FROM OCCUPATION AND CIVIL WAR TO NATION-STATEHOOD: EAST TIMOR AND THE STRUGGLE FOR SELF-DETERMINATION AND FREEDOM FROM INDONESIA

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ABSTRACT

FROM OCCUPATION AND CIVIL WAR TO NATION-STATEHOOD: EAST TIMOR AND THE STRUGGLE FOR SELF-DETERMINATION AND FREEDOM FROM INDONESIA

The following article examines a case study of the territory of Timor-Leste (East Timor), the small half-island located about four hundred miles north of Australia and east of Java, Indonesia. The particular focus is upon assessing the evolution of the territory from colony to independent nation-state, and the patterns of conflict, civil war and settlement that have marked the contested area and its people. A central narrative is that, whilst self-determination and independence for East Timor from Indonesian rule looked not so likely prior to 1999, a sequence of developments and factors combined to enhance the prospects and reality. Drawing upon relevant theoretical literature, the article shows also how a large state withdraws and downsizes from a situation of harshly imposed military occupation, despite the inherent pressures for and pattern of regime maintenance and control of outlying territory.
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INTRODUCTION

This article examines as a case study the territory of Timor-Leste (East Timor), the small half-island located about four hundred miles north of Australia and east of Java, Indonesia. The current population of the sovereign territory is about 1.1 million, compared to about 1.6 million in neighbouring West Timor, which is part of Indonesia. The focus of the article is upon assessing the evolution and progression of the territory from colony to self-determination and independent nation-state status and the patterns of conflict and settlement that have characterised the contested area and its people. A central narrative is that, while self-determination and independence for East Timor looked unlikely up to the late 1990s, a sequence of developments and factors combined to enhance the prospects and deliver the reality. However, independence came at a terrible price: a quarter of a century of bloody and brutal occupation with widespread killings, conflict-related deaths and human rights violations in evidence (see below). As Walter points out, self-determination struggles are the most intractable type of civil war and the most likely to escalate—and the experience of East Timor was an illustration of this between the years 1974-99.¹ Other authors have argued too that, since 1945, “civil wars have produced some of the most destructive forms of violence and conflicts in international relations” and that civil wars in Southeast Asia and the Pacific “are perhaps the most intractable in the world”.² East Timor again would fit into this scenario to some extent, albeit though a settlement was reached eventually, somewhat surprisingly, and in special circumstances, as discussed below. Whilst the relinquishing of East Timor by Indonesia happened rather suddenly in the endgame, Lustick reminds us that “the spatial malleability of states is neither surprising nor extraordinary…the territorial shape of any state reveals itself as contingent” on various processes and developments.³

In order to provide some context to the case study, the first section of the article focuses on the evolution of the territory over the years as one form of colonialism (Portuguese) was superseded by another (Indonesian) in rapid succession, albeit with a fleeting intra-Timorese civil war and the declaration of independence proclaimed by ascendant indigenous forces in the short interregnum between the two colonial periods. The second section assesses the nature of the Indonesian annexation of what was called Portuguese Timor, with the focus on invasion, occupation and institutionalisation aspects. The third section examines the specific circumstances of Indonesia’s withdrawal from East Timor in the late 1990s after a quarter of a century of brutal and contested rule. The fourth section focuses on the various international dimensions of the East Timor crisis. The Conclusion reflects on some of the key aspects of the settlement that took place in 1999.

PORTUGUESE COLONIALISM AND DECOLONISATION
In the mid-1970s Indonesian invasion and occupation of East Timor followed closely on the heels of Portugal’s hasty withdrawal, after several centuries of Portuguese rule over the territory. Portuguese traders had arrived in the island of Timor in the 1500s and Lisbon claimed authority over the territory in 1520. Thereafter, Dutch and Portuguese imperial rivalry led eventually, in 1769, to the former empire gaining jurisdiction over the west of the island and the latter dominating the east.\footnote{4} This de facto partition of the island was consummated a century later when the Netherlands and Portugal signed a border treaty in 1859, that was modified in 1893 and finally “settled” in 1916. The partitioning of Timor therefore was a slow and protracted process, as territorial disputes between the Dutch and Portuguese were commonplace and often involved the participation and incorporation of local rulers and their forces.

The division of the island should not be seen as an ethnic one. Family and other connections transcend the border, and as one leading authority on the subject concluded:

> There would appear to be nothing natural, or inevitable, about the borders which came to describe East Timor and West Timor. Once defined, however, the borders took on a solidity which they have retained until today.\footnote{5}

In the west of the island, the Dutch authorities promoted the use of the Malay language, the basis for modern bahasa Indonesia, a factor that enhanced eventual integration into the Republic of Indonesia following the Netherlands’ post-war decolonisation process. In contrast, the Portuguese popularised a form of local Tetum language in their counterpart east Timorese colony, though several other local languages were utilised by the people too. According to Zunes:

> The East Timorese were of Melanesian stock, though Malays and, more recently, Chinese, Arabs, Africans and Portuguese added to the racial mix…There were virtually no cultural, ethnic or religious linkages with the Javanese, who have always dominated Indonesian politics and society and who control the country’s government and armed forces.\footnote{6}

In 1945, Indonesia declared its independence from the Dutch colonial authorities and—under the leadership of President Sukarno (1945-67)—became a republic in 1950, with West Timor actually serving for a time as a zone of Dutch loyalism. Sukarno’s anti-colonial presidency never really challenged Portuguese rule in East Timor and the focus in the 1960s was mainly upon the confrontation in Malaysia (1962-66) and on securing Indonesian hegemony in the former Dutch colony of Irian Jaya (or West Irian). As Dunn contends, “during the decade in which aggressive anti-colonialism was the preoccupation of Indonesian foreign policy, Portuguese rule in Timor survived by default”.\footnote{7} In the mid-1960s, the Major-General Suharto-led “counter-coup” in Indonesia, against alleged and actual communists, left at least half a million people and possibly as many as a million dead over a two year period.\footnote{8} Anti-communism, national security concerns and decolonisation became the hallmarks of the nascent state and in 1968 Suharto replaced Sukarno as president of the Republic of Indonesia. The new president, like his predecessor, also showed no open signs of wanting to appropriate East Timor as a territory of
the burgeoning Indonesian state, as part of the broader decolonisation process. As Zunes explains, “there was never much effort, in word or deed, by the Indonesians to indicate an interest in taking over what was then known as Portuguese Timor during the first twenty years of Indonesian independence”.  

