

PAPUA: MOVING BEYOND INTERNAL COLONIALISM?

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On 16 August 2001, Indonesian Independence Day, President Megawati Sukarnoputri made an apology to the people of Papua (Irian Jaya)³ for past injustices. She also promised that the Papuan people would be allowed to reassert their own identity as a people, and announced that the provincial authorities would be given far reaching autonomy thus reiterating a proposal that had been discussed as an approach by the previous administration. Megawati's apology (alongside an apology to Aceh) is an implicit admission that the province has been terribly mismanaged.

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³ This paper will primarily use the name Papua, which is now the official name of the province. West Irian (*Irian Barat*), Irian Jaya, West Papua and Papua are all still in current usage both inside and outside Indonesia. The naming of Papua reflects its history. In the colonial era, the region was known as West Nieuw Guinea by the Dutch, and Dutch New Guinea in the English speaking world. Sukarno and other Indonesian nationalists called the territory West Irian. It was later renamed Irian Jaya when it was incorporated into Indonesia. "Irian" is derived from a Biak term for Papua, while "Jaya" comes from Indonesian and means victory. Politically conscious members of the local population, however, tend to label themselves as "Papuan" and refer to the province as West Papua or Papua, which harks back to a name historically used by the peoples of neighbouring Maluku island chain to describe the Melanesian peoples to their east (and is found in the name of the state that shares the island with West Papua – Papua New Guinea). The Special Autonomy Law (2001), put into place by the Megawati government, deemed the territory as the "Province of Papua", despite an earlier repudiation by the Indonesian parliament of the Wahid government for attempting to make the same name change. Thus "Papua" is given preference over other names.

Papua has effectively been governed by Indonesia since May 1963. However, the bargain was one-sided in a number of important ways. The people of Papua were never properly consulted on the issue of their accession to the Republic of Indonesia, and it is highly questionable whether the majority of Papuans were in favour of this political deal. Furthermore, the Indonesian government's counter-insurgency campaign against the Papua Independence Movement (OPM; *Organisasi Papua Merdeka*) has seen widespread disruption to the civilian population, including a high number of human rights' abuses. Papua's natural resources have also been heavily extracted, yet demonstrably the revenues and returns from the extraction have, on the whole, not benefited the Papuan people. Most commentators (including many in the Indonesian government) agree that the treatment of the Papuans by the state has given rise to aspirations of separatism and demands for independence. Although Papuans probably did not want to join with Indonesia in the 1960s, it is the treatment received since that time in the hands of the Indonesian government and the security forces that has seriously exacerbated the situation. This has given rise to charges of "colonialism" by Papuan activists, who argue that Jakarta has simply replaced the Dutch imperial master. Many Papuans describe the situation in their province as being akin to (or the same as) colonial rule.⁴

Since the fall of the Soeharto regime in May 1998, opposition to Jakarta's rule has moved from the sporadic attacks of the OPM, to an elite-led movement to assert Papua's legal rights to autonomy or full independence. The Papuan elite, much of it a part of the New Order (as the Soeharto administration was known), has largely advocated independence through various forums and political representations to Jakarta. *Reformasi* (political reforms) has given the political space to make these views known, while members of the elite clearly sense the tide of support for independence.

This paper begins by examining the notion of internal colonialism, and why ethnically distinct groups may come to demand independence, before moving into an assessment of Indonesia's rule of Papua. The management of Papua explains why Papuans have come to demand independence from Indonesia, largely based on the coercive nature of how Papua was included in the Republic of Indonesia, human rights abuses, and economic underdevelopment. The resignation of Soeharto in May 1998, and the resulting democratization, had an important bearing on Papua. It opened significant political space for demands for autonomy and independence, much of it driven by the Papuan elite. This paper will demonstrate that dramatic changes have occurred for Papua since Indonesia's democratization began, mainly with respect to the successful passage of Papua's regional autonomy.

⁴ This impression is taken from activist literature, and interviews and discussions by both authors with Papuan leaders, and foreign diplomats and business people who frequent Papua. International Crisis Group, in their investigations, drew the same conclusion. They state that "Papuan sentiment remains overwhelmingly opposed to rule from Jakarta". *Indonesia: Ending Repression in Irian Jaya*, International Crisis Group, ICG Asia Report No.23, 20 September 2001, p. 2.

With the power of the centre weakened vis-à-vis the province, Papua now has considerably more self rule than before. However, security forces, urged on by more than a few voices in the civilian political elite, are determined to crush the independence movement. Human rights have not greatly improved in democratic times. In sum, Papua has moved significantly beyond the situation under the Soeharto regime, when it was a mere vestige of Jakarta, yet ongoing human rights abuses mean that charges of “internal colonialism” are still widespread within Papua.

Internal Colonialism, Nationalism and Self Determination

In the immediate post-colonial world, national liberation and self-determination were viewed as overarching principles – the latter is even enshrined in the United Nations’ Constitution. Independence leaders like Sukarno, Nehru and Naser, upheld these principles as a universal good. Those states, formerly under the control of a European power, by and large retained the boundaries bequeathed to them by the imperial predecessor. Once liberation was achieved the doctrine of *Uti possidetis* was invoked, whereby the successor states maintained, often fairly vigorously, all that the colonial powers had possessed.⁵ In Indonesia’s case, although its boundaries matched those established by the Dutch, other rationales were also offered. Sukarno harked back to the ancient empires of maritime Southeast Asia, principally Srivijaya and Majapahit, but also invoked the will of the divine as a justification for the state of Indonesia:

The Indonesian nation is the totality of all the human beings who, according to geopolitics ordained by God Almighty, live throughout the unity of the entire archipelago of Indonesia from the northern tip of Sumatra to Irian.⁶

In popular imagination and discourse, colonialism involved imperial conquest by one or other of Europe’s empires. Yet, throughout the post-colonial world, a number of minority groups, and a few “subjugated majority” groups, began to clamour for their own self-determination. The term “internal colonialism” was born. This is not to say that every multi-ethnic state constitutes an “internal colony”; experiences are many and varied. It is also the case that homogenous states are rare exceptions to the norm. The view that multi-ethnic states are either unstable and/or destined to splinter, ignores the cases where nationalism is not dependent on a single ethnic identity. Benedict

⁵ James Mayall, “Nationalism in the International Order: The Asian Experience” in Michael Leifer (ed), *Asian Nationalism*, London: Routledge, 2000, pp. 193-4.

