

# Hope and Fear in East Timor

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With his extraordinary announcement that Indonesia is prepared to accept self-determination in East Timor, President Habibie opened the way to great hope, and at the same time to great danger in East Timor. Self-government is fast approaching, in an extremely difficult fashion. The continuing inability of Indonesian political leaders to face their responsibility for the effects of 23 years of war in East Timor, and the apparent breakdown of command in the Indonesian state means that there is no alternative but for the Security Council to establish a substantial United Nations peace-keeping force to oversee the transition to self-government and self-determination.

## *1. Why did Indonesia fold?*

Mr. Habibie's announcement was a recognition that Indonesia's 23 year exercise in colonialism had reached a dead-end. The decision by the hitherto ever-reliable Australian government to abandon Indonesia over East Timor was undoubtedly profoundly shocking, but was by no means the key factor in the courageous decision by Mr. Habibie.

The Timor folly had several years ago reached the limits of political possibility – both domestically and internationally. No rational Indonesian interest of any significance was being served by continuing occupation – ABRI careers have long since ceased to be made in Timor; the oil in the Timor Gap is divisible by three countries as easily as by two; and the drain on the shrunken state budget was unending.

As always, the external economic and strategic realities set the limits of what was domestically possible in Indonesian politics. In December 1975, newly oil rich Indonesia led by the Smiling General was the darling of an anti-communist United States reeling from the fall of Saigon. In 1999, beggarman-poorman Indonesia knocking on the door of the IMF is in no position to indulge the expansionist fantasies of its dead and disgraced generals who planned and carried out the invasion.

The keys to diplomatic change were the United States and the United Nations. Under Secretary-General Kofi Annan the U.N. has been very active and persistent in its search for peace in East Timor. The Secretary-General's representative, Ambassador Jamsheed Marker was extremely patient and effective in preparing the way for the Indonesian shift. But it has been clear for some time that the Clinton Administration is no longer willing to protect Indonesia over the issue of East Timor. This, of course, does not represent some outbreak of international altruism and love of peace by the State Department. Rather the United States has finally recognized that its long-term interests are in no way served by

having its major Southeast Asian ally embroiled in a hopeless and diplomatically disabling war. And while the IMF is not simply a creature of the United States, international financial negotiators made clear their irritation with Indonesia's expensive colonial folly. At the World Economic Forum days just after Mr. Habibie's announcement Finance Minister Ginjar Kartasmita admitted that East Timor "is very, very expensive not only in terms of money and materials", but also politically because it has meant Indonesia has been "harassed, patronized morally".

## ***2. In hope, and fear.***

In recognizing the necessity of East Timorese self-determination, Mr. Habibie opened the door to hope after a quarter of a century of appalling violence by the Indonesian armed forces in East Timor. But the manner in which the decision was taken, and the conflicting policies pursued subsequently by different parts of the Indonesian state have produced a new situation of great danger in East Timor.

First, hope. Indonesia has recognized reality, and made a public commitment at the highest level to East Timorese self-determination. That cannot now be retracted: the commitment has been made when world diplomatic and media attention is focussed on Indonesia to a greater degree than at any time since 1965. The UN leadership is committed to a solution, and Indonesia has lost the support of its principal allies in Australia and the United States. Xanana is out of prison, CNRT is both well-organized and without serious internal conflict. The Indonesian political public is now informed about the realities of East Timor, and there is much to gain for both sides in an orderly transition to self-government and then self-determination.

Yet, there is reason to be fearful for the future of East Timor, primarily because of the conflicting attitudes and actions of different parts of the Indonesian government and occupying forces. The most significant immediate problem is the arming of Timorese civilians who are in favour of continued integration into Indonesia. It is difficult to imagine any policy more certain to simultaneously bring terror and distrust to the people of East Timor, to derail the peace process, and to destroy any vestige of international respect for Indonesia's political leaders.

Three aspects of the formation of the armed pro-integration paramilitaries are especially dangerous. Firstly, pistols, rifles and sub-machine guns are the standard weapons of terror against civilians – which until now, have been in relatively short supply in occupied Timor. Secondly, once large numbers of small arms are released into an environment of conflict and suspicion, they are extremely hard to retrieve, ensuring a potential for extreme civil violence for decades.