Of course, one factor here was that the respective regimes in Jakarta (under Suharto) and Lisbon (under the rule of Salazar and Caetano) shared a common anti-communist philosophy. Certainly, there was some sympathy and encouragement in Jakarta for autonomous independence elements and pro-integrationist (with Indonesia) sentiments in Portuguese Timor but this did not amount to much in practice. For one thing, the incorporation of the emergent middle-class into the Portuguese colonial administration greatly reduced the availability of that cohort to take leadership of or to declare active solidarity with discontented secessionist elements within the territory. Thus distinctly Timorese nationhood building was very limited on the Portuguese side of the island.

However, the situation changed abruptly for the Timorese in the mid-1970s as the Portuguese empire imploded after the so-called Carnation Revolution of 1974. In fact, the 1974-5 period can be seen as an interregnum in the territory as one empire (Portugal) gave way to another colonial occupation (Indonesia), with a brief but significant phase of East Timorese awakening, ascendency and independence sandwiched precariously in between. The collapse of the Portuguese regime at home and abroad also led to the incapacity of Lisbon to construct a measured timetable for decolonisation. In the short interregnum nascent Timorese political associations were permitted to form by the new, more liberal-left leaning regime in Portugal. The most prominent of these organisations was the Timorese Social Democratic Association (ASDT) founded in May 1974, though the party changed its name to the more radical leaning Revolutionary Front for the Liberation of East Timor (Fretilin) a few months later. During the interregnum Fretilin became engaged in a short civil war with other Indonesian-backed indigenous political organisations in East Timor—notably the Timorese Democratic Union (UDT) and the Timorese Popular Democratic Association (Apodeti). According to Taylor, the latter was very much the creation of the Indonesians and some of its members took part in training exercises in West Timor.

The three week civil war in August 1975 resulted in some three thousand deaths and all groupings committed atrocities. Moreover, the divisions within the East Timorese political associations at the time of the civil war had negative repercussions for intra-Timorese relations for years to come. Fretilin emerged as the winner of this internal conflict and the defeated UDT and Apodeti activists largely fled across the border where the Indonesian authorities compelled them to sign a petition in favour of Portuguese Timor’s integration with Indonesia. The document was used thereafter as proof of the “free” choice of the Timorese people for this new constitutional arrangement. Significantly, the 17 July 1976 Act of Integration took effect despite Indonesia’s “insecure and only partial control” of the annexed territory, and in practice amounted to nothing more than a “sham integration”. According to Budiardjo and Liong, the Act of Integration was “based on the fiction that an act of self-determination had taken through the unanimous
decision of a People’s Assembly”: “This Assembly was a creation of the puppet Provisional Government of East Timor established immediately after Indonesian troops took control of Dili in December 1975”.16 This government was composed of members of collaborationist, anti-Fretilin parties and it created a People’s Assembly which was firmly under Indonesian control.

Conscious of an Indonesian military build-up across the border, Fretilin had declared independence for East Timor on 28 November 1975. But the independence proved to be very short-lived as the Indonesian military launched a full-scale invasion of the territory on 7 December 1975. Nonetheless, a week or so can be a long time in politics and, as Walter contends: “Groups that had once enjoyed political autonomy but had lost it, such as the East Timorese...were also more likely to seek self-determination than those with no such history”.17 Indeed, the same author goes on to suggest—on the basis of her painstaking analysis of reputation, civil war and separatist conflict, that “lost autonomy...more than any other factor, appeared to be a major motivator in the decision to challenge”.18

**INDONESIAN STATE: INVASION, OCCUPATION, RE-COLONISATION AND INSTITUTIONALISATION**

The invasion and subsequent incorporation of East Timor into Suharto’s New Order, as Indonesia’s twenty-seventh province, in effect launched the territory and people immediately into another de facto civil war situation with the might of the Indonesian military and state on one side and the resistance on the other. Tens of thousands of Timorese people were killed during the first few days of the invasion. From the beginning, then, the invasion was a brutal experience for the people of East Timor and, during the course of occupation, killings and deaths were so frequent and the product of a systematic strategy of terror and control that analysts have spoken of genocide in depicting what took place in the territory.19 The widely-accepted report of the post-conflict Commission for Reception, Truth and Reconciliation (CAVR), East Timor’s truth commission, pointed to a minimum of 102,800 conflict-related deaths, including 18,600 killings and 84,200 deaths due to hunger and illness between the years 1975 and 1999. Real figures were deemed to be much higher and the CAVR report declared that the figure could be as high as 183,000.20 There was a high concentration of deaths due to hunger and illness during the early years of the occupation (1975-1980), while 1999 constituted a high point for killings as the Indonesian military and their proxy militias attempted to scupper the eventual self-determination process and outcome (see below).21 The above figures were not contested seriously and Susilo Bambang Yudhoyono, the current President of Indonesia (since 2004), by accepting the report of the bilateral Indonesian-East Timorese Commission on Truth and Friendship (CTF) (2005)22, recognised at least that his country’s armed forces were largely to blame for the killings and violence of 1999.