⁶ “The Panca Sila [June 1, 1945]: Toward Freedom and the Dignity of Man: Five Speeches by President Sukarno of the Republic of Indonesia”, Jakarta, Department of Foreign Affairs, 1961 cited in Herbert Feith and Alan Smith, “Indonesia”, in Roger M Smith (ed.), *Southeast Asia: Documents of Political Development and Change*, Ithaca: Cornell University Press, 1974, p. 176.

Anderson, in his book *Imagined Communities*, saw nation-states as artificial creations, as opposed to more traditional notions of nationalism (such as those of Anthony D. Smith)⁷ as having an historical and/or ethnic base. Anderson, an Indonesianist of some note, certainly developed his thinking around Indonesia itself, arguing that Indonesia is simply a twentieth century concept, with most of what now constitutes Indonesia conquered between 1850-1910.⁸ That said, there is scant evidence that the hundreds of ethnic groups that inhabit Indonesia want independence, outside of the cases of Aceh and Papua. Some exceptional conditions have to come into play before a full-blown independence movement will occur, as it has in the two aforementioned independence-minded Indonesian provinces.

In the case of Papua, identity vis-à-vis the majority of Indonesia, is a complex picture. With more than 250 clearly distinct languages, the Papuan sense of collectivity as a people has often been regarded as weak, and confined to a small, educated elite. Papuan ethno-linguistic communities are often small, with many groups having between 50 to a few hundred members. “Regardless of size, every clan confederation viewed people of a different cultural-linguistic unit as foreigners, even if they lived in the next valley or island.”⁹ Tribally based primordialism continues to be relevant to Papuan politics, and is constantly manifest within the independence struggle. Just how stable could an independent Papua be under such conditions? Ethno-linguistic fragmentation in Papua New Guinea and the Solomons may give some clues. Yet, Indonesian rule has clearly produced something of an overarching Papuan identity, even if nascent at this point in time. At the very least, Papuan political discourse is infused with reference to difference from the Austronesian “other” of Indonesia’s heartland areas (or, perhaps, more accurately, characterization of themselves as the Melanesian periphery), while the province’s preference for Christianity also marks Papua out from the majority of Indonesia.¹⁰

⁷ Definitions of “nationalism” have traditionally revolved around ethnic or cultural similarities, or common bonds of a shared history or political values, but above all, belief in the saliency of a common future. See, for example, Anthony D. Smith, *The Nation in History: Historiographical Debates about Ethnicity and Nationalism*, Hanover, NH: University Press of New England, 2000; and Ernest Gellner, *Nations and Nationalism*, Oxford: Blackwells, 1983. Linz also sees nationalism as being based on an ethno-cultural identity, one that lingers after the formation of the nation/state: “nationalism is not likely to abandon fully the primordial elements that initially gave rise to its demands.” Juan J. Linz, “From Primordialism to Nationalism”, in Edward A. Tiryakian and Ronald Rogowski (eds), *New Nationalisms of the Developed West: Toward Explanation*, Boston: Allen & Unwin, 1985, p. 250.

⁸ Benedict Anderson, *Imagined Communities*, London: Verso, 1991, p. 11.

⁹ Robin Osborne, *Indonesia’s Secret War: The Guerilla Struggle in Irian Jaya*, Sydney: Allen & Unwin, 1984, p. 2.

¹⁰ The religious factor should not be emphasized too much as a factor of difference vis-à-vis the majority population, as there are a number of distinctly Christian regions within Indonesia, yet the same separatist dynamics do not apply. However, given the political troubles in Papua, the churches have had an important role to play. Church leaders have

It could be successfully argued that Indonesia, taken as a whole, was thoroughly exploited by the Soeharto administration, and Papua is little different in this regard (although, as this article will show, it is important that the oppression was significantly greater). When independence activist Franz-Albert Joku was asked to give a justification for Papuan independence, he chose to stress difference: Papua holds a “separate people, ethnically, culturally, geographically.”¹¹ But there is a strong correlation between economic exploitation and ethnic differentiation, which has been noted by a number of scholars. David Miller notes that oppression of a group, which views itself as distinct, leads to the use of a nationalist identity to counter that oppression, as resistance leaders “express those aspirations in nationalist terms”.¹² Therefore, ethnic difference converges with the language of economic and political liberation.

Demands for separatism, which may be placated with promises of greater regional autonomy, are nowadays evident in many nation-states. The case of secession has some international implications, whereby the potential breakaway state must get recognition from a significant number of other states in order to survive. This has happened in the case of the former Soviet Union and the former Yugoslavia, but usually the international community will not lend its weight to secessionist movements – such interference would be seen as a breach of a guiding norm of the conduct of states, sovereignty.

