
Violence in an Era of Reform¹

for Jafar Siddiq Hamzah

Jafar Siddiq Hamzah was a human rights activist and the founder of the International Forum for Aceh. A student at the New School for Social Research, Jafar had returned to Sumatra to gather evidence of the violence in Aceh. He disappeared in Medan on August 5, 2000. On September 3 his body and four others were found with their hands bound behind their backs by barbed wire, according to the newspaper Serambi. The following remarks were delivered at a commemoration held at the New School on October 23, 2000. – Editors

One of the most tragic features of Jafar Siddiq's death was that he had made it courageously through a decade of New Order barbarism only to be struck down in the so-called "era of reform" that attended Suharto's demise. That terrible fact gives rise to two obvious but pressing questions. Why has the violence in Aceh continued—perhaps worsened—since the end of the old regime? And what does the answer to that question suggest about possible solutions?

The simplest answer to the first question is that the continuing trouble in Aceh stems directly from the collapse of central state authority. There is a certain truth in this depiction because something like the disintegration of central authority did begin about the time of Suharto's demise in May 1998. That change arguably encouraged Free Aceh activists and leaders to return from abroad and to step up their military activities as well as, it must be said, their acts of terror.

If we looked no further, then, we might logically conclude that the solution to the conflict in Aceh today lies in restoring central government authority or, more bluntly, in getting tough with the rebels. That is the logic that underpins the mounting pressure—not only from the military but also from the Governor of Aceh and from three major political parties, PPP, PDI-P, and Golkar—for the implementation of martial law, or at least a state of civil emergency. More to the point, that get-tough approach is effectively being played out on the ground now, despite President Wahid's stated preference for a negotiated political solution, and in spite of the Humanitarian Pause, the truce between the government and the rebels signed in May 2000 and still in effect.

One problem with the logic of buttressing central state power, and of getting tough with the rebels, is that this is precisely the approach that created the problem in the first place.² The conflict persists and grows worse today, I think, not because of a collapse of state power, not because of an age-old tradition of resistance to outside

¹ These remarks were prepared for a symposium on Aceh, entitled "Aceh: National Identity and Democracy in Indonesia. A symposium at the Graduate Faculty, New School University," held in New York City, October 23, 2000. The symposium was organized to commemorate Jafar Siddiq Hamzah.

² Or so I have tried to argue elsewhere. See "Rawan is as Rawan Does: The Origins of Disorder in New Order Aceh," *Indonesia* 66 (October 1998): 127-156.

authority, and certainly not because of “primordial” ethnic or religious differences between Acehese and other Indonesians. Rather, it continues because the fundamental roots of the conflict—most of which are relatively recent—have yet to be squarely addressed, either by Indonesian military and police actions undertaken since 1998 or by any of President Wahid’s political initiatives.

The first of these core problems is the festering economic exploitation and unfairness that have galled the Acehese for more than two decades. The best known dimension of this problem is the legally sanctioned skimming of Aceh’s great natural wealth by transnational corporations and by the central government. In addition to this arrangement, which has left far too many Acehese in poverty, there is another problem which is perhaps even more serious.

This is the system of illegal skimming of Aceh’s wealth by a local mafia made up of Indonesian military and police officers and an assortment of criminals, businessmen, and civil servants. This illegal skimming, of which there is growing anecdotal evidence, takes the form of protection rackets, gambling rings, drug-smuggling, gun-running, and a variety of other unlawful activities. Poorly paid, and increasingly demoralized in the wake of massive public criticism since 1998, military and police officials have been prime candidates for involvement in such activities, and are perfectly situated to carry them out.

Another core problem, likewise unresolved, has been the appalling behavior of the Indonesian security forces in Aceh over the past decade or so. The deliberate use of terror by the security forces there during the period of military operations (1990-1998), and the systematic human rights violations that resulted in at least two thousand civilians dead, and many others tortured, raped, and disappeared, served only to increase the depth of resentment toward the armed forces. Worse still, the reforms enacted since Suharto’s resignation—including increased civilian control of the TNI (Indonesian National Military) and promises of a “new paradigm” by its leaders—have not affected the basic modus operandi of the armed forces in the field, or its deeply embedded culture of violence. As long as that underlying pattern of behavior is not altered and that institutional culture is not disrupted, there can be little hope that the violence in Aceh will stop.

A third and growing source of anger in the period of the military operation was the problem of impunity—that is, the systematic failure by the authorities to investigate or to punish the perpetrators of serious human rights abuses. Like other core grievances, the problem of impunity helped to sow a deep sense of mistrust toward the authorities in Jakarta. It also fostered a powerful thirst for revenge and a sense that armed opposition—and even the application of summary, retributive justice against “traitors” by Free Aceh fighters—might after all be justified. The sense of mistrust and the desire for revenge have deepened still further in the era of reform because the promises of justice that came down like waters after May 1998 have simply not been fulfilled.

