

## **7. *Reformasi* and Referendum, 1998–1999**

This chapter tells the story of how the patient networked struggle for freedom finally benefited from an external shock that created its moment of opportunity to work not only for freedom for Timor but also for democracy for all Indonesia. It then tells the tale of how militias sponsored by the Indonesian military pushed back murderously but unsuccessfully against democracy.

### **Renegotiating the Nation**

There were two schools of thought within the 1990s East Timor resistance on the potential for the demise of President Suharto. The dominant view was that if Suharto's New Order was displaced in a wave of democratic reform, East Timor might ride that wave by having the democratic aspirations of its people respected through a referendum. The alternative view was that it was best that Suharto be persuaded before he left office that the diplomatic and economic costs of hanging onto tiny Timor did not justify the benefits. This was because any successor to Suharto could never be as capable as Suharto of standing up to the military on an issue as vital to their interests and world view as East Timor. While there was a grain of truth in the second analysis, the first turned out to be true to the way events unfolded.

Others have documented how the Asian financial crisis ushered in the collapse of Suharto's New Order in May 1998 (Aspinall 2005; Bertrand 2004; Rinakit 2005). Braithwaite et al. (2010a) diagnosed anomie—a breakdown of the normative order—in many parts of Indonesia from the late 1990s after the collapse of Suharto's regime in conditions of uncertainty created by the Asian financial crisis. Jemma Purdey (2006:203) articulated this in a slightly different way: 'many Indonesians interpreted *reformasi* [post Suharto] as a new freedom to resolve injustices, perceived or real, by means of mass mobilisation.' The situation in Indonesia in 1998 was that the old rules were swept away for a period. What the new rules of the game would be was up for grabs.

The student pro-democracy movement was emboldening ordinary Indonesians to join them in the streets and then emboldening the business community and growing sections of the military to abandon Suharto (Kingsbury 2009:66). In 1998, Suharto could no longer sustain a balancing act of managing the splits in the military elite, the student-led demonstrations and then anti-Chinese rioting that devastated a large section of the capital. The Asian financial crisis of 1997 and 1998 increasingly wobbled the tightrope on which he balanced until he fell. Suharto was seen as mismanaging the International Monetary Fund (IMF) terms

for saving the collapsed Indonesian rupiah. He had mishandled a sequence of different kinds of demonstrations across Indonesia since the mid-1990s, including demonstrations about East Timor or in which Timorese students were vocal. He had stumbled in handling corruption scandals involving himself and his children and another corruption scandal in 1995 that set cabinet ministers against one another in a way that showed that elites 'were beginning to jockey for the post-Suharto period' (van Klinken 2007:23). A group of cabinet ministers threatened to resign if he did not step down. The new president, B. J. Habibie, was a protégé of Suharto who wanted to demonstrate that he would be very different from his mentor: that he would be a democratic reformer who would respond to what the students were demanding on the streets, and a peacemaker. The further debates and demonstrations that *reformasi* engendered about institutional reform also opened new fronts of negotiation over ethnic and religious groups' claims to representation (Bertrand 2004:5). Bertrand's (2004:10) historical institutionalist analysis points out that 'when institutions are weakened during transition periods, allocations of power and resources become open for competition'. At critical junctures, the implicit and explicit ethnic inclusions and exclusions can be contested to 'renegotiate the concept of the nation' (Bertrand 2004:10).

One theme of brand differentiation from Suharto that Habibie explored immediately was his earlier advocacy, when Technology Minister, of an act of self-determination that might get the international community off the nation's back on East Timor. This had been firmly rejected by the military and Suharto at the time. In March 1998, Habibie initiated discussions with Portugal under UN auspices on options for special autonomy for the province that might include a ballot to choose between independence and special autonomy within Indonesia. An offer in the following months of 1998 of special autonomy in return for recognition of Indonesian sovereignty sparked massive demonstrations in East Timor demanding nothing short of a referendum. On 23 June 1998, one-third of the population of Dili was reported to have participated in a street demonstration in support of a referendum (Aspinall and Berger 2001:1009).

## **Revisionist Howard–Downer Diplomacy**

In this climate of renegotiation of the concept of the nation, both domestic and international advocacy became more shrill for a referendum to provide an opportunity for the people of East Timor to redefine their relationship to the nation. On 6 June 1998, the Political and Security Committee of the new Habibie cabinet showed that the rules were changing by supporting a proposal for 'wide-ranging autonomy' for East Timor.