From the United Nations’ inception in 1945, the number of members has tripled, largely as a reflection of de-colonized nation-states taking their place on the world stage. Yet there are limitations to the extent to which the self-determination of all ethnic groups can become reality. Pascal Boniface cautions, “since there are roughly 5,000 such [ethnic] groups on earth, it is easy to understand the baneful effects of an untrammelled application of the right of self-determination.”¹³ This type of sentiment dominates the governments of existing nation-states, which have largely proven conservative when it comes to the recognition of boundaries. This does not mean, however, that states now have *carte blanche* to treat their regions as they like, without attracting international attention – and in the worst cases, condemnation, embargo, and occasionally, armed intervention. Nevertheless, it is not possible for states to fragment into their ethnic components in all cases. Not only is this not desirable, but it is simply impracticable. Papua is a case in point. If the Indonesian province was to gain independence, it would still contain more than 250 distinct ethno-linguistic communities. Would they too begin to clamour for separatism or secessionism? In a world where states that are ethnically homogenous, or near-homogenous, are a minor exception to the rule, there is little choice but to manage multiethnic configurations. Yet

great influence in Papuan communities, and some of the most well-known independence leaders have clerical backgrounds.

¹¹ Franz-Albert Joku. Radio Interview, *Kim Hill Show*, Radio New Zealand, 22 May 2001.

¹² David Miller, *On Nationality*, Oxford: Clarendon Press, 1995, p. 20.

¹³ Pascal Boniface, “The Proliferation of States”, *The Washington Quarterly*, Vol. 21, No. 3, 1998, p. 112.

where economic mismanagement and exploitation, human rights abuses, and a separate ethnic identity (and possibly a separate history) combine, demands for independence will emerge.

The term “internal colonialism” dates back to the late nineteenth century when it was appropriated by Gramsci, Lenin and others to describe an unequal exchange between the elite and the masses – or the core and the periphery – within a nation-state. In the post-colonial era the term began to be applied more for regions, especially those that were both ethnically distinctive and economically exploited by central government. Michael Hechter’s seminal work on internal colonialism, using the “Celtic fringe” of the United Kingdom as a study, sought to identify the “social origins of ethnic identification and change”.¹⁴ Hechter argues that economic disparities are the fundamental cause of the emergence of ethnic nationalist movements amongst cultural groups located in peripheral regions.¹⁵ The importance of Hechter’s work is the recognition that ethnic identities do play an important role. Although ethnic difference and economic exploitation are mutually reinforcing: “Individuals in such groups were expected to identify primarily on the basis of their ethnicity rather than their social class.”¹⁶ He argues that in order to maintain an unequal distribution of resources (that is, a system of economic exploitation), the core seeks to dominate the periphery politically and culturally as well.

Although Papua’s “identity” is an ethnological difficulty, there is no doubt that perceived ethnic difference and economic underdevelopment have proved to be major factors in the alienation from the state of Indonesia. But in the case of Papua, a slightly different phenomenon has occurred than in Hechter’s “Celtic fringe”. In Papua the root cause of the problem is political, due to the manner in which the territory was acquired, while economic and cultural factors have served to keep alive demands for autonomy, or complete independence.

The theory of internal colonialism was designed to counter diffusion theory, or the theory that development would lead to a decline in the importance of ethnicity and the emergence of class consciousness. However, Hechter and others contend that even in industrial society nationalism may survive, even thrive, in the midst of economic development.¹⁷ Although nationalism may be “intrinsically absurd”,¹⁸ in the words of one scholar, that does not diminish its power or its saliency. Individuals may come to see their

¹⁴ Michael Hechter, *Internal Colonialism: The Celtic Fringe in British National Development, 1536-1966*, Berkeley and Los Angeles: University of California Press, 1975. p. xiii.

¹⁵ See also David Brown, *The State and Ethnic Politics in Southeast Asia*, London and New York: Routledge, 1994.

¹⁶ Michael Hechter, *Internal Colonialism: The Celtic Fringe in British National Development*, (2nd ed.), London: Transaction Publishers, 1999, pp. xiii-xiv.

¹⁷ Michael Hechter, “Internal Colonialism Revisited”, in Edward A. Tiryakian and Ronald Rogowski (eds), *New Nationalisms of the Developed West: Toward Explanation*, Boston: Allen & Unwin, 1985, p. 18.

¹⁸ William Pfaff, *The Wrath of Nations: Civilization and the Furies of Nationalism*, New York: Simon & Schuster, 1993, p. 17.

disadvantages as the result of being members of a particular sub-group within the state, leading to a cultural division of labour.

In order for the ethnic nationalist movement to be effective, there must be “an accompanying social awareness and definition of the situation as being unjust and illegitimate”.¹⁹ Papuans began to feel more “Papuan” than “Indonesian”, not solely because they are ethnically Melanesian. Rather, these differences were highlighted, firstly, because these two groups of people (true to Hechter’s theory) were brought together under coercive conditions. Secondly, “institutional racist”²⁰ governmental policies which were put in place have exacerbated tensions and created a greater cultural gap between the two groups of people.

Between the Netherlands and Indonesia: the Story of Papua

With a land area of 421,981 square kilometres, Papua makes up 22 per cent of Indonesia’s total land area, but with only just over 2 million residents it contains only 1 per cent of Indonesia’s population. Papua’s geography includes a wide ranging variety of natural formations, which include 15 mountain ranges and glaciers, 40 major rivers, and many coastal plain regions.²¹ This barely penetrable landscape has given rise to tremendous diversity of language and identity, with more than 250 distinct languages.²² However, a very general distinction can be made between coastal and highland communities. Broadly, the Papuan peoples can be described as Melanesian. Despite being colonized by the Dutch, Papuans were not involved in the independence struggle against the Dutch – an event that is at the heart of Indonesian nationalism, even in modern times.

¹⁹ Michael Hechter, *Internal Colonialism: The Celtic Fringe in British National Development, 1536-1966*, *op. cit.*, p. 42.

²⁰ *Ibid.*, p. 39.

²¹ From *The Province of Irian Jaya*, Ministry of Information, Republic of Indonesia, 1 May 1985.