The course and character of the occupation varied over time. For example, in the early two years or so, about half of the population were displaced forcibly or choose to move towards the interior of the territory under the protection of the resistance army, Falintil (Forças Armadas da Libertação Nacional de Timor-Leste—the Armed
Forces for the Liberation of Timor-Leste), Fretilin’s armed wing. Indeed, the resistance enjoyed considerable popular support and, as Michael Leifer suggested, the territory was held “against the will of virtually all the population”. This reality was translated into a massive vote for independence in the 1999 referendum (see below). From 1977 onwards, Indonesian strategy focused on gathering up the population in resettlement or transit camps where conditions were dire and starvation and abuses were prevalent. Civilians were also dragooned into the Indonesian military’s counterinsurgency operations, such as the 1981 “fence of legs” sweep operation, designed to flush out the resistance forces across the territory. In the 1980s, the Indonesian authorities went in for a strategy of holding more court trials and prosecutions, although with standards of procedure well below internationally accepted levels. The 1983 ceasefire arranged with resistance leader Xanana Gusmão was broken by the Indonesian military two years later. In the late 1980s, the Indonesian authorities opened up the territory a bit more via a process of “normalization”: with travel restrictions lifted; East Timor granted “equal status” with Indonesia’s other twenty-six provinces; Operation Smile (i.e. tightly supervised visits of foreign dignitaries, including Pope John Paul II); UN sponsored dialogue with Portugal; some military changes; and investment encouraged in the territory. However, covert action behind the scenes continued and, in the 1990s, a swathe of auxiliary bodies, special forces, paramilitary units, youth vigilantes and militias were mobilised to support the military and the overall policy of integration, culminating in the scorched earth activities of 1999. The killing of over two hundred and fifty mourners at the Santa Cruz (Dili) cemetery in 1991 was arguably the most infamous massacre of the occupation.

Widespread use of violence was a core practice of Indonesian military occupation of East Timor. Indeed, one informed observer suggests that “the systematic use of terror was perhaps the most conspicuous element of Indonesian strategy in East Timor from 1975-1999”. As to why the occupation was so violent, various reasons have been put forward. For instance, the Indonesian military’s approach in East Timor can be seen as a continuation of the ruthless struggle against communism, as waged against the Indonesian Communist Party and other alleged supporters in the 1960s notably. East Timor was not a special case as regards state violence and there were other punitive operations waged by the Indonesian military in territories such as Aceh, Bali, Irian Jaya (West Papua), Java and Malaysia. Again as Robinson explains:

The common pattern of violence in all these areas reflected standard Indonesian military doctrine, which in turn stemmed from certain distinctive features of the New Order state that emerged following the anti-Communist military coup and massacres of 1965-66. These included the unquestioned political dominance of the army, the solidification of a state ideology obsessed with security and national unity, the systematic use of terror for internal security, and the articulation of a military doctrine of total people’s defence that entailed the mobilization of the civilian population to wage war on the state’s internal enemies.

Thus Robinson locates the practice of the military’s excessive violence in East Timor in the broader context of similar excess in other territories that came to make
up the Indonesian republic. It was part of the process by which the post-colonial Indonesian nation-state was constructed and imagined. The culture of violence and of impunity for human rights violations, embedded in the armed forces, and coupled with their prominent role in the authoritarian decision-making of Suharto’s regime, made the use of violence more likely than not to take place in East Timor. As Challis further points out: “The army behaved in the fashion that was customary in the outer regions: the soldiery with lethal savagery, the officers turning human and other sources to their own enrichment.” As regards this broader all-Indonesian perspective, Suharto and his generals in building up their reputation for toughness and unwillingness to compromise in Timor were sending out a message to other would-be secessionist parts of the Republic that separatist activities would not be tolerated lightly. As Walter hypothesises and explains in her study of reputation building and civil war in general,

the low rate of negotiations is the result of reputation building, where governments are refusing to negotiate with early challengers in order to discourage others from making more demands...Fighting a war against one challenger is the price governments are willing to pay in order to deter additional challengers later on.

Certainly, the East Timor experience fits into this scenario and other separatist movements in Indonesia were heartened and emboldened by the eventual outcome of self-determination and independence for the contested territory.

Moreover, the opposition to Indonesian state up-sizing, via territorial incorporation of East Timor, was underestimated by the military and, as Kammen explains, the invasion was “poorly planned and met fierce resistance”. For a surprisingly long time, Fretilin and its military wing Falintil proved to be quite resistant to Indonesian rule, inflicting many casualties on the better equipped military forces, holding up operations and thwarting expectations of bringing the territory quickly under Jakarta’s authority. Indeed, as intimated above, in the early years of the occupation, a large percentage of the population was deemed to be under the protection of the resistance in the interior of the territory. In this context, and in view of Falintil’s widespread support, actual, or imagined, within the Timorese populace, the Indonesian military and their allies took revenge on the local people as well as on the more direct opponents of the occupation. If certain wanted individuals could not be found by the Indonesian military then friends and family were likely to be targeted. Such practices were unlikely to endear the indigenous population to their occupying masters. In addition poorly paid Indonesian troops were accused of appropriating the goods and provisions of local people thereby again creating a negative basis for engaging with the people of East Timor. Also, the largely Muslim occupiers shared different religions, languages and cultures compared to the largely Catholic and animist East Timorese people. Again, although the civil war in East Timor should not be portrayed as a religious conflict, the Indonesian policy of transmigration brought largely Muslim settlers to the territory, many who did not know exactly what they were coming to and who were shocked to find that they were pawns in a wider design. Needless to say, they were not particularly welcomed by the beleaguered indigenous population and a lot returned home.
The transmigration policy was of course one of the means by which Jakarta attempted to integrate or “Indonesianise” East Timor. But this process was only one of many aspects of control from Jakarta. According to Budiardjo and Liong, writing in 1984:

All the critical areas of administration—security and order, political affairs, information, communications, population control and settlement, manpower, family reunions and religion—are under the supervision of the Indonesian Department of Defence and Security’s Co-ordinating Committee for the Administration of East Timor.\(^{38}\)