President Habibie was a man easily irritated. One thing he told his staff that recurrently annoyed him was foreign leaders arriving for talks on matters he regarded as important, and then insisting on raising East Timor. The diplomatic front and the international solidarity movement had by 1998 been effective in creating a kind of ‘Timor fatigue’ among Jakarta elites akin to the Vietnam fatigue in Washington in the 1970s (Webster 2003:24). A letter that arrived from Australian Prime Minister, John Howard (dated 19 December 1998), particularly piqued Habibie, as persons present in the cabinet room when it was discussed attested. Howard himself expressed doubt to us that the letter had angered Habibie, but a number of individuals closer to Habibie were clear it did. The letter indicated a sharp shift in Australian policy towards East Timor. Laurie Brereton, the Australian Labor Party foreign affairs spokesman—against some opposition from figures like the current Foreign Minister, Kevin Rudd (Daley 2008)—had already changed Labor policy back to acknowledging the right of the people of East Timor to self-determination. Howard sensed that this struck an approving chord in the Australian electorate.<sup>1</sup> Moreover, he and his Foreign Minister, Alexander Downer, both told us that they had come to the view that the status quo in East Timor was untenable. Australia’s policy position certainly became tricky when it had been asserting a more conservative approach than Indonesia now was itself under Habibie. Howard’s preference was for East Timor to stay in Indonesia, but with some special autonomy arrangements, and with a right to vote for independence if the special autonomy package proved unsatisfactory. So he proposed direct Indonesian negotiations with Xanana Gusmão and other leaders from East Timor on an autonomy package that would build in ‘a review mechanism along the lines of the Matignon Accords in New Caledonia’. This accord between France and the New Caledonia independence movement deferred a referendum for at least 10 years, during which an autonomy package would be given a chance to work. This was actually the same approach Gusmão and Ramos-Horta had proposed five years earlier.

One thing that irritated Habibie was equating Indonesia with a colonial power, France. When he discussed the letter with his Foreign Minister, he said rhetorically:

Why should we continue to carry the political and financial burden of governing and developing East Timor, continue to be responsible and blamed by the world whenever something goes wrong and then, after five to ten years, only to be told by the East Timorese: ‘Thank you, but now we want to be independent’? (Alatas 2006:149)

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<sup>1</sup> Downer’s adviser, Greg Hunt, observed: ‘Public opinion probably ran at 90 per cent that Australia had done the wrong thing by East Timor. There was a moral unease, a sense that something should be done. I know that Alexander felt this’ (Kelly 2009:488).

Habibie also felt a delayed referendum would be leaving a time bomb for future governments. As Hugh White (2008:74) put it, 'subsequent experience suggests that Habibie was right to say that a protracted period of transition would create an unmanageable security problem in East Timor'. When Habibie sent Howard's letter to cabinet members for discussion, he had scribbled on it:

[I]f the question of East Timor has become a burden to the struggle and image of the Indonesian Nation and if after 22 years of common history with the Indonesian people...the people of East Timor cannot become united with us, then it would be appropriate and wise if the People's Consultative Assembly were to decide that this 27<sup>th</sup> Province of East Timor be allowed to separate honourably from the Unitary Republic of Indonesia. (Alatas 2006:151)

Cabinet was surprisingly compliant with this momentous proposal to give East Timor an independence referendum immediately. Most believed that if the right tactics were used, a majority would vote to stay with Indonesia or at least the vote would be close enough to dispute (Chesterman 2002:60). It was a mixture of group-think and limited experience of genuine democracy with international monitors; some key cabinet members assumed it would be possible to put in the fix as had been done with the Act of Free Choice in Papua in 1969 (Fernandes 2008:88). In military interviews, we were told that some generals believed that military intimidation of voters could deliver a voter registration below 60 per cent, in which case the Indonesian Parliament would never vote to endorse independence. The influential economic ministers could see benefits for their tricky task of pruning government expenditure if East Timor were cut off. General Wiranto, who was then both Defence Minister and Armed Forces Commander, might have seen Habibie's decision as a mistake that could prove fatal for Habibie in a future presidential contest with Wiranto, so he held his tongue. Indeed, it did prove to be a terminal political mistake by Habibie. Yet the way Wiranto's armed forces responded to the referendum outcome also destroyed Wiranto's hopes of becoming the next president. Foreign Minister, Ali Alatas, was the only senior cabinet member to raise strenuous objections to the referendum. Even Alatas had cause to ponder clever CNRT footwork to suggest that the ballot might turn out in Indonesia's favour in the end:

Just before the ballot, in July 1999, Indonesia held its general elections, with East Timor strongly returning the local candidates of the governing party, Golkar. The clear intention of this vote, organized by CNRT, was to allay any fears in Jakarta that the people of the territory might vote other than in favor of the status quo. For some in Jakarta the ploy worked. Indonesia's foreign minister, Ali Alatas, said, 'Up to the balloting, the report we got from our own people, of the prointegration people, including Lopes da Cruz [former Governor and head of the East

Timor Peoples' Front, a political front for the militias] and so on, is that we were going to win'. That Francisco Lopes da Cruz believed that victory was likely showed just how well the CNRT had disguised its intentions. (Kingsbury 2009:71)

## Militia Murder

Soon after the announcement of the referendum, violent attacks on independence supporters by military-backed militias began. A massacre occurred on 6 April 1999 of possibly 60 people seeking refuge in a church in Liquica (Robinson 2003:192–6). A New Zealand military officer who was posted in Liquica described the modus operandi of the Indonesian military in 1999. They said to people that they would have to kill someone in their village or the military would kill them. "You're going to be on our side." They put blood on their hands' (Interview, August 2007). And there were many lesser mass murders. The massive evidence accumulated by the CAVR (2006) makes it clear that there was a conscious military strategy to intimidate people, using Timorese militias armed by the military as proxies, against voting for independence. Quite a lot of terror was executed and directed by the military as well. Many senior military commanders in both Timor and Java believed this would work in securing a vote against independence. Generals behind the plans to move Kopassus troops and trained paramilitaries into Timor in November 1998 included Tyasno Sudarso, head of military intelligence, his predecessor, Zacky Anwar Makarim, and the regional commander, Adam Damiri (Taylor 1999:xix).