²² SIL International put the figure at 265, of which 263 are “living languages” and 2 are only now spoken as second languages. For a full list of these languages see: www.ethnologue.com/show_country.asp?name=Indonesia+%28Irian+Jaya%29. Note that this list is bound to be incomplete. This same website two years ago had the number of listed languages at a slightly lower figure of 257. In June 2002 the Indonesian government made its first official count of the number of tribes in Papua, and concluded that the number was 312 – well above previous estimates of around 250. There is some doubt over this revised figure, however, as it included nine “tribes” with less than ten people. This indicates the extreme difficulty in making ethno-linguistic classifications in Papua. See Catharine Munro, “Count Reveals 312 Tribes in Indonesian Province”, *AAP*, 16 July 2002. It is often difficult to get precise data on Papua, compounded by the lack of literature on Papua generally. The preface to *The Cambridge History of the Pacific Islanders* says that books on Papua (which are largely the work of outsiders) are “distressingly scarce”. Donald Denoon (ed), *The Cambridge History of the Pacific Islanders*, Cambridge: Cambridge University Press, 1997, p. xvi.

The Dutch first took an active interest in the western portion of the New Guinea island in 1828 when Fort Du Bus was constructed at Lobo to check the expansion of neighbouring powers.²³ Dutch colonial administration was only set up in 1898, but never had much impact on the interior of the territory. The Dutch made a claim to Papua based on the historical suzerainty held by the sultanate of Tidore over some areas of Papua's coast.²⁴ It was this historic claim that the Sukarno government was also to refer back to as one of the rationales for Papua's inclusion into Indonesia. When the Dutch finally recognized Indonesian Independence in 1949, West Nieuw Guinea (as Papua was known) was not part of the territories that the Dutch let go. This marked the start of a diplomatic struggle between the Netherlands and Indonesia over the status of Papua. In November 1946, the Dutch (at British insistence) negotiated peace with the Indonesian Republican authorities, giving the latter control of Java, Madura and Sumatra, with the eventual plan to create a federal United States of Indonesia with the Dutch monarch as the symbolic head of state. The diplomatic blunder of the Dutch was to put in writing the following as part of the Linggadjati Agreement: a "future 'United States of Indonesia' shall comprise the whole territory of the Netherlands Indies" (Article 3).²⁵ This is gave clear legal authority to Indonesia over the Dutch territories from "Sabang to Merauke",²⁶ and was reinforced by statements made by Dutch officials to their Indonesian counterparts. However the Dutch were to repudiate the claim of the Republic of Indonesia to West Nieuw Guinea, stating that it had never been articulated clearly which specific regions of the Dutch East Indies were to be handed over. During the Den Pasar Conference in December 1946, the imperial Lieutenant Governor-General, H.J. van Mook, argued for a delay in West Nieuw Guinea's inclusion into the new Indonesian state because of its special ethnic, economic and geographical differences, but saw that Papua would be within the "compass" of the fledging state.²⁷ However, subsequent events showed that the Dutch authorities were not serious about Indonesian independence at that juncture, as evidenced by subsequent "police actions" to destroy the Republic, and thus the discussion on Papua, from the Dutch point of view, was academic.

There were several reasons for the decision by the Netherlands to retain Papua, beyond the initial hope that the Netherlands could retain its presence and influence in the region: first, it was posited that Papua's population had little or nothing in common with the Malay-related peoples of wider Indonesia;

²³ M. C. Ricklefs, *A History of Modern Indonesia since c.1200*, Hampshire: Palgrave, 2001, p. 178.

²⁴ Edward Aspinall and Mark T Berger, "The Break-Up of Indonesia? Nationalisms after decolonisation and the limits of the nation-state in post-cold war Southeast Asia", *Third World Quarterly*, Vol. 22, No. 6, 2001, p. 1013.

²⁵ Cited in Justus M. van Kroef, *The West New Guinea Dispute*, New York: Institute of Pacific Relations, 1958, p 1.

²⁶ This expression refers to the furthest point in Aceh (Sabang) and the furthest point in Papua (Merauke), to denote the outer reaches of the Republic of Indonesia.

²⁷ Peter Hastings, *New Guinea: Problems and Prospects*, Melbourne: Australian Institute of International Affairs and Cheshire, 1969, p. 199.

second, an influential section of the Netherlands' domestic constituency, including Christian missionaries, insisted that the Christian population of Papua would not be able to adapt to life in the predominantly Muslim Indonesia; third, as Peter Hastings argues, the Dutch wanted to salvage their own international reputation of being "cruel" colonial masters by granting West New Guinea the right to self determination;²⁸ fourth, conservatives in the Netherlands argued that Papua could be a useful home for European settlers and the Eurasian population; and fifth, there was a general perception that Indonesia could not administer such a difficult territory. In the 1950s, with the help of missionaries, the Dutch colonial state attempted to unify the different Papuan groups through the creation of administrative and communications infrastructure, and schools.²⁹

However, Sukarno refused to allow the Dutch to maintain their rule, or to accept Dutch attempts to foster nationalism amongst Papua's disparate tribes. A combination of Sukarno's threats (which he made good on through the introduction of troops in 1961), and US concern to keep Indonesia detached from the communist bloc, saw events unfold in Indonesia's favour. The Kennedy Administration, in an attempt to gain favour in Jakarta, put pressure on the Netherlands to withdraw from Papua – the United States, incidentally, had been involved in various regional rebellions in the 1950s, and may have been trying to rise above the considerable suspicion in Indonesia that it wanted to break up the country. The attempt to bring Indonesia into the western fold was unsuccessful in the short term, as, by the end of Sukarno's hold on power in 1965, the President had drawn very close to China.

This was occurring during the time when the Dutch were trying to pursue last minute economic development and to further administrative control over Papua. Unfulfilled promises of Papuan independence did fuel some sort of Papuan nationalism. On 1 December 1961, a ceremony was held, under Dutch supervision, in which Papuan leaders raised a flag and sang an anthem.³⁰ Modern activists in Papua claim that this was an independence ceremony, and that Papua was independent from this date. (1 December has been revived as a red letter day in some circles and is generally a date when independence supporters reiterate their belief in a separate legal entity.)