Most importantly the arming of the paramilitaries may be evidence of disintegration of the Indonesian armed forces command structure. Minister of Defence Wiranto at first announced that the paramilitaries were not to be armed, a claim that ABRI

representatives in Jakarta reiterated when presented with evidence of the murder of pro-independence civilians by paramilitaries using ABRI-supplied weapons.

It is possible that General Wiranto's disclaimer was a knowing lie, based on a covert decision by ABRI headquarters to follow a Nicaraguan model: ABRI would withdraw but leave behind in East Timor politically reliable and well-equipped pro-Indonesian *contras* with orders to derail the peace process in the short term, and to use terror to destroy an independent Timor. Certainly on past experience Indonesian intelligence organizations are capable of such thinking.

However, with ABRI's political standing inside the country at possibly its lowest ebb since the Revolution, and an economically crippled Indonesia crucially dependent on massive international aid, and with the world's media scrutinizing Indonesia, it is hard to conceive of a more counter-productive plan for President Habibie and his successor.

A more likely scenario is that after the sudden shock of Habibie's announcement, longstanding vague plans at the Kodam level or below to expand the existing Timorese paramilitaries were rapidly updated, under additional pressure from long-term and prominent beneficiaries of Indonesian rule fearful of the future. What is unclear is whether or not local commanders or intelligence officers, operating on their own initiative or at the suggestion of ABRI factions hostile to General Wiranto and President Habibie, decided to establish the paramilitaries as a *contra* force. Either way, a breakdown of ABRI command seems to have been involved – with frightening implications for Indonesia in 1999.

### ***3. What is needed now?***

The role of the United Nations is now central in three respects. Firstly, Secretary-General Kofi Annan and Ambassador Jamsheed Marker are crucial in facilitating the complex and delicate discussions involving the Indonesian and Portuguese governments and representatives of East Timor. Secondly, Ambassador Marker's concrete proposal to first establish self-governing autonomy in East Timor, and then move towards an appropriate form of self-determination offers the most likely basis for an orderly and peaceful transition after two decades of war. Yet possible Indonesian pique, the fears of pro-Indonesian Timorese, or an ill-considered rush for immediate independence by some East Timorese challenging CNRT's authority could sabotage such negotiations.

Most importantly, and most difficult to achieve, the UN Security Council needs to establish and deploy a peace-keeping force throughout the territory. The Security Council is likely to be reluctant to undertake yet another thankless and hazardous peace-keeping task, and the mountainous terrain of East Timor and the highly dispersed population would demand a substantial presence to be effective, even in the role of observers. The risks to the force and the reluctance of the Security Council would increase in proportion to the degree of intra-Timorese violence, and to the level of political chaos in the transition period.

Consequently, enormous responsibility rests with both East Timorese and Indonesian political leaders and diplomats. Xanana Gusmao, Bishop Belo, and Mario Carrascalao have demonstrated, from their differing political perspectives, the capacity to handle such responsibility – balancing their long-term goals with the need to avoid provoking senseless violence and counter-violence, while at the same time maintaining widespread genuine popular support. Xanana has stressed the need for reconciliation, abjuring revenge, and has frequently forsaken short-term and narrow advantage for the sake of long-term and widespread political benefit. Most important in the immediate aftermath of President Habibie's declaration was Xanana's announcement that CNRT would be willing to disarm if the pro-Indonesian paramilitaries were disarmed.

It is not so clear that present Indonesian leaders have such capacities. President Habibie's courageous decision was not followed through decisively. Within ABRI in particular, there was clearly a reluctance to take an appropriate and constructive response. Megawati Sukarnoputri reminded the world of Indira Gandhi the nationalist dictator rather than Cory Aquino the courageous democrat when she rejected out of hand the possibility of East Timorese self-determination should she become president. Indonesian parliamentarians, safe from the challenge of political responsibility, spoke in tones of infantile regression about the ingratitude of the Timorese children who, having spurned Indonesia's good intentions, should be simply abandoned forthwith. And Foreign Minister Ali Alatas, humiliated successively by former President Suharto and then President Habibie, and outplayed diplomatically for a decade by Ramos-Horta, has shown no sign of recognizing the enormous moral responsibility borne by Indonesia for the destruction of East Timorese society over a quarter of a century.

#### ***4. What are the main issues to be faced in East Timor?***

Facing self-government - under autonomy of whatever kind, and later, or sooner, independence, East Timorese political figures and intellectuals will have to deal with an extraordinarily difficult set of policy choices. These include issues of language, law, administrative structures, economic issues ranging from basic food provision to the renegotiation of the Timor Gap treaty, and above all demilitarization after the habit of war. However, the most immediate ask is to ensure the acceptability of whatever is agreed upon in the United Nations-aided talks to the majority of East Timorese.