The latter body was chaired by the Commander-in Chief of the Armed Forces. As a result, military personnel, collaborators and supporters of integration enjoyed the best jobs and control of resources in East Timor, including the lucrative coffee industry. Moreover, favoured newcomers to the territory were deemed to have not even a basic understanding of the Timorese people and culture whilst, to satisfy the cause of integration, Timorese had to learn the Indonesian language, history, founding values and nation-state building narrative of the Republic of Indonesia.\(^{39}\)

As one Indonesian survey concluded in 1991, with some measure of understatement:

With this integration, the Indonesian government considered the problem of decolonisation of East Timor to be resolved…{But}…Due to their history and the violence which surrounded integration, the process by which the East Timorese became an integral part of Indonesia has been fraught with problems of adjustment.\(^{40}\)

Unsurprisingly then, the Indonesian occupation and incorporation of East Timor was never seen as acceptable by most of the indigenous population. The presence and activities of the resistance movement in the territory and the support and global lobbying for self-determination from the Timorese diasporic community served to underline this reality. The Indonesian military and their allies may well have held the overwhelmingly dominant position in the territory but they never exhibited the legitimate exercise of force within the given territorial area. In this context, Lustick’s neo-Gramscian analysis of how states expand and contract provides a useful theoretical framework in which the East Timor case might be situated. According to Lustick, “The incorporation of a particular territory into a core state is as fully institutionalized as it can be only when it becomes part of the natural order of things for the overwhelming majority of the population whose behaviour is relevant to outcomes in the state.”\(^{41}\) Thus, East Timor under the Indonesian New Order was incorporated but never really hegemonised. Put simply, the hearts and minds of the Timorese people were never won over by Indonesia. Lustick again alludes to situations where there exists: “a severe contradiction between the conception advanced as hegemonic and the stubborn realities it purports to describe” and “an appropriately-fashioned alternative interpretation of political reality capable of reorganizing competition to the advantage of particular groups”, the latter sponsored by “dedicated political-ideological entrepreneurs.”\(^{42}\) The East Timorese example, with its alternative nationalist narrative and the contributions of influential
advocates such as José Ramos-Horta, Xanana Gusmão, Bishop Antonio Belo, and Falantil/ Fretilin fits into this framework of analysis.

All these individuals and military/political organisations played key roles in the pre- and post-independence periods, as leaders, advocates and guides dedicated to the vision and reality of another East Timor. Agency, in the form of moral and political leadership was an important factor in articulating and enhancing the Timorese cause. Nobel Peace Prize Laureates Bishop Belo (representing the Catholic Church) and Ramos-Horta (mobilising the diaspora and engaging with the international community), and Xanana Gusmão (unquestionably the leader, unifier and strategist of the resistance movement) all made long and weighty contributions to the eventual settlement in East Timor. Moreover, Gusmão and Ramos-Horta both carried over their success into the independent nation-state, virtually monopolising the presidency and prime ministerial positions in post-settlement East Timor. Fretilin too, led by another strong figurehead, Manu Alkatiri (prime minister, 2002-2006) provided continuity and leadership stretching from the interregnum to the resistance to the independence of East Timor, when Fretilin emerged as the overwhelmingly successful party (55 seats out of 80) in the first popular elections of 2002.

WITHDRAWAL

Events and developments in Indonesia in the latter half of the 1990s contributed greatly to the somewhat unlikely outcome of self-determination and independence for the people of East Timor. Notably, on 21 May 1998, President Suharto resigned after three decades in office. The context of his resignation was the economic crisis that was sweeping through the Asian economy at the time and that particularly hit the fragile, personalised and weakly structured crony capitalism of Suharto’s Indonesia. One outcome of the crisis was the massive devaluation of the Indonesian currency. Moreover, the 1990s were characterised by growing opposition to Suharto within the country. Immediately prior to Suharto’s resignation there was also civil unrest on the streets, including unprecedented large scale rioting and crackdown in Jakarta, which left around 1200 persons dead and widespread demands for democratisation of the authoritarian regime unsatisfied. As Suharto’s authority evaporated and Western backers and business investors lost confidence in the regime, the President resigned and handed over the reins of power to vice-president B J Habibie. The latter was a Suharto loyalist but was only appointed to the vice-presidency two months before the fall of Suharto and, unusually, did not emanate from the ranks of the armed forces.44

From the beginning there were signs that Habibie, or indeed any non-military leader, would not be popular with the Indonesian top brass, not least given his sympathy for reform of the New Order. Indeed, previously ABRI (Angkatan Bersenjata Republik Indonesia—the Indonesian National Armed Forces) had slowed up Habibie’s progression to Vice-President, pressurising Suharto not to move in this direction.45 According to Bourchier, “the majority of the officer corps strongly disliked Habibie and were dismayed when Soeharto handed power to him in May 1999”.46 Taylor suggests though that some military leaders might have
seen Habibie as a safe pair of hands at a time of crisis and certainly it would be erroneous to portray Habibie as friendless within military circles. However, military leaders in East Timor were particularly disturbed and infuriated by the new president’s hastily articulated plans for East Timor. Amid much surprise, and within weeks of taking office, Habibie announced special territorial status for East Timor, offered an amnesty for some East Timorese prisoners and even mooted the prospect of releasing from detention the charismatic East Timorese resistance leader Xanana Gusmão.