Military terror had worked before in other parts of Indonesia in securing election outcomes favoured by the military. The Indonesian military had an investment in East Timor of 'blood and treasure' (Kelly 2009:495). The militarised violence was not only a strike against the support base for independence; the mayhem it created was a strike against Habibie's political survival.<sup>2</sup> Driving people from their homes to flee to the seeming safety of West Timor was also calculated, according to UN analysis, to 'give the impression of a large-scale dissatisfaction with the vote' in the event that it was for independence (Kelly 2009:506; see also McDonald 2002:10–11) and to create various forms of leverage and cross-border discord (Robinson 2008:112). One hope was that this would persuade the Indonesian Parliament 'that a strong enough body of opinion existed to warrant a refusal to endorse the ballot result' (Australian Defence Intelligence Organisation report quoted in Ball 2002:259). Simple vengeance was also a motive.

2 An Australian Defence Intelligence Organisation brief of 9 September 1999 linked militia violence to General Wiranto's political ambitions: 'TNI has pursued a centrally conceived and directed strategy throughout the East Timor crisis...Its immediate aim was to retain East Timor as part of Indonesia. Its broader and longer-term aim was to strengthen the position of TNI, and Wiranto, in the Indonesian political system...All necessary force was to be employed, but with maximum deniability...International and domestic reactions to the carnage in East Timor probably exceed TNI expectations and TNI has maneuvered for Habibie to take the blame' (Ball 2002:258–9).



**Figure 7.1: UN Secretary-General, Kofi Annan, and his wife, Nane Annan, in 2000 comfort survivors and family members of victims of the 6 April 1999 Lliquica church massacre**

Photo: Eskinder Debebe/United Nations Department of Public Information

Wiranto hedged his bets in the public eye by presenting himself at times as a peacemaker—for example, in March 1999 organising a reconciliation meeting between Xanana Gusmão and the very militia leaders his organisation was pushing into violent reprisals (Alatas 2006:170), and in April 1999 overseeing the signing of a peace agreement in Dili between independence and autonomy leaders to cease hostilities (CAVR 2006:Ch. 3.19, p. 131). The Bishops of Timor organised further reconciliation meetings in Jakarta in June between Timorese supporters of independence and those supporting integration—a follow-up to a previous one held in September 1998 in Dare (Alatas 2006:197). While they did not accomplish much towards mitigating the violence of 1999, it is an interesting question whether they began to lay a foundation for post-independence reconciliation between Timorese who fought on different sides. At such events it was a shock to the Indonesians to discover that even the militia leaders in their pay had more reverence and respect for Xanana Gusmão than for any Indonesian leader. Gusmão responded to demands from General Wiranto that his men disarm by confining all Falintil troops to cantonment to make it clear that his men were not provoking the violence. He asked Wiranto to reciprocate by disarming the militias and withdrawing his men to barracks. Wiranto refused (CAVR 2006:Ch. 3.19, p. 142). Militias in four districts did respond to the cantonment of Falintil,

however, by surrendering their arms in ceremonies with the UN Mission in East Timor (UNAMET). While only a fraction of militia weapons was surrendered, perhaps some further loss of life was prevented in these four districts.

Australian military intelligence was as effective in Indonesia in 1999 as it was in 1975. Messages were intercepted and other intelligence gathered on the ground and from a senior militia leader who defected to Macao to avoid having to go through with the slaughter he was ordered to execute by senior members of the military (Ball 2002:2050–251). Ultimately, sophisticated intelligence was hardly necessary. The head of the Indonesian military in East Timor said on an Australian current affairs television program in June 1999:

I want to give you this message. If the pro-independence side wins, it's not going to just be the government of Indonesia that has to deal with what follows. The UN and Australia are also going to have to solve the problem and well, if this does happen, then there'll be no winners. Everything is going to be destroyed. East Timor won't exist as it does now. It'll be much worse than 23 years ago [the 1975 invasion]. (CAVR 2006:Ch. 3.19, p. 138)

Militia leaders also gave addresses to large political meetings inside Timor saying quite openly that they would start a civil war if there were a vote for independence (Maley 2000). All this gave a clear picture of the military's scorched-earth plan and the plans to systematically murder independence supporters and their families. The plans were first to attempt to coerce and entice a vote for autonomy within Indonesia. If that failed and a majority voted for independence, there was a plan—'Operation Clean Sweep'—to loot or destroy things of value and execute hundreds of leaders. Part of the idea was to show separatists in other parts of Indonesia such as Aceh, Maluku and West Papua that independence would come at an intolerable price. Fernandes (2005) describes a number of phases in this plan:

Use the militia proxies to contain and remove foreign observers.

With foreigners unable to report, use the militia to attack the local population and use transport and logistics assets to move them across the border.

Provoke a desperate retaliation from the desperately outnumbered... Falintil, thereby drawing it into a conventional war.

Announce that TNI was forced to intervene between the 'factions', and then, freed from constraints, crush Falintil in conventional warfare.