The negotiations through the U.N. will inevitably be difficult and delicate. Not only are there many issues to be decided whatever path is adopted, but in the U.N.-aided bilateral talks between Indonesia and Portugal, Timorese of all persuasions feel sidelined while their futures appear to be negotiated over their heads.

Let us consider, for the moment, just the case of CNRT and other pro-independence groupings. CNRT leaders such as Joao Carrascalao have raised the important question of just how any agreement that is struck at the U.N. will be approved by the East Timorese people – whatever its contents. The question of a referendum as the end-point for self-

determination is a fundamental goal for CNRT, and it is generally understood that a transition or preparation period is necessary. But the terms of the agreement on autonomy and such a referendum will be absolutely crucial.

In the parallel case of Palestine, Yasser Arafat's Palestine Authority is widely discredited amongst Palestinians, in large part of the secrecy of negotiations and lack of consultation between the PLO leadership and the mass of Palestinians both in occupied Palestine and in the diaspora. And while CNRT is very different from the old PLO, and Xanana is no Arafat, there are important questions of process to consider.

There is a Timorese diaspora. There are differences of opinion within CNRT and beyond. Sometimes these are matters of degree, sometimes more substantial. CNRT has worked extremely hard in recent years to build a structure that combines a capacity for effective decision-making with a respect for and acknowledgement of the diversity within the pro-self-determination forces in the East Timorese communities around the world. Equally CNRT has consolidated a complex two-way flow of both information and decision-making structures spanning from Cipinang Prison in Jakarta to East Timor and beyond to the CNRT external leadership and the ever-increasing numbers of impressive activists and intellectuals emerging from East Timorese diaspora communities around the world.

Yet conflict and difference should always be expected. If there is a chance for any U.N.-auspiced agreement to be discussed and approved on the ground in East Timor, the result is much more likely to be effective in providing a stable framework for transition to effective self-determination.

#### *Demilitarization, security, and the abjuring of revenge*

It is possible that Indonesian authority and Indonesian administrative organizations will fall apart very rapidly. In that case, questions of what kind of deliberative structures (councils, assemblies), what kind of limits on executive powers, what safeguards of judicial authority, what kinds of administrative organizations will be appropriate for what will be a poor and deeply traumatized society will be asked. Again, the negative experience of Palestine under Arafat's Palestinian Authority is relevant.

But the most important immediate key issues are demilitarization, security, and the abjuring of revenge. Apart from the ordinary concerns citizens may have with security, a self-governing East Timor will face three extra problems, each of which is capable of being exploited by opponents of self-determination. These are the issues of armed rebellion, revenge, and the inability to demilitarize after two and a half decades of war. CNRT has shown it is very alert to the political dangers these issues pose, but let me outline each and comment briefly.

Firstly, Indonesian and other opponents of self-determination argue that just as CNRT has fought to resist integration with Indonesia, then it is possible that those favouring

integration may be forced to take the same path. ABRI's attempt to create a *contra* force, if unchecked, may guarantee exactly that.

Secondly, it is inevitable that after all the suffering flowing from war and occupation that many East Timorese will feel extreme bitterness towards Indonesians in the territory. They will feel even more bitter and violent towards East Timorese they regard, with lesser or greater justice, as collaborators. These feelings can be fierce.

After the end of World War 2 in Europe, the French Resistance summarily executed some 40,000 French citizens held to be collaborators with the Nazi occupation. One can well imagine the fears of some East Timorese faced with the prospect of Indonesian withdrawal. Equally, it is entirely reasonable that Indonesia be concerned with guarantees of protection for its citizens during the transitional process.

Thirdly, two decades of war have had a profound psychological and social effect on East Timor. Will it be possible for the habits of violence and secrecy, necessary for survival under alien occupation, to be forgotten? Will it be possible for FALANTIL fighters to make the transition to the demilitarized East Timor that CNRT has envisaged? In Palestine, the solution of transferring former PLO fighters to the police force of the Palestinian Authority has largely been unsuccessful, and police violation of human rights is held to be part of the reason for antagonism towards the Palestinian Authority.