The new Indonesian President offered the people of East Timor a “wide ranging autonomy” in exchange for the curtailing of demands for independence of the territory from Indonesia. But, wide ranging autonomy and special status were not synonymous with self-determination and independence. Nor was there any guarantee that the military would withdraw from East Timor. In the absence of support for Habibie’s offer—in East Timor and from the wider international community and the world of business—the President was prepared to go further. Moreover, by mid-1998, the media was reporting that officials in Dili, East Timor’s capital city, were engaging with the independence movement in an unofficial dialogue. By August, the foreign ministers of Indonesia and Portugal were meeting with the United Nations’ Secretary General to explore how the autonomy status might be worked out in practice. The dynamics and choreography of the overall picture here were summed up well by one observer:

Having canvassed the idea of autonomy soon after coming to power in mid 1998, on 27 January 1999, he surprised the world, and many in his own government, by announcing that if Timor did not accept autonomy his government would be prepared to countenance an early move to independence. The reasons behind this historic decision have been the subject of much speculation. However, the evidence points to it having been motivated by a desire on the part of the President and a number of his close advisers to get rid of what had become a perpetually embarrassing and expensive albatross.

The cost of maintaining Indonesia’s presence in East Timor was reported to be around $1 million per day, as well as the considerable loss of thousands of military personnel’s lives, and the widespread global condemnation that the Jakarta regime was subject to. Prior to the referendum, the military elite warned that 20,000 members of the Indonesian armed forces should not have died in vain. For a regime undergoing economic crisis and continuous criticism on the human rights front, however, East Timor had become an escalating nuisance to the Indonesian authorities. As Sander Thoenes explained at the time, “it has become more difficult for Indonesia to hold out against international criticism of its policy towards the territory as economic crisis has forced the government to rely more on foreign aid”. Similarly, Leifer explained that East Timor had become “an unacceptable drain on national sources”. Furthermore “Indonesia’s international standing and prospects for recovery from economic adversity had been diminished by holding on” to the territory. Providing the long view, Ali Alatas, the longstanding and influential Indonesian Minister of Foreign Affairs, contended that the East Timor problem began as “a pebble in the shoe” but subsequently it became a millstone
around the neck of Indonesia.\textsuperscript{56} The change of heart in Jakarta was seen widely though as a massive turnaround—a “thunderbolt”\textsuperscript{57}, a “U-turn that would not have been thinkable before autocratic President Suharto was forced from office”\textsuperscript{58}

Further theoretical and comparative contribution to interpreting Habibie’s approach has been made by Walter, whose systematic analysis of civil war and secessionist situations finds that where leadership tenure is expected to be short there is more likelihood that the ruler will be more receptive to self-determination pressures. Thus, “Leaders with shorter time horizons are much more likely to accommodate separatist demands than other leaders…leaders who expect to be in office for longer time periods are particularly concerned with reputation”.\textsuperscript{59} Reputation for toughness was deemed to be more crucial for Suharto than it was for Habibie, who was seen more so as a caretaker, transitional leader—who, in fact, did last only until 2000. As Walter points out, Suharto spent thirty-three years suppressing East Timor, while his successor granted self-determination to the territory almost immediately. Moreover, the same author lists four key variables, indicators of advantage that are likely to play into separatist hands: diaspora; mountainous terrain; use of violence; and proportion of the population represented by the challenging group.\textsuperscript{60} The East Timorese model scores highly and ticks the boxes on all these factors.

Habibie’s decision to offer a referendum to the East Timorese can be seen in the context of some further theoretical contributions towards debate about civil war and self-determination. For example, Lustick (2001) assesses why states take strategic options to reduce the size, scope or ambitions of the state and under what circumstances leaders take decisions involving short term risks and disruptions on the basis of long term calculations.\textsuperscript{61} Contracting out of certain territorial commitments may not necessarily be seen as a proof of the weakening of the core state. Admittedly, such obvious disengagement may well have offered heart to other separatist movements in Indonesia and elsewhere bent on similar paths but, as Walter suggests, the heavy costs of winning self-determination may well be dissuasive for other challengers.\textsuperscript{62} According to Jervis and Press, concessions by the core state are just as likely or more likely to be followed by a much stronger stance against future challengers.\textsuperscript{63} Moreover, and in this context, if East Timor’s trajectory and “settlement” could be and was “spun” as a special one-off case, not to be repeated across Indonesia, then there is a likelihood that some separatist minded regions and movements might be more cautious about the wisdom of fighting to go down a similar self-determinist path.\textsuperscript{64} However, there is no clear cut path or answer here, for self-determination and national independence are goals that are capable of motivating people to go to great lengths to achieve, whatever the odds.

After Habibie’s January 1999 announcement, events moved quickly and negotiations went ahead for a Popular Consultation, in effect a referendum in East Timor on the territory’s future status. The so-called May 5th Agreements consisted of a package of three agreements and documents. The first one stipulated that the voters in East Timor would be balloted to accept or reject an offer of an autonomy package; the second component made it clear that rejection of special autonomy
would mean independence for East Timor; and the third part dealt with security arrangements for the poll. Crucially, the package entrusted the Indonesian military with the task of overseeing the security context for the referendum, instead of allowing for United Nations peacekeepers to take on this role. At the time, and certainly with hindsight, this provision was flawed. Given the past record of the Indonesian military, the decision on security arrangements, in the form of UN Resolution 1236, was hardly a reassuring one for the people of East Timor, but Indonesia was reluctant to do otherwise and the international community was not keen to force the issue at this delicate moment in time.

However, following Habibie’s initial statement on autonomy for East Timor, the Indonesian military’s strategy was to encourage the mobilisation of pro-integrationist militia groups in the territory. These forces were armed, activated and orchestrated by the military in the year or so leading up to the referendum of August 1999. Moreover, ABRI’s use of local irregulars was designed to enable the civil unrest to be portrayed as a local conflict or civil war, with the Indonesian military acting as honest brokers.

The question on the ballot paper (in Tetum, Portuguese, Indonesian and English) asked the voters the following question:

“Do you accept the proposed special autonomy for East Timor within the unitary State of the Republic of Indonesia?

OR

Do you reject the proposed special autonomy for East Timor, leading to East Timor’s separation from Indonesia?”

