted in the separation of East Timor from Indonesia.

East Timor's independence from Indonesia was shocking and difficult for many elements in Indonesia. The future of Indonesia's territorial integration was uncertain. *Reformasi* or *demokratisasi* had gone beyond the government's capacity to control. Whether the state was to sacrifice its territorial integration for the sake of reform and democracy was certainly a crucial question that needed an immediate and convincing answer. It became commanding as the East Timor's independence was allegedly made possible because of the inter-

12 *UN Security Council Resolution 1246*, S/RES/1246 (1999), 11 June 1999.