As I have said, the conflict in Aceh persists because the initiatives taken to date, by the government, by the Free Aceh Movement, and by the international community, simply do not address these core issues squarely. That is most abundantly true of the military approach that simply reinforces the very problems that lie at the heart of the

violence, and therefore cannot be expected to bring an end to the conflict. Regrettably, it is also largely true of the more peaceful, political initiatives that have been undertaken in good faith by the government of President Wahid, with strong support from the United States, as an alternative to the military approach.

The most promising initiative to date, and the one most openly supported by the US government, has been the Joint Understanding on a Humanitarian Pause for Aceh, the truce signed by the Government of Indonesia and the Free Aceh Movement in May 2000, and later extended to run until January 2001. The basic aims of the agreement—to provide space for the provision of humanitarian assistance and to lay the basis for a negotiated political settlement—are laudable ones. And yet, several months into its implementation, it is terribly clear that the agreement has done little if anything to slow the violence. It was, after all, during this period that Jafar Siddiq Hamzah was kidnapped, probably tortured, and then killed by his captors; and as a victim of the mounting violence he was hardly alone.

I think that the fundamental weakness of the Humanitarian Pause agreement—apart from its obvious ineffectiveness in stopping the violence in the short-term—is that it fails to address the core issues that lie at the heart of the conflict. Indeed, one might even argue that it aggravates the problem by diverting attention away from those issues and from the underlying demand for justice that informs them. An aversion to addressing the central issues, and the question of justice, has similarly plagued most of the government's other initiatives.

To its credit, the Wahid government has recognized the need to grant a greater degree of administrative and fiscal autonomy to provincial authorities, in Aceh and elsewhere. If current plans for decentralization, and for more equal sharing of tax revenues, are properly carried out, one of Aceh's economic complaints will have been addressed in some measure. Indeed, it is hard to imagine that there will be much improvement in the situation in Aceh without such reforms. But even if those are successful—and in view of the stiff opposition to decentralization plans, that is a big if—the second and more intractable problem, illegal skimming and racketeering, will remain untouched. To date, little if anything has been done to remedy that problem, no doubt because it is so deeply rooted in the structures of military and economic power both in Aceh and in Jakarta.

In an apparent effort to address the nagging problem of military brutality, in early 2000 Wahid's government replaced some Army combat troops with Police Mobile Brigades (Brimob) units. Unfortunately, but unsurprisingly, this did not solve the problem. The behavior of Brimob units in Aceh, and in East Timor in 1999, offers abundant evidence that brutality is not the sole province of Army units such as Kopassus (Special Forces Command) and Kostrad (Army Strategic Command). Trained as a paramilitary force and equipped with sophisticated automatic weapons, Brimob in fact shares much of the TNI mode of operation, as well as its deeply embedded culture of violence. Until there is a significant change in the behavior and the institutional culture of the security forces—Brimob included—the only way to stop the cycle of brutality will be to reduce substantially the troop presence on the ground.

In the longer term, the incidence of brutality and violence could be more systematically reduced by ensuring that those responsible for it—whether TNI, Brimob,

or Free Aceh soldiers—are held accountable for their actions in a court of law, thereby breaking the insidious cycle of impunity. Indeed, the questions of justice and accountability are probably the most important, but also the most intractable, of the issues that must be addressed if there is to be an end to the conflict in Aceh. Any hope of progress on that front will require serious efforts at legal and judicial reform, as Wahid and others in his government have acknowledged. But in view of the fact that prosecutions for human rights violations in Aceh—like those in East Timor and elsewhere—would inevitably lead back to some of the most powerful civilian and military figures in the country, progress on that front will also require an unusual measure of political courage on the part of national leaders.

Political courage will be required from other quarters as well, and in particular from the government of the United States and other states with significant interests and influence in Jakarta. I say this because the problem in Aceh today is, in part, the responsibility of those states. By turning a blind eye as the crisis unfolded after 1989, the US and other governments allowed too many people to die, to be tortured, to be jailed, to be disappeared, and to be raped. The Clinton administration has been more engaged in finding a political solution in the past year or so, particularly through its support of the Humanitarian Pause. This involvement should be welcomed, but given the shortcomings of the truce agreement sketched above and the fact that the conflict continues to rage, a good deal more could and should be done.

Specifically, the US and other governments should continue to provide much needed technical support for judicial and legal reform in Indonesia, while pressing harder than they have thus far for the vigorous prosecution of the perpetrators of violence, including high-ranking officers and members of the Free Aceh Movement. As part of that effort the US should, as it has promised to do in the case of East Timor, push for the creation of an international criminal tribunal for Aceh in the event that domestic courts do not do the job. As an alternative, the US and other states should consider exercising universal jurisdiction in cases that constitute crimes under international law. In order to give these urgings some bite, the US should undertake not to restore, or to further extend, its military ties, transfers, and sales to Indonesia until there has been measurable, and sustained, progress on all of these fronts.

More broadly speaking, the US and other states that profess to care about human rights should urge that all future Indonesian initiatives on Aceh, including negotiations held under the auspices of the Humanitarian Pause agreement, address the core issues of economic exploitation, past and current military brutality, and impunity, as matters of the highest priority. If it does nothing else, Jafar's tragic death should at least remind us that the price of failing to tackle these central issues is far too high.

– Geoffrey Robinson