Create new facts on the ground, ensuring that the results of the ballot were irreversibly overturned. (Fernandes 2005:266)

After as many as 60 people were massacred at Liquica on 6 April 1999 (CAVR 2006:Chs 7.2, 3.19, p. 131), Prime Minister Howard became very concerned about the intelligence Australia was receiving. He asked President Habibie at a one-on-one meeting in Bali on 27 April to support an international peacekeeping force to supervise the independence vote. Howard says Habibie rejected this proposal emphatically. But in a subsequent plenary meeting attended by officials from both sides Habibie softened to agree ultimately to a UN deployment of 300 civilian police advisers, over objections from Wiranto.

Paul Kelly (2009:498) says Habibie had told Howard that ‘if a peacekeeping force was imposed on Indonesia then it would abandon East Timor and the ballot and unilaterally withdraw’. Kelly went on to conclude that backdown was the only option because ‘[h]is threat would have doomed East Timor to civil war between integrationists and separationists’. This is an implausible analysis. Once Indonesian military funding and coercion of the militias to engage in violence ended, most would have stopped fighting. And in the event the militias did stop fighting when the military deserted them. Few of them were fighting out of conviction. Even their most prominent leader, Eurico Guterres, was recorded on camera complaining to a deputy that his men would take the money then most of them would vote for independence. And the militias would have realised that without the protection of the Indonesian military, they would be cut to pieces by Falintil. It would have been a matter of regret by the United Nations and everyone else had Indonesia walked out and washed its hands of the territory. Yet that course probably would have cost a thousand or so fewer lives and a self-determination plebiscite of an appropriately modified sort could still have proceeded under UN supervision.<sup>3</sup>

## **UN Peacekeepers: Appeasement then assertiveness**

Hugh White (2008), Deputy Secretary for Strategy in the Australian Department of Defence in 1999, has been critical of Australia for not pushing much harder and much earlier for UN military peacekeepers in light of the intelligence it had of the likelihood of mass destruction and mass violence (see also Ball 2002; Fernandes 2011:191–206; Maley 2000; Nevins 2002).<sup>4</sup> His argument is that the Australian pressure for peacekeepers should have been applied earlier on the United Nations and Portugal in their Tripartite Agreement negotiation with Indonesia of the terms for the conduct of the referendum. For example, at a meeting in late February 1999, US Assistant Secretary of State, Dr Stanley Roth,

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3 For a more pessimistic view, see Wheeler and Dunne (2001:815).

4 ‘We can never know whether, if pushed harder, Indonesia would have acquiesced. But it may well be that by not pushing harder at this time, both directly with Habibie and through others like the UN and the United States, we missed the last best chance to avoid the disasters of September [1999]’ (White 2008:80).

pushed for an international peacekeeping force to supervise the elections, but Australia was reluctant at that meeting about such a military commitment. There were also Australia–Indonesia military-to-military leadership meetings, and second-track meetings of that kind as well, in which the Indonesian military was urged to cut its support for the marauding militias (Smith with Dee 2003:405).<sup>5</sup> White (2008:81) said of one of these meetings: ‘And even at this late stage, this initiative to confront TNI over its activities in East Timor attracted criticism from inside the government in Canberra as potentially damaging to our relations with TNI.’ The UN Secretary-General was aware of the Australian intelligence and secretly urged Australia to prepare for the worst (Nevins 2002:635), which Australia did by moving 2000 troops on alert to Darwin—just a short hop to Dili.



**Figure 7.2: A Timorese woman shows her ink-stained finger as she exercises her right to vote**

Photo: Glenn Campbell/Fairfax Media

The result of the 30 August 1999 ballot was a 78.5 per cent vote for independence by the remarkable 98.6 per cent of 480 000 registered electors who voted. The scorched-earth policy was implemented immediately after the result was announced by the United Nations on 4 September. Most of the 1200–1500 Timorese who were killed by the Indonesian military or the militias they backed lost their lives after the ballot (CAVR 2006:Ch. 3.19, p. 145). Young men who had

<sup>5</sup> UNAMET leader Ian Martin also met with General Wiranto on 7 July to urge him to put a stop to the direction and active support his officers were giving in the ordering of militia violence. He presented UN evidence of the relationship between his officers and the militias (CAVR 2006:Ch. 3.19, p. 138).

worked for UNAMET were especially targeted for assassination. The majority of the population fled their homes, 70 per cent of which were razed—whole villages, entire towns. The complete stock of ancient artefacts in the East Timor Museum was taken to Indonesia. The Indonesian military supplied militias with fire engines with their watertanks filled with petrol to do the job (CAVR 2006:Ch. 3.19, p. 147). Recognising the importance of ‘seeing like a state’ (Scott 1998), every state record of property deeds, tax, marriages, courts—everything was destroyed. Xanana Gusmão’s ‘victory’ speech after the announcement of the vote was one of the great rhetorical pleas for nonviolent struggle:

I appeal to all the people to hide yourselves, to not go out because the evil people who kill us, within these years still want to continue to do so, seeking to wipe out the Maubere people.<sup>6</sup>

I know, I have heard that Indonesian military in all places are shooting indiscriminately. I appeal that all people remain calm or leave their homes.

Let them burn our homes, it doesn’t matter. Let them rob the things that individually we have sweated for, it doesn’t matter. I appeal to all the guerrillas, to commander Ruak, to all regional commanders, all my brothers and sisters to maintain your positions to not react to all of these things.

We starve, we thirst, for 23 years and today I appeal, again to my dear brothers and sisters, to continue to endure. Endure the hunger. In order to save the people. Endure the thirst in order to save our country...