In 1961, President Sukarno announced the Trikora ultimatum declaring that Irian Jaya be returned to the Republic of Indonesia. Sukarno then assigned the then Major-General Soeharto to lead a military operation (Mandala

²⁸ See *Ibid.* Peter Hastings calls this the "psychological element" that led the Dutch to hold on to the territory of Papua. Hastings argues that this factor in the struggle between the Netherlands and Indonesia over the control of West Irian should not be underestimated. By "psychological element" Hastings refers to motives such as national prestige and pride, as well as a genuine sense of obligation that the Dutch felt towards Papua to follow through with self determination for the territory. As a country, the Netherlands wanted to revive their international reputation of "300 years of the whip and the club" (p. 211) with a more enlightened means to decolonization for an independent Papua.

²⁹ Anderson, *op. cit.*, p. 177.

³⁰ See Osborne, *op. cit.*

Command) into Papua.³¹ This Trikora ultimatum, and the Indonesian military follow-up, forced the Dutch out of Papua. Indonesia was formally granted administrative control over Papua under the New York Agreement of 1962.

Papua was placed under the United Nations Temporary Executive (UNTEA) from 1962 as part of the transition arrangement. The Netherlands, under pressure from the United States, finally acquiesced to Sukarno's demand and an agreement was concluded on 15 August 1962 to transfer power to the United Nations from October 1962 and then to transfer power to Indonesia on 1 May 1963.

The opposition of elements of the Papuan community became obvious with the emergence of the OPM – an opposition that emerged in 1964 in response to Indonesia's insertion of military forces, and gave notice of its existence through its first attack in Manokwari in 1965.³² OPM reached the height of its activity in the mid-1980s, but never really represented any challenge to Indonesian rule. Tribal divisions have not helped OPM to cohere, and have blunted its capacity to mount greater resistance to the Indonesian state. Nevertheless, OPM was able to linger on in remote areas, particularly on the border with Papua New Guinea.

The main impetus for the formation of the OPM can be attributed to growing public anger over Indonesian rule and the role of the security forces. OPM have accused Indonesia of not only continuing colonial rule, but have implied that it is far worse than that experienced in Dutch times:

Our struggle for independence is not new, we have fought against the Indonesian colonial administration now for thirty-four years. We were cheated by the Dutch and Indonesian Governments in 1962 with the New York Agreement and again in 1969 with the Act of Free Choice. We thought we could trust their supposed genuine support for our people and nation but instead we have been left with one of the most vicious colonising nations to have emerged.³³

The years immediately after 1963 saw a greatly increased Indonesian military presence in Papua, and a marked deterioration in the territory's administration. The Indonesian civil administration in Papua became politically repressive, and took the step of closing the province to foreign journalists. A British Foreign Office document from the time period stated that:

³¹ Under the Trikora Ultimatum, Sukarno had three main aims: First, to overthrow the establishment of the Dutch in Papua; second, to hoist the Indonesian flag in Papua and reclaim it as Indonesian territory; and third, to prepare and mobilize the armed forces to maintain independence and unity of the nation and homeland. See "Online Special: Irian Jaya" 24 February 2002, *The Jakarta Post.com* – www.thejakartapost.com/special/os_8_history.asp.

³² See Osborne, *op. cit.*

³³ "A Letter of Appeal", [letter to the Governments of Fiji, Vanuatu, Papua New Guinea and the Solomon Islands] OPM Revolutionary Council, 15 July 1996, on an OPM website - www.converge.org.nz/wpapua/.

The Indonesians have tried everything from bombing them with B-26s, to shelling and mortaring them, but a continuous state of semi-rebellion persists. Brutalities are undoubtedly perpetrated from time to time in a fruitless attempt at repression.³⁴

In order to preserve the appearance of legality in the Papua case, it was agreed at the UN that elections would be held to determine the future of the territory. In August 1968, UNTEA renewed its presence in Papua under Bolivian diplomat, Ortiz Sanz. By the time of the 1969 vote, UNTEA had a skeleton crew of 16 staff. However, although force was clearly a factor, the diplomatic and legal charade that culminated in the Act of Free Choice in 1969 was actually the means to integration.

It has been a general consensus in the literature available that the Act of Free Choice was a farce. The Indonesian government defends its position by saying that the New York Agreement (Article XVIII) “left the choice of the method and procedures for the Act of Free Choice to the Indonesian government”.³⁵ Indeed, in the run-up to the ballot, the Indonesian government reported a marked increase in the activities of the OPM, and offered this as a factor that “complicated” the vote itself.³⁶

Ortiz Sanz’s team, as well as some documents released by the US State Department and the British Foreign Office, show assessments that Papuans did not want incorporation into Indonesia. Sanz’s UN team privately expressed the impression that 95% supported independence.³⁷ Equally, it was unrealistic to expect that the Indonesian authorities, unaccustomed by 1969 to holding unfettered elections, would suddenly hold a free and fair ballot in Papua. The evidence from the small number of observers shows that the 1026 delegates chosen to vote were carefully hand-picked and coerced into voting for integration with Indonesia. It is telling that the United Nations “noted” the plebiscite but did not “endorse” it. This also leaves open a legal possibility of revisiting the recognition of Indonesia’s rule.

But in all of this, one thing is certain. The Papuans were not asked about their own fate. According to a recent briefing document prepared for the United Nations, the government of Indonesia took the decision that the *musjawarah* (community) concept would be used. It continues to claim that “Irian Jaya’s restoration into the Republic of Indonesia was carried out democratically and in a transparent manner”. The failure to extend a universal

³⁴ Report of a conversation between Reynders, US Embassy, Jakarta and Ian Morgan, British Embassy, Jakarta, 9 April 1968, Public Records Office: FCO 15/189 DH1/7 in John Saltford, “Irian Jaya: United Nations Involvement with the Act of Self-Determination in West Irian (Indonesian West New Guinea) 1968 to 1969” – available online at (www.angelfire.com/journal/issues/saltford.html).