The result of the referendum was decisive as, on a remarkable turnout of 98.6 per cent—amidst ongoing intimidation, killings and unrest—78.5 per cent voted for independence. The outcome served further to unleash the integrationist forces in a pre-planned, scorched earth and revenge-seeking campaign in which many more people were killed, displaced or threatened. The situation came to a head when some fifteen hundred internally displaced persons and UN personnel were corralled in the United Nations Mission in East Timor (UNAMET) compound in Dili, with the building in great danger of being overrun by the military and militias. After some procrastination from the international community and internal mayhem on the ground, key member states of the United Nations agreed finally to put enough pressure on the Indonesian government to accept a peacekeeping force. Arguably, the most devastating blow for Jakarta was when Australia, its previously staunch backer of the annexation of East Timor, withdrew support. The UN Security Council authorized the immediate deployment of a multinational force whose presence quickly brought to an end the violence and to Indonesia’s rule in East Timor. The International Force for East Timor (INTERFET), consisting of troops from several nations including Australia, New Zealand, Thailand and the Philippines, duly began its operations within a few days and soon brought calm to the territory. Thereafter, East Timor became a nation-state in waiting under the
temporary jurisdiction of the United Nations Transitional Administration in East Timor (UNTAET), prior to full independence and UN membership as a sovereign state in 2002.

Thus, whatever the official verdict of the people here, the military in East Timor and pro-integrationist elements were not happy to put up with the down-sizing of the territory of Indonesia, especially if this example might serve as an incentive to other secessionist parts of Indonesia such as Papua, Aceh and Malukku. Leifer suggests that the scorched earth policy satisfied the hurt pride of the military elite which had been unable to come to terms with failure in the territory. The former head of military intelligence for Indonesia, Major General Zacky Anwar Makarim, is reported to have informed Xanana Gusmão that, “as a military man, as an intelligence officer, as a veteran, I cannot accept losing East Timor.” A similar sentiment was voiced by another Indonesian general who equated the giving of independence to one contested area of the Republic of Indonesia as akin to setting off a violent Balkans-style break up of the country. Zacky Anwar Makarim was appointed to head a Task Force to Oversee the Popular Consultation and the sentiment herein was that the military could pull off a victory in the referendum by using terror and violence or failing that a narrow result the other way would not be convincing enough to justify proceeding with self-determination. Partitioning of East Timor was also another possibility under discussion here. Undoubtedly, the military’s prestige and position within the Indonesian state structure would be dealt a blow if East Timor separated from Indonesia. Up until this prospect (and ultimate reality), post-war Indonesian state building had been a matter of territorial aggrandisement rather than contraction.

Theoretical approaches to the role of the state as an institution need to recognise that this unit is not simply a monolithic entity. There are divisions within the state between the various apparatuses and clearly, as regards East Timor in 1998-99, there were differences between the military in Dili and the political leadership in Jakarta once that Habibie had replaced Suharto. As Zunes suggests:

Ongoing divisions within the Indonesian government became apparent in 1999, when the civilian president B J Habibie agreed to an internationally-supervised referendum on the fate of the territory. The military formally backed his decision, but then supported and engaged in massacres of independence supporters and widespread pillage of and destruction of property.

The armed forces too should not necessarily be seen as a monolith for there were some signs that high ranking military voices in Jakarta were more “helpful” in working with Habibie, whereas others on the ground in East Timor were less accommodating. According to Kammen, the overall unrest in Indonesia and East Timor left the army quite paralysed but segments of the military on the ground in East Timor took action.

Notwithstanding these caveats, the Indonesian military and their militia proxy groups can be seen as “spoilers” in the process of second phase decolonisation in East Timor. According to Stedman, albeit referring largely to external actors,
spoilers interpret the settlement emerging from peace processes (in this case the referendum) as contrary to their world view and interests. In East Timor, armed integrationist forces played the role of insider spoilers. Again, as Stedman suggests: “An insider spoiler signs a peace agreement, signals a willingness to implement a settlement and yet fails to fulfil obligations to the agreement”. As a rule, and elsewhere in the Republic of Indonesia, the military’s tried and tested tactics of divide and rule, institutionalised terror and recruitment of militia or counterinsurgency forces had proved effective in preventing a settlement or any down-sizing of the state. Nor should the violence from the militias be seen as spontaneous or ad hoc, but rather there were enough signs to interpret it as part of a systematic, planned and orchestrated operation. For a time, the spoilers had their way in East Timor, but ultimately they went too far and provoked a global reaction that deprived them of their victory. Here too Stedman provides some useful analysis that can be applied to the East Timor case: “The crucial difference between the success and failure of spoilers is the role played by international actors as custodians of peace.”

Often in the past, international actors had failed the East Timorese. Eventually, in the late 1990s and in specific junctural circumstances, the pattern of behaviour was different. As Robinson explains: “In response to mounting public outrage, in mid-September the United States and other key governments finally took steps to rein in the Indonesian army and its militia proxies, cutting military ties to Indonesia and threatening to suspend economic aid.” Moreover, the resources, tactics and military might that had stood the Indonesian regime well enough for twenty-four years and ensured control over the people and territory were of little use ultimately when they were ranged against United Nations’ personnel and the prospect (and reality) of an international peace-keeping force and subject to the critical glare of the world’s media. In addition, the world had moved on: 1999 was not 1975. The Cold War context of the earlier period of invasion and occupation was superseded by a post-communist age and a different international climate.

In this respect, there was an element of path dependency in the settlement of 1999. For reasons of space, here is not the place to explore the notion of path dependency in any detail. Suffice to note that, as Pierson suggests, “patterns of timing and sequence matter”; large consequences may result from contingent events; “political development is punctuated by critical moments or junctures”; particular courses of action, once introduced, have their momentum, and “the costs of switching from one alternative to another” have to be taken into account. All these observations and yardsticks can be applied to the East Timorese case study and, to some extent, the next section, which takes a closer look at some of the international dimensions of the East Timor conflict, returns to this theme.