I appeal to the commanders of the militias—Joao Tavares, Cancio de Carvalho, Eurico Guterres, Juaniku, Edmandu, and others as well. I appeal to all brothers and sisters to think properly. We can create a new Timor Lorosa’e in love and peace. (Oenarto 2000:2–3, 16)

By 7 September, Falintil Deputy Commander, Taur Matan Ruak (TMR, his *nom de guerre*), was saying to his leaders that he could no longer restrain his men from breaking out of cantonment to save their families. Such a breakout would have caused the civil war the Indonesian military leadership wanted to prevent the international military intervention that was the only hope to save the people (CAVR 2006:Ch. 3.19, pp. 146–7).

At this point, Australian Prime Minister Howard became a bold and decisive supporter of the military intervention that was needed. Now it was US President,

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<sup>6</sup> He was saying this because some of the intelligence that the United Nations and Falintil had received before the vote was for an even worse scenario than occurred. Part of that intelligence was orders dated 17 July 1999 from João da Silva Tavares, Commander-in-Chief of pro-integration forces, in the event of defeat at the ballot to kill ‘those 15 years and older, including both males and females, without exception’ (Chopra 2000:27).

Bill Clinton, who was hesitant. To Howard's surprise, East Timor was not on Clinton's radar. When he rang Clinton to ask for a commitment of combat troops, Clinton said the US military was heavily stretched elsewhere such as Kosovo, and turned Howard down. Howard and Downer then went public with their criticism of the United States—something that surprised everyone. Howard told us that he let Clinton know that Australia had always supported the United States militarily when it counted and now was the time to reciprocate. Howard and Downer were right, and they were effective in giving the US leadership the message that the Australian people would never forgive the United States if it failed to support a UN peacekeeping mission and failed to prevail on Indonesia to support it. The Portuguese Prime Minister, Antonio Guterres, called Clinton, threatening that Portuguese troops would be pulled out of Kosovo and NATO, and he prevented 16 US military flights from departing from their base in the Azores—a critical logistics base for any US foray to the Middle East (Fernandes 2008:94). He also persuaded British Prime Minister, Tony Blair, to press Clinton. As President Ramos-Horta put it in our interview with him in September 2009:

Timor was strategically totally unimportant...It was the power of civil society that did the work through the electronic media. What was accomplished in 1999 could not have been accomplished in 1975 even though the slaughter was so much worse in 1975. This media campaign affected and got through to many US members of Congress such as Ted Kennedy and Nancy Pelosi. A group of them harassed the National Security Advisor for more than an hour over East Timor. These were the ones who stood by [Clinton] through the critical days of the efforts to impeach him. Sandy Berger promised he would change Clinton's speech and he did, dramatically. When Clinton walked out onto the White House lawn before heading to New Zealand he said: 'Indonesia must invite UN peacekeepers'.<sup>7</sup>

## **Solidarity: A resource delivered by Ramos-Horta**

Clinton was a responsive politician who was moved not only by the force of the pressure from old friends but also by the quality of the arguments for UN intervention. He responded on 8 September 1999, calling Howard back to say he would support peacekeepers and make a tangible contribution. In the wash-up, these were formidable contributions logistically, but more importantly politically.

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<sup>7</sup> Clinton actually said 'must' twice with emphatic repetition: 'If Indonesia does not end the violence, it must invite, it must invite the international community to assist in restoring security' (Cusack 1999).

Clinton now moved to smash Habibie's resistance to a UN force by mobilizing the might of the United States. The IMF and the World Bank threatened Indonesia's economic lifelines [see also Kivimäki 2003:228]; the State Department went public; the commander of US forces in the Pacific, Admiral Dennis Blair, went to Jakarta and threatened Wiranto to his face; Clinton warned that Indonesia's economy was at risk and declared from the White House lawn that Habibie had to fix the problem or 'invite' the international community to fix it. (Kelly 2009:509)

At the APEC summit in Auckland attended by Ramos-Horta, Indonesian representatives were put under a great deal of pressure; Clinton announced the suspension of US arms sales to Indonesia, as did the British Government and the European Union. Kofi Annan's diplomacy, representing the will of the Security Council, was also relentless. On 12 September, the Indonesian cabinet agreed to an international peacekeeping force. Three days later, the UN Security Council authorised the International Force for East Timor (INTERFET) under the command of Australian Major General Peter Cosgrove. Of the first 7000 INTERFET personnel, 4500 were Australian, ultimately peaking at 11 500, approximately half of which were Australian (Department of Defence 2004:15).

Australia initially sent in just 1500 troops to an East Timor occupied by 30 000 Indonesian troops plus civilian militias. Later, peacekeepers from 22 different UN member states would join them. While this was a peace-enforcement mission, had Indonesia resisted, the 1500 Australians who landed would have been decimated. But it was known by the Indonesians that if they attacked the Australians, the United States would come in to support them. This assurance was requested by Australia, given by the United States and repeated by the United States back to General Wiranto. The US Marine group in the Pacific was moved to the Timor coast to reinforce the assurance that if the Australians were attacked, Wiranto would be taking on the United States—putting a certain end to his political ambitions to become President. US Defence Secretary Cohen said to Wiranto and Habibie in a Jakarta meeting: 'This deployment must not be contested. Any Indonesian forces that contest them will meet US forces' (Kelly 2009:511).