³⁵ “Implementation of the Indonesia-Netherlands Agreement on West Irian: Report of the Indonesian Government to the Secretary-General of the United Nations”, Department of Foreign Affairs Republic of Indonesia, 5 September 1969.

³⁶ “The Restoration of Irian Jaya into the Republic of Indonesia”, Permanent Mission of the Republic of Indonesia to the United Nations, New York, January 2001.

³⁷ See Saltford, *op. cit.*

franchise in Papua was due to the fact that the population was “illiterate and not interested in these issues”, thus “democracy” was “adapted to the specific socio-cultural conditions” that prevailed in the community.³⁸

However, justifying the rigged ballot process on the grounds of being culturally appropriate is not the end of the story. The document cited above goes on to argue that:

Furthermore, *Indonesia has consistently opposed the right of self-determination* [in Papua] on the ground[s] that it would challenge the struggle for, and the Proclamation of Indonesia’s Independence which already constituted the exercise of such a right for all the people of Indonesia. In effect, the people of West Irian could not be separated from their historical background and Indonesia’s struggle for freedom and their feeling of oneness with the rest of the country to achieve this objective.³⁹ [*emphasis added*]

The democratic procedure is, in the final analysis, not deemed to be the ultimate principle involved here. The appeal to historical ownership is paramount: the claim that Gajah Mada in 1356 demonstrated control of Papua (known as “Djanggi” in literature from the time); that north Irian was under the control of the Sultanate of Tidore for a period of history; and sovereignty was legally transferred by the Dutch authorities. In fact the right to state control over all of the former colonial boundaries is, it is posited, a norm of decolonization throughout the world.⁴⁰ It is doubtful that the ‘democratic process’ would ever have been allowed to interfere with Indonesia’s conception of its boundaries.

Sukarno’s desire to take control of Papua was politically motivated by his sense of nationalism, as the extent of Papua’s resources were not known in the 1960s, let alone 1945. Exploration and discovery of major oil reserves did not occur until the early 1970s, and was therefore not a major factor in either Indonesia’s acquisition of the province, nor the Netherlands desire to retain it.⁴¹ Nevertheless, economic issues and resource exploitation have become serious issues after Papua’s merger with Indonesia.

³⁸ “The Restoration of Irian Jaya into the Republic of Indonesia”, Permanent Mission of the Republic of Indonesia to the United Nations, *op. cit.*, p. 7 & pp. 38-39. What is also interesting about this particular document is that despite being penned in *reformasi* times it justifies the methods of the previous authoritarian regime in dealing with the Papua situation, and even utilizes the discourse of that era.

³⁹ *Ibid.*, p. 38

⁴⁰ This view is inaccurate, although it is repeated constantly by Indonesian officials. While there has been a pattern of this type of arrangement, there are also some notable exceptions to the idea the newly independent states follow colonial boundaries – the partition of British India for example.

⁴¹ See Greg Poulgrain, “Delaying the ‘Discovery’ of Oil in West New Guinea”, *The Journal of Pacific History*, vol. 34, no. 2, 1999.

The Economy

Resource extraction and official transmigration to the province in Indonesian times have largely ignored both returns to the local population and occupancy rights. Despite Papua's status as the fourth richest province in Indonesia (1999 Gross Regional Domestic Product), the percentage of Papuans under the poverty line was 71 per cent (as compared to a national average of 26 per cent).⁴² The Indonesian state under Soeharto saw large portions of Papua in particular as a *terra nullius* and divided up many of the rich coastal areas for newly arrived settlers. Mining concessions also operated under the same principle, in a system that saw a vast majority of the revenue in the hands of the Indonesian state or flowing back to Jakarta through a myriad of business arrangements and employees from outside the province. Aside from the significant oil finds, nickel and gold mines have resulted in tremendous environmental degradation, often involving scarring the landscape with the removal of vast amounts of soil. The Indonesian Constitution of 1945 claims mineral resources as rightfully the property of the state, with Article 33 (3) claiming for the state "The land, the waters and the natural riches contained therein".

The enormous investment and mining operation known as PT Freeport Indonesia Company (PT-FI), headquartered in the U.S., was an investment made possible by an authoritarian government in Jakarta. The government involvement in, and enforcement of, the arrangement, is highly evident. The Damal and Amungme people, who practiced swidden agriculture in the area, were given no compensation, while re-settlement to the coast (previously avoided due to the malaria risk) was undertaken to move people away from the site, and huts of lingering residents or casual workers were destroyed to add further encouragement.⁴³ Industrial by-product and moved soil has been dumped into the river system and Mount Ertsberg was completely levelled by the late 1980s. An unhealthy relationship with the Indonesian military also developed during the Soeharto administration. Most observers conclude that the military funds itself through business interests to the tune of three-quarters of its budget. The military in Papua have also operated commercial enterprises, which include benefits accruing from association with Freeport and other large investors.⁴⁴

⁴² Calculated from *Statistical Year Book of Indonesia 1999*, (BPS – Statistics Indonesia). Indonesia defines the poverty line as the daily minimum requirement of 2100 kcal of food, plus non-food requirements such as clothing, schooling, transportation, household necessities and so on. Regional variations in pricing and food availability to gather communities are taken into account.

⁴³ Karen Nero, "The Material World Remade", in Donald Denoon (ed), *op. cit.*, p. 385. Nero notes that "[t]he Papua New Guinea government had nothing like the coercive power of the Indonesian state ... [which] generated radically different relationships with landowners" (p. 386).