INTERNATIONAL DIMENSIONS

East Timor’s quarter of a century of occupation, repression and crisis was very much a product of international considerations and interests. In fact, from start to “finish” (1974-1999), the international dimensions to East Timor’s occupation were paramount. Thereafter too, although for reasons of space this is beyond the scope
of this paper, the United Nations and international actors played a prominent role in the territory’s post-Suharto self-determination, reconstruction and security, notably in the form of various intervention and support forces, missions, transitional administrations and post-conflict support institutions.

In practice, the international dimensions to East Timor’s crisis became manifest in different ways. First, following Indonesian annexation of the territory, the United Nations General Assembly (UNGA) adopted Resolution 384 [1975] calling on Indonesia to withdraw without delay. The UN Security Council (UNSC) followed suit with Resolution 384 [1975] and then repeated the call for withdrawal with Resolution 389 [1976]. Thereafter, the UNGA passed regular resolutions between 1976 and 1982 calling for self-determination for East Timor. However, those countries that had the capacity to translate these resolutions into purposeful action were not prepared to do so and instead they supported Indonesia as an ally. For reasons of Cold War realpolitik and trade, leading members of the international community, including the USA, UK and Australia, were prepared to accommodate Indonesia’s annexation of East Timor. In this context, Jackson has made the argument that “state terrorism is frequently enabled, at least in part, by the military, economic and diplomatic support, tacit approval or even calculated indifference they receive from international actors”.

Second, another quite different dimension of the international community’s activity as regards East Timor was the way in which NGOs, human rights organisations and global civil society became more and more aware of and engaged with the territory’s and Timorese people’s plight after 1975. Key landmarks here included the widespread international reaction to the Santa Cruz massacre of 1991; the raft of publicity and support surrounding the Nobel Peace Prize awards to Timorese leaders José Ramos-Horta and Bishop Antonio Belo in 1996, and; the global outcry and campaigning for humanitarian intervention at the time of the 1999 referendum and its violent aftermath. Again, the recommendations of the CAVR report, directed to the Timor-Leste government, put on record the recognition of this dimension: “The Government of Timor-Leste, with the support of the United Nations, honours the contribution of international civil society to the promotion of human rights in Timor-Leste…”

The third international dimension or phase amounted to a de facto synthesis when the UN and key member states, ex-Indonesian fellow travellers, coalesced with the drive of global civil society and the resistance movement—at a time of accentuated human rights crisis in East Timor and ailing economic problems in Indonesia—to move swiftly towards an endgame for the concept and practice of Indonesian East
Timor. Key developments here were discussed or noted above—notably the economic crisis in Asia, the Suharto/Habibie changeover and the behaviour of the Indonesian military and its proxy militias aimed at thwarting a settlement and defying the UN. Timing, therefore, was all-important here: what was stymied in 1975 (i.e. phase one decolonisation and self-determination) became more viable in 1999, but at great and tragic cost in the interim, and in the form of a “bitter dawn” for the Timorese people. As Robinson explains,

the decision to intervene militarily in East Timor in mid-September 1999 stemmed from an unusual confluence of historical trends and political pressures that briefly altered the calculus by which key states assessed their national interest, making inaction more costly than humanitarian intervention.

Given the above dimensions then, it is no surprise that the CAVR report placed considerable emphasis on the key role of the international community. The recommendations of the report included a measured assessment of and appeal to the international community, replete with an aspiration that lessons might be learnt more widely in future conflict situations around the globe:

The conflict in East Timor was not primarily an internal conflict but one of foreign intervention, invasion and occupation that caused the people of Timor-Leste great suffering and loss and violated international law and human rights which the international community was duty bound to protect and uphold. While these relationships have evolved since the intervention of the United Nations in 1999, there are a number of steps to be taken which will assist the building of this new nation and its international relations and to ensure that Timor-Leste’s experience is not repeated in other situations.

Among the recommendations here inter alia were the request that the report gets widely distributed at all levels in the international community; states having military programmes with Indonesia make their apologies to East Timor; permanent members of the UNSC and business corporations deemed to have profited from the situation provide reparations to East Timor; and indicted Indonesian military face visa and frozen bank account restrictions.

CONCLUSION

According to the author of one weighty study of how states incorporate and relinquish territories: “In the world as we know it in the 1990s, no fact about states is more obvious than the impermanence of their boundaries.” The same author reminds us that states are not “givens”, constants or immutable constructs. They may be formed and constituted but not necessarily grounded in or representative of the populations and societies in which they operate. As a case study of patterns of conflict management and closure, the East Timorese experience may not be typical. Nevertheless, Robinson inter alia makes a good case of portraying the recent history of the territory of East Timor comparatively as,

…in some respects emblematic of many of the most important political and legal developments of the final decades of the twentieth century…East Timor has lived in the crosshairs of the central ideological and geopolitical challenges of the each of the
last several decades, including the struggle for decolonization, the tragic consequences of cold war “realism”, the problems of militarism and extreme nationalism, debates over humanitarian intervention and UN trusteeship, and the emergence of new regimes of international law and justice.\textsuperscript{86}

Moreover, as illustrated above, that Indonesia was very much in the global critical eye after 1975 was due largely to the work of the resistance, the diaspora, international NGOs, critical observers, investigative journalists and the churches—that kept the cause of East Timor alive and often centre stage, not least after the infamous 1991 massacre by the Indonesian military at the Santa Cruz cemetery, a watershed that highlighted the gravity of the human rights situation in the territory to the wider world. Again, as highlighted above, high profile global publicity for the efforts of prominent East Timorese leaders Bishop Belo, Xanana Gusmão and José Ramos-Horta served further to keep the plight of East Timor to the fore.