According to Nevins (2002) and Maley (2000), the tragedy is that before the killing started to get out of hand states like the United States and Australia

did not signal as strongly as they could have to Jakarta that they would not tolerate the commission of any more crimes in 1999. These governments had the power to stop the Indonesian TNI by using the threat of a cut-off of economic and military ties. Because they did not make and thus did not act upon such threats, the TNI assumed that it could act in East Timor with impunity, as it had in the past. (Nevins 2002:625)

One final attempt to appease Indonesia had come from Foreign Minister Downer when he accepted the Jakarta line on 23 February 1999 that only ‘rogue elements’ in the military were responsible for violence. Australian intelligence already indicated this was absolutely wrong (Kelly 2009:496).<sup>8</sup> The Australian intelligence assessment was also that the Indonesian military was a disciplined force that ultimately followed orders from the top when those orders were unmistakably clear. Once General Wiranto issued clear instructions to General Kiki Syahnakri to go to East Timor and make a declaration of martial law work to restore order, the violence fairly quickly reduced, during the second week of September, and further reduced after INTERFET landed on 20 September 1999. Some officers who resisted General Syahnakri’s orders to desist were hauled in and beaten. While General Syahnakri was subsequently indicted in Timor-Leste for his role in planning the 1999 scorched-earth policy, there is no doubt he worked extremely effectively with General Cosgrove and his officers to end nearly all of the violence during September. By 27 September, General Syahnakri was able to formally transfer his martial-law powers to General Cosgrove and complete the evacuation of his troops from the province within weeks.

Even had there not been a lot of intelligence that ‘Operation Clean Sweep’ (an operation intended to raze the province and target all independence supporters) would result from a vote for independence, it still would have been a mistake to hold a referendum without a substantial international military presence:

[T]here was no encouraging precedent in the history of the organization [the United Nations] for conducting a vote in the circumstances in which it was attempted in East Timor, that is, with an abundance of spoilers and no credible security guarantees. The conduct of plebiscites to resolve disputes over the status of territory preceded the formation of the UN. The League of Nations conducted six such plebiscites, of which the most famous was that of 1935 which saw the Saarland returned to Germany. For this exercise, a neutral force of 3000 was deployed in order to guarantee an appropriate environment for the vote...What lessons should the UN have derived from these experiences [polls in Namibia, Cambodia, Angola and other cases discussed by Maley]. Three in particular stand out. First, where the interests of all the parties converge in favour of cooperation, it is possible to conduct an election without needing to depend upon the military to enforce a high level of security for voters. Second, where the interests of parties diverge sharply, but a

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8 Chesterman (2002:61) points out that Timorese themselves evinced little doubt about what was going to happen: ‘Across the country there were reports of entire towns packing their belongings and leaving in anticipation of the violence to come. One UN observer in Maliana reported a day before the vote that his entire town [one of the largest in the country] had disappeared, only to find people streaming back from the hillsides from 4 am to queue up, vote, and depart once more. That people anticipated great violence but voted anyway is one of the most remarkable aspects of this story.’

neutral security force is in place, large-scale retribution against voters can be averted. Third, where the interests of parties diverge sharply, and there is no neutral security force, voters are in acute danger. (Maley 2000:67, 69)

Perhaps not many would disagree with this, but at the time UN and Australian officials would argue that, even so, '[i]f the world's fourth biggest country, a respected member of the UN, stands up in New York and promises to look after security, it's very hard to say to them "We don't believe you"' (UN official quoted by Maley 2000:75). In the end, that was precisely what Admiral Blair said to General Wiranto, and more, in their face-to-face meeting in early September after the ballot, according to our interviews. And as Maley (2000:75) points out, the 12 September agreement of Indonesia to UN peacekeepers entering their territory occurred 'in circumstances in which the Indonesian military had far more to hide than had been the case four months earlier'. Engaging Wiranto was critical, because Habibie had effectively failed to do so:

There was in fact every reason to believe that President Habibie was regarded with deep suspicion by the military, and the manifestly low level of political institutionalisation in the post-Suharto era should have alerted planners to the dangers of making commitments from Habibie the linchpin of a transition process. (Maley 2000:74)

To make Maley's point more theoretically, in conditions of national anomie, which are often the circumstances of armed conflict (Braithwaite et al. 2010a), diplomacy transacted at the level of the head of state involves an undependably Westphalian vision of diplomacy. It is better to conceive the governance of a country as a web of various networks and hierarchies, rather than as a single hierarchy that runs from the head of state down. This is a theme we return to at the conclusion of this book.

INTERFET quickly apprehended militia members who did not flee to West Timor. Up to September 2000, there were 16 or 17 military engagements with militias, 'most of which resulted in injury or death', many of them cross-border incursions (Kingsbury 2009:75). On 22 October 1999, Xanana Gusmão, by then released from prison, was able to return in safety to move among adoring masses of the liberated people of Timor-Leste and deliver in a kind of sonorous wail a deeply moving speech. The depth of Xanana's charisma, his character, his oneness with his suffering people were on display for the world to see in that emotional address. This was a high point of the liberation movement. Our argument now becomes that because that leadership (of Ramos-Horta and Fretilin as well) was so profoundly charismatic, so uninstitutionalised, building a democracy would be difficult.