⁴⁴ It is common knowledge at the Freeport site that the military will also often make use of facilities and equipment. It is also alleged that significant cash pay-offs have been made. Confidential Interviews by Anthony L. Smith.

Papua's vast resources include petroleum, copper, gold and silver. Papua's largest mine, run by Freeport, contains one of the world's largest known gold deposits valued at US\$40 billion.⁴⁵ Freeport McMoran Copper and Gold Inc (FCX) subsidiary, PT Freeport Indonesia Company (PT-FI), is not only the largest investor in Papua, where it dominates, but one of the biggest mining companies in the world.⁴⁶ The Freeport operation is Indonesia's largest taxpayer and "made history" by engaging in what was considered a pioneer in foreign investment in Indonesia in 1967, when Freeport was awarded the contract to explore for copper deposits in the mountainous region of Gunung Bijih.⁴⁷ Freeport began actual operations in Papua with concession rights over 10,000 hectares of land in 1972, but by 1991 this concession had grown to 2.6 million hectares – 45 per cent of which are located in the Lorentz National Park.⁴⁸ But of even greater significance was the 1988 discovery, by Freeport, of a new deposit site at Grasberg. This relatively new deposit was a major boost to Freeport, increasing its total investment to more than US\$500 million at the time. The *Jakarta Post* wrote in 1991 that the government's 10 per cent share had provided "more than US\$41.43 million in dividends" from the Freeport operations, while US\$229.38 million in taxes had been paid over an 18 year period, representing 42 per cent of total profit.⁴⁹ FCX state on their website that US\$1.8 billion in direct revenues from 1991-2001 via taxes, dividends and royalties, has gone into Indonesian government coffers. They also claim that US\$9.1 billion in indirect benefits has accrued to Indonesia as well, "in the form of purchases, wages and benefits, charitable contributions and reinvestments".⁵⁰

The end of authoritarian rule in Indonesia has brought some significant changes to the way companies like Freeport can operate. Foreign investors throughout Indonesia have tried hard to make amends for community grievances since the end of the New Order regime, and the emergence of a new political era in Indonesia. Multinational companies now speak of "cooperative security" or "community security".⁵¹ The idea is that, by investing in community facilities and involving locals in decision making, companies can get the people living and working around a facility on their side, reducing the risk of raids on their infrastructure and providing early

⁴⁵ Keith Suter, "Inside or outside?" *The World Today*, Vol. 57 No. 4, April 2001, p. 23.

⁴⁶ See "Freeport in Papua", Freeport McMoran Copper and Gold Inc. (FCX) - www.fcx.com/mr/index.htm.

⁴⁷ Soeryo Winoto, "Freeport promotes social solidarity in Irian Jaya", *The Jakarta Post*, 25 October 1991.

⁴⁸ Susan J. Browne, *Irian Jaya: 30 years of Indonesian Control*, Melbourne: Monash Asia Institute, Working Paper 107, 1999, p. 11.

⁴⁹ Soeryo Winoto, "Freeport promotes social solidarity in Irian Jaya", *The Jakarta Post*, 25 October 1991. This article features an interview with Moedjiatno, Freeport's Public Affairs Manager at the time. The figures were provided by Moedjiatno.

⁵⁰ www.fcx.com/mr/fast-facts/ff-econimpact.htm

⁵¹ For a detailed analysis and debate on whether oil companies should be involved in community development, see "When Exploration meets Human Rights", *The Financial Times*, 15 March 2000.

warnings of potential threats. Freeport, and other investments in Papua, are no exception.

As a result of local protests and pressures from the international community, Freeport has become more “socially active” and now claims to fully support “community development in tandem with the company’s progress”.⁵² Specifically, Freeport has made a commitment to set aside 1 per cent of its annual gross revenue for a period of 10 years (from 1996) as a fund for a variety of community development projects in Papua.⁵³ In terms of facilitating community development in Papua, it remains to be seen whether Freeport can overcome serious local resentment, no matter how commendable the efforts. Freeport claims to have improved “communication” with the local indigenous population through development projects, especially with the Amungme and Kamoro people who have been the most affected by land loss. Freeport has also managed to provide employment by doubling the number of local employees in 2001, and promised that “it will double it again in 2006 as the company is running a vocational training center and other educational programs”.⁵⁴ FCX and PT-FI signed a Memorandum of Understanding (MOU) in 2000 concerning socio-economic resources, human rights, land rights and environmental rights, and in 2001, signed a Trust Fund agreement with the Amungme and Kamoro villagers living near the mining operations, giving an initial lump-sum of US\$2.5 million for development, and US\$500,000 a year from now on, to be taken from Freeport’s 1 per cent commitment.⁵⁵

Unequal distribution, whereby the core benefits economically much more out of the relationship than the periphery does, is highly evident in the Papua case. Freeport is therefore open to the charge that it is used as a tool by the government of Indonesia to exploit the land in Papua and manipulate its resources to its full capacity. An interview with a Papuan Student leader, Demianus Marian, is highly indicative of perceptions on this issue:

Making use of our resources is okay. However why is there no development? There are promises of giving back the money to us but until now, we are still naked. We do not have money to buy clothes. Even the development funds from the IMF are taken by the military and the Javanese transmigrants.⁵⁶

Marian’s main point of contention with Jakarta is not the exploitation of

⁵² “Freeport Indonesia: Committed to the People of Irian Jaya” *The Jakarta Post*, 10 September 2000.

⁵³ This fund for community development in Papua is implemented via an independent organization called the Lembaga Pengembangan Masyarakat Irian Jaya (LPM-Irja). The money is used for education, training, health services, economic development, public facilities, housing and for the general empowerment of the local community institution. “Freeport Indonesia: Committed to the People of Irian Jaya” *The Jakarta Post*, 10 September 2000.