CNRT has clearly begun to think through these problems. CNRT's peace plans now stress the importance of demilitarization, the disbanding of domestic military forces, and the role of the United Nations in maintaining peace in the transition period. But this is not a panacea, even without the political problems of establishing such a U.N. force.

Yet the trauma of victims of violence knows no party, no nationality. Xanana Gusmao has stressed the need to eschew revenge, to build a society based on compassion. Bishop Belo often to the distress of the more militant within his church, has long spoken of such a need. The first step towards peace is to forget the simple-minded notion of "collaborator" all together. In 24 years of Indonesian occupation, the families of even the most ardent supporter of independence will have had to make any number of accommodations and compromises with Indonesian authority simply to survive. Lives are not always lived politically. CNRT will have to move rapidly once Indonesian authority begins to crumble.

Equally, CNRT has indicated some understanding of the position of innocent Indonesian citizens in East Timor. Indonesia is sure to demand guarantees of protection for its citizens. However their numbers are now so large that there will have to be complex plans made to actually manage the process of withdrawal of Indonesian troops from the mountains and countryside to the towns, and from there to Indonesia itself. Much can go wrong. Here again, the question of how large a UN presence can be expected is important.

## *Language and law*

While there are any number of other issues that will be urgent for any new administration, let me just finish by mentioning two last key issues: language, with its crucial connection to identity, and law.

There are at least three languages widely spoken languages in East Timor today - Portuguese, Tetum, and Indonesian. The CNRT Magna Carta stresses the country's "Judeo-Christian" identity. Portuguese, its says, will be the official language of an independent East Timor..

Language may turn out to be a mark of division. The Portuguese-speaking origins of cultural identity may be quite solid, but it may also be the case that two decades of education in Indonesian language have changed the medium through which that identity is articulated. This could become extremely difficult and divisive in education, administration, and general cultural policy. If we note that for many young people in East Timor, Indonesian is a first public language, and in the diaspora, especially in Australia, English is close to being a first language for a majority, then the difficulties and sensitivities become even sharper. These key differences between those in the diaspora and those who have lived under Indonesian rule for 24 years will have to be faced. Ramos-Horta, amongst others, has suggested that in addition to Portuguese, Tetum, Indonesian and English will in fact used. One Australian researcher, Geoffrey Gunn, has suggested that Timor could in this instance learn from Singapore, which has a single *official* language, and four *national* languages.

Let me briefly raise some further difficulties about law. The first question is: "what law"? From the very first day of any level of self-government in East Timor, the clash of legal systems will be heard. What is the status of property and other contracts dating from the Indonesian occupation period where some element of coercion is demonstrable, even if the coercion was not exercised by the present beneficiaries? One approach is simply to say that the pre-invasion situation should be restored. But in all but the simplest and most blatant cases of theft, this may rapidly come to be a moral and practical quagmire, as in Eastern Europe after the end of communism. Are contracts and titles that were written freely under Indonesian law, in cases where no coercion was involved, to be considered valid? Where Indonesian law and colonial Portuguese law differed significantly, which approach is to be followed? If Indonesian law is to be followed as an interim step, then for how long when there are significant tensions arising?

These and many other questions are facing East Timorese as they think about self-government and self-determination after war. One of the most encouraging aspects of the present situation is the impressive work that is being done by East Timorese intellectuals in the diaspora such as Joao Mariano Saldanha and Helder da Costa. I also have a strong sense of the sophistication and complexity of thinking of intellectuals concerned with

justice and social development working under difficult conditions inside East Timor itself, best left unnamed for the moment.

I am left with a memory of one of the most positive aspects of the FRETILIN administration of 1975, of young education cadres from the towns went to mountain villages which had never had any educational resources under the Portuguese, applying the ideas of the Brazilian radical educationalist, Paulo Freire. In Freire's approach, learning to read was a pathway for the reader to find power for herself or himself, finding a way to say and write and read about the things that matter. At this stage in East Timor's political history what is urgently needed is the maximum level of discussion of important issues that affect everyday life, the maximum freedom to express feelings and hopes in relation to everyday life. A crucial aspect of the path to self-determination is the creation of a ferment of ideas, the encouragement of the belief that everyone has something of importance to say in creating the future.

Politics is always a matter of inventing the future on the run. There is no perfect plan. In politics truth and good emerges from a situation of maximum practical democracy, where all people in a community feel free to speak, and do so. The community of East Timor, for these purposes, extends far beyond the small and beautiful island and its extraordinarily courageous people.