**Figure 7.3: Xanana Gusmão comforts an elderly woman after returning to Dili**

Photo: Stephen Dupont/Australian War Memorial

## **Realism at the Two-Level Game of International Politics**

Robert Putnam (1988) has argued that international politics is usefully viewed as a two-level game: a game of domestic interest group politics and another of international deal making to avert threats to national interests.

Each national political leader appears at both game boards. Across the international table sit his foreign counterparts, and at his elbows sit diplomats and other international advisors. Around the domestic table behind him sit party and parliamentary figures, spokespersons for domestic agencies, representatives of key interest groups, and the leader's own political advisors. The unusual complexity of this two-level game is that moves that are rational for a player at one board... may be impolitic for that same player at the other board... On occasion, however, clever players will spot a move on one board that will trigger realignments on other boards, enabling them to achieve otherwise unattainable objectives. (Putnam 1988:434)

At the tables of domestic politics across the West, the international solidarity movement had made some progress by 1999 in raising public concern over East Timor. In a few countries in which the solidarity movement was particularly energetic, such as Ireland and New Zealand, this was a swelling chorus of public concern. But in the United States and the major nations of Europe, East Timor remained a minor public issue. While the solidarity movement did extend to Indonesia's major aid donor, Japan, human rights abuses in Timor were even less of a public issue there, and in Chinese domestic politics it probably did not register at all. Yet in two not-so-important countries—Australia and Portugal, the nations that would come to make the largest contributions to the UN peace operation in East Timor—public concern as the pro-democracy and pro-independence demonstrations of the Timorese and Indonesian students raged in 1998 and 1999 reached the tipping point of becoming a matter of mass outrage at the injustice and at the way their governments had appeased Indonesia. In these two countries, leaders switched the priority in East Timor policy away from concern over what the major players were saying across the international relations table, turning squarely to prioritise the concerns at the table of domestic politics. Mass outrage in Portugal, Australia, Ireland and New Zealand are not things that realist international relations theorists would imagine could change international affairs. They did.

The leaders of Australia and Portugal saw public disgust over East Timor in their electorates that united left and right, young students and old soldiers. In Australia, these groups marched together in the streets in solidarity for action on East Timor in numbers not seen since the Vietnam War. Rank-and-file trade union members put their leaders under pressure to impose bans on trade with Indonesia; as the Victorian Trades Hall Council Secretary put it: 'a lot of these members are ahead of the leadership on this one' (Fernandes 2005:271). In our interviews with Australian Prime Minister Howard and Foreign Minister Downer (from 1996 to 2007), who were the decisive decision makers on Australian Timor policy, it was clear that they saw a domestic

political imperative to change that policy. Kelly's (2009) interviews confirm this. They made the change with the same incoherence that characterised Whitlam's policy. Whitlam particularly wanted integration of Portuguese Timor into Indonesia in 1975, but also wanted an act of self-determination, when the latter was utterly incompatible with the former. Howard particularly wanted an act of self-determination, but also wanted Timor to stay in Indonesia, even though his intelligence indicated the latter was incompatible with the former. In rare moments of Australian influence in international affairs, both Whitlam and Howard had quite important sway in delivering their dominant preference from within this incoherent dyad of preferences. Just as Whitlam was not deeply concerned when Timor was integrated into Indonesia without an act of self-determination, Howard was not overly concerned when Habibie agreed to an act of self-determination in circumstances that delivered scant prospect of holding East Timor. It is probable that Habibie would eventually have decided to hold a referendum in East Timor had Howard's letter never been sent, but it is also possible that the abandonment of Australia's policy of unconditional support for the occupation was a final straw, and it was certainly a catalyst for Habibie's announcement of a referendum.

When the Indonesian military unleashed the mayhem of its scorched-earth policy after the referendum in 1999, President Clinton was unmoved at first, not detecting it as a big domestic concern. At first, he heeded the realist advice of his National Security Adviser, Sandy Berger, to avoid entanglement and commitment of resources to a cause that would alienate Indonesia. Then the influential phone calls came in to Clinton from the Australian and Portuguese leaders. While these two countries were not powerful members of the American alliance, these telephone conversations were so emphatic that it was clear that these nations, particularly Portugal, would withdraw significant capital from the bank of that alliance if Clinton remained deaf to their pleas. Moreover, Howard's and Guterres's arguments to Clinton were sound in the terms of this book in making the case that the Sandy Berger line was misplaced realism. UN Secretary-General, Kofi Annan, reinforced this persuasion, also making the case to Clinton that it was against US interests when the United Nations promised people that they could vote in safety under the UN flag, if then the United Nations failed to act in at least an attempt to redeem the promise. Both men were suffering politically from the fall-out of the failure to prevent the genocidal violence in Rwanda, and Annan's message was powerful.

Third, there was an influential group of members of the US Congress, including Ted Kennedy, Patrick Kennedy, Tom Daschle, Richard Gephardt and Nancy Pelosi, who were key supporters of Clinton in the battle for survival he was waging over the Monika Lewinsky affair, and indeed many substantive battles, and whose hearts and minds had been captured by Ramos-Horta and the solidarity

movement. In the Kennedys' case, the Irish and Catholic Church axes of it were important. Clinton reversed his East Timor policy decisively on 8 September 1999 because he reassessed the balance of political considerations both at his domestic table and at the international table. And he thought it was the right thing to do after listening to the moral force of the arguments put by individuals who were as credible, yet as politically different, as John Howard, Antonio Guterres, Ted Kennedy and Kofi Annan, and in the light of the collective wisdom of the region's leaders at a fortuitously timed September meeting of APEC.