A further factor, and a sign of the changing times since 1975, was the ending of the Cold War. In 1975, it was easier for Indonesia to “sell” the annexation to members of the international community and to rely on them to keep relatively quiet afterwards. In the mid 1970s, developments in Vietnam, Cambodia and China all prompted Western powers to adopt an anti-communist narrative. When Fretilin made its presence felt in East Timor in the mid-1970s, the Indonesian military-influenced regime and its Cold War backers saw the territory as a suitable case for treatment. Once that Fretilin was painted by Indonesian propaganda to be a dangerous and unacceptable revolutionary communist threat to Indonesia’s national security, with links to China and Vietnam, the likelihood of Indonesian state occupation and violence was enhanced. Fretilin’s brief ascendancy provided the convenient alibi for “justifying” Indonesian military excesses, though the generals had planned anyway to move on East Timor.

The Indonesian military portrayed the annexation of East Timor as “an attempt to secure the perimeter of the state from external subversion”\textsuperscript{89}, but in reality, as Joseph Strayer explains: “A state exists chiefly in the hearts and minds of its people; if they do not believe it is there, no logical exercise will bring it to life”.\textsuperscript{90} Notwithstanding the emphasis on “logical” here, East Timor as a part of Indonesia never passed the hearts and minds test; it never became “part of the natural order of things”\textsuperscript{91} for the people of that territory. As Leifer again suggests, the territory was “represented un成功fully by the [Indonesian] armed forces as an issue of national integrity”.\textsuperscript{92} In this respect, it bears emphasis that Portuguese Timor had never been a component of the Dutch empire and was not therefore a candidate for Indonesian decolonisation within the parameters that the Republic of Indonesia had defined for itself. In one key speech, Suharto had played the ethnic nationalist card to justify East Timor’s annexation, against the customary civic nationalism card of “unity in diversity”: “We do not regard you as newly arrived guests. We look on you as blood brothers who have returned to our midst of the big family of the Indonesian nation.”\textsuperscript{93}

However, the (unbrotherly) brutality of the invasion and occupation and the failure to win over the Timorese people meant that the issue of legitimacy never went
away. Consequently, when Suharto’s successor was prepared in crisis to downsize his country in order to attempt to vouchsafe the integrity of the rest of Indonesia, he was in fact conceding, alternatively to his predecessor, that East Timor was a special case. A key factor in the nature of the settlement in East Timor was the authoritarian and brutal manner in which the territory and people had been invaded and occupied between the years 1975 and 1999. This reality left precious little space for an agreement that might satisfy both sides at one and the same time, so for those forces that could or would not contemplate the self-determination and sovereign independence of East Timor, a zero-sum outcome was a characteristic of the 1999 settlement. This is not to say that a modus vivendi could not be reached between the leaders of Timor-Leste and Indonesia in a post-conflict context, even if the new-found relationship might still leave unresolved, in the eyes of many, some important questions of justice, reconciliation and reparations.


9 Zunes (note 6), p.298.


11 Taylor (note 10), p. 28.


17 Walter (note 1), p.113.


20 CAVR (note 12), p.73.

21 *Ibid*, p.44.


25 Tanter *et al* (note 18); CAVR (note 12.)

26 Jardine (note 18); Constancio Pinto, *East Timor’s Unfinished Struggle: Inside the Timorese Resistance* (Boston: South End Press 1997); Vickers (note 8).


30 Robinson (note 18); Tanter et al (note 18); Kammen (note 14).

31 Quoted in Walter (note 1), p. 144.


36 Dunn (note 7).


38 Budiardjo and Liong (note 17), p.97.

39 Prof Dr Mubyarto, Dr Loekman Soetrisno, Drs Hudiyanto, Drs Edhie Djamniko, Dra Ita Setiawati and Dra Agnes Mawarni *East Timor: The Impact of Integration. An Indonesian Socio-Anthropological Study* (Yogyakarta: Indonesia Resources and Information Programme (IRIP), 1991), pp.4-5.


42 *Ibid*, p.95.


47 Taylor (note 10).
Vatikiotis (note 41), p.163.


Bourchier (note 42), p. 25.

Hainsworth (note 45).


Leifer (note 22) p.154.

Ibid.


The Guardian, 24 January 1999; see also Hainsworth (note 45).

Walter (note 1), p. 90.

Ibid, p.75.

Lustick (note 37).

Walter (note 1).

Quoted in Walter (note 1), p.28f.

Walter (note 1).


Clinton Fernandes, Reluctant Saviour: Australia, Indonesia and the independence of East Timor (Melbourne: Scribe 2004); see also Department of Foreign and Territorial Affairs (DFAT), Australia and the Indonesian Incorporation of East Timor (Melbourne: Melbourne University Press 2000).


Quoted in Bourchier (note 42), p.29.


72 Zunes (note 6), p.298.

73 Kammen (note 14), p.184-5; Said (note 40).

74 Kammen (note 14), pp.178-9; see also Said (note 40); Vatikiosis (note 41), p.164.


78 Robinson (note 18), p.2.


80 Richard Jackson, “Conclusion: contemporary state terrorism—towards a new research agenda” in Richard Jackson, Eamon Murphy and Scott Poynting (eds), *Contemporary State Terrorism* (Abingdon, Oxon: Routledge 2010), p.231.

81 CAVR (note 12) p.159; see also DFAT (note 63).

82 CAVR (note 12), p.159.


84 Robinson (note 18), p.19.

85 CAVR (note 12), p.158.


89 Leifer (note 22), p.164.

90 Quoted in Lustick (note 3), p.38.

91 *Ibid*, p.44.

92 Quoted in Leifer (note 22), p.164.

93 *Ibid*. 

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72 Zunes (note 6), p.298.

73 Kammen (note 14), p.184-5; Said (note 40).

74 Kammen (note 14), pp.178-9; see also Said (note 40); Vatikiosis (note 41), p.164.


78 Robinson (note 18), p.2.


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89 Leifer (note 22), p.164.

90 Quoted in Lustick (note 3), p.38.

91 *Ibid*, p.44.

92 Quoted in Leifer (note 22), p.164.

93 *Ibid*. 

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