President Habibie had no choice but to turn more of his attention to the international table than Indonesian presidents before and after him. The IMF, the World Bank, the United States, Australia and other major donors were unmistakably signalling the possibility of a withdrawal of support for his beleaguered economy. It was not just a matter of political surrender to the United States and Australia; it was a signal to the international community that Habibie intended to be a genuine democratic change agent in Indonesia. To the domestic audience as well he wanted to distinguish himself from Suharto in his democratic credentials. Unfortunately for him, on the domestic front, giving independence to East Timor in a democratic vote was a step too far for most Indonesians, even though a progressive minority within the elite was supportive at first. Habibie also miscalculated that both the international creditor audience and the economically suffering domestic audience would give more credit than they did to the economic benefits of cutting cross-subsidies to East Timor by the rest of the nation (largely because of high security costs and Timor's low contributions to GDP). The fundamental point for Habibie was that he had to be focused on the international table in a way Suharto refused to, and the politics around the international table changed remarkably in the months before 8 September 1999.

Habibie could not bring the military along with his radical Timor policy shift. He did not really try very hard to bring the military with him. The chaos in Timor during late 1999 and the invective the military and their political supporters directed at Habibie for threatening the unitary state of Indonesia did more to end Habibie's political future than any other factor. The military then turned their blowtorch on Habibie's initially popular successor, President Wahid, for giving away too much in peace talks to end violence in Aceh and West Papua—violence that was also substantially military driven. Yet Wiranto, and Prabowo's even more militant faction of the military, miscalculated at both the international and the domestic tables. They failed to understand that in circumstances where the international community was watching every step they took in East Timor, they could not sell the kind of lies that they had historically pedalled in domestic politics, such as that the violence in Timor was primarily between East Timorese political factions, and that any Indonesian military involvement was minimal and by 'rogue elements' and not centrally directed.

There was too much evidence to the contrary from Australian intelligence, quite a bit of which was leaked, and from Western television cameras capturing members of the Indonesian military issuing orders to marauding Timorese militias, backing them up by firing their weapons at civilians, even of Indonesian soldiers changing out of their uniforms into Timorese civilian garb and wigs to supplant their short-cropped military haircuts with Che Guevara-esque locks. International disenchantment with, and media coverage of, the human rights abuses of the Indonesian military fed into domestic disenchantment with them. Both Wiranto and Prabowo (who was Suharto's son-in-law) no longer enjoyed the protection of the Indonesian elite and both faced indictments—Wiranto over East Timor, Prabowo over the anti-Chinese riots that took 1200 lives in Jakarta in 1998. Later, when the international heat was off, these were dropped.

It was not a terminal political setback for the Indonesian military. Neither Wiranto nor Prabowo went to prison; both staged partial political recoveries as (albeit unsuccessful) presidential candidates in the next decade. Yet the political stars of these men and of the military might have risen much higher in Indonesian politics had the extreme involvement of the military in fomenting violence in Timor and beyond (Braithwaite et al. 2010a) not been exposed after 1999. Instead, the military star that rose to the top of Indonesian politics as President from 2004 until today was General Yudhoyono, the leader of the democratic reform faction within the military.

This was a much preferable outcome to the West than a new ascendancy of a military authoritarianism led by a man who ruled by violence such as Wiranto, or more so Prabowo. Had Timor played out as these men hoped, with chaos spiralling in East and West Timor until they stepped in to end it and reunify the nation as a new president, Indonesia would probably be less democratic and stable than it is today. In this sense as well, the realism of Sandy Berger in the United States and many in Australia's Indonesia lobby was misplaced. Tolerating a period of stormy relations with the Indonesian military leadership, by forcing upon them UN peacekeepers, set Indonesia on a more democratic trajectory towards a preferable leadership for Western interests in a peaceful, flourishing Indonesia. The leadership of the new Timor-Leste reinforced this positive outcome for Western interests by embracing in reconciliation the emerging democratic leadership of the successive presidencies of Wahid, Megawati and Yudhoyono. Timor-Leste's leaders were all careful not to provoke anything that would be destabilising of the maturing Indonesian democracy.

Ordinary people in Timor-Leste also overwhelmingly approved this approach. In our interviews, people repeatedly affirmed their affection for the people of Indonesia, while also communicating their contempt for the military that Wiranto and Prabowo dominated. At the end of the day, the Fretilin generation of 1975, the next generation of Timorese students in the clandestine movement

who rallied in Jakarta, the ordinary people of Timor-Leste and the stalwarts of the international solidarity movement might have looked like Che Guevara, but they did not threaten Indonesia with communism. In fact, they made a great contribution to strengthening its democracy. Ramos-Horta and Gusmão are accurate in saying of their people that they did not indulge in a politics of racism against Indonesia, even when Indonesian military leaders afflicted them with a violent form of racism and a pervading paternalism that excluded indigenous Timorese from leadership of the commercial life of the province. Timorese instead proffered a politics of support for the dignity of the Indonesian people and for their aspirations for *merdeka* (freedom from tyranny).

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