⁵⁴ *Ibid.*

⁵⁵ See www.fcx.com/fmcg/index.htm

⁵⁶ Interview by Angie Ng with Demianus Marian, Elected Head/ Leader of the Student Papuan Movement (*Mahasiswa*) in Jakarta, on 18 February 2002, in Jakarta: Indonesia.

resources *per se*, but the lack of returns to the Papuan economy and general development. He, and many others, also link the problem to both the military and the transmigrants (in this quotation identified by their ethnicity, “Javanese”).

Transmigration

Transmigration, like other cases in Indonesia (notably Kalimantan and Ambon in recent times), has created complications for Papua. Indonesia’s preoccupation with “national unity” and “national security” is inherent in the policy of transmigration as the centre has attempted to integrate the periphery (in this case, Papua) into the nation via a programme which disperses the majority ethnic group into the territory. Around 800,000 sponsored and “spontaneous” migrants have entered Papua under Soeharto’s rule – from a total population of 2 million, this places transmigrant numbers at 35 per cent of the population.⁵⁷

The transmigration policy exacerbates the conflict between the Papuans and the government of Indonesia. The struggle for independence has, at times, threatened to develop elements of “horizontal violence”, as transmigrant communities are generally in favour of remaining with Indonesia, and are fertile ground for militia gangs. Transmigration acts as a catalyst which incites further resentment towards the government of Indonesia by Papuan nationalists – a situation even admitted by the Indonesian government. According to a government report, the problem began when “there was clumsiness [prejudice] on the part of the indigenous inhabitants in the way they received the newcomers”.⁵⁸ Although this is a misplaced emphasis, given that resentment against transmigrants is tied up with other perceived injustices, there has also been jealousy against transmigrants who tended to take up business and administrative opportunities. Dislike of transmigration is not simply a case of domestic xenophobia, as transmigrants have tended to have favoured access to lands and commerce. Papuans have also been treated unfairly in terms of loss of land, used for the benefit of the migrants entering into Papua. “West Papuan landowners are not paid compensation for the acquisition of their land, as it is considered that this is covered by the building of roads, schools and the planting of crops as well as the opportunity given to them to take part in these schemes”.⁵⁹ Settlers now dominate the economy and have, in the past, dominated government jobs and many high level political positions.

Aside from the fact that Papuan representation in the popular media has been extremely limited, the Indonesian government has demonstrated a

⁵⁷ The 2000 Census established this figure. The total population was counted as 2,233,530. Catharine Munro, “Count Reveals 312 Tribes in Indonesian Province”, *AAP*, 16 July 2002.

⁵⁸ *The Province of Irian Jaya*, Ministry of Information, Republic of Indonesia, 1 May 1985, p. 50.

⁵⁹ Browne, *op. cit.*, p. 6.

tendency to view the Papuans as primitive, and therefore has encouraged wholesale change in their societies. One propaganda campaign, sponsored by the Project for the Guidance of Alien Societies, displayed posters that recommended Papuans adopt new lifestyle patterns, or as in Susan Browne's assessment of the campaign, encouraged "indigenous West Papuans to adopt a superior Indonesian way of life".⁶⁰

The *Jakarta Post* in an article entitled "Why Papuans want to secede from Indonesia", in 1999, cites transmigration as a leading factor. The scenario painted is grim:

The number of migrants and their descendants grows exponentially compared to that of the Papuans ... in five to ten years the Papuans, who are a minority in Indonesia will also be a minority in their own land. ... there are already signs of the Papuans being marginalized in their land. It is clear that Papuans are marginal groups in the cities.⁶¹

The picture may not become as bleak as the *Jakarta Post* predicted. The problems of political, social and economic marginalization remain for ethnic Papuans, yet important concessions for Papuan rights have been gained under regional autonomy (see section below). It is also the case that the Indonesian government's official transmigration programme has been brought to a close. In a more democratic era, the fundamental problems this programme has created in terms of communal tensions have been recognized.

These concessions to Papua's indigenous population, coupled with the end of official transmigration, would appear to be granted by the political elite in Jakarta out of concern to preserve the integrity of the Republic of Indonesia. Granting Papua a high degree of regional autonomy would appear to stem from the same impulse.

Regional Autonomy

During the Soeharto administration, central government maintained a near undisputed rule over provincial authority.⁶² The June 1999 elections were a watershed in Indonesian politics, as provincial and district level politicians were elected freely. Provincial governors were then selected by provincial parliaments. This, coupled with Indonesia's overall political changes, helped open political space for Papuans to express their demands. Papua's special

⁶⁰ *Ibid*, p. 9. In these posters, the Papuans are represented as crude, inefficient, wasteful and primitive, while the Indonesians, with all figures neatly clothed, are shown as productive, harmonious, clean and efficient.

⁶¹ Neles Keadabi Tebay, "Why Papuans want to secede from Indonesia", *Jakarta Post*, 2 December 1999.

⁶² See Michael Malley, "Regions: Centralization and Resistance", in Donald K. Emmerson (ed.), *Indonesia Beyond Suharto: Polity, Economy, Society, Transition*. New York. M E Sharpe, 1999.

circumstances – in particular the strongly evident demands for independence – have also seen the announcement of Special Autonomy for the province.

The Habibie government responded to the problem by reviving a two decades old plan to split Irian Jaya into three provinces – a plan carried over into the Abdurrahman Wahid (also known as “Gus Dur”) administration. No justification for the arbitrary division was given, although commentators were quick to suggest that this was a cynical plan in Jakarta to split the troublesome province and undermine any sense of Papuan solidarity. In any event the arrangement was quietly dropped, and superseded by the decision to solve the problem in another way.

In an attempt to placate the rising separatist nationalist sentiments in Papua, in recognition of past injustices and in an attempt at “healing the wounds” of the Papuan people,⁶³ the government of Indonesia passed the “Special Autonomy Law” – Law No. 21 of 2001 (21 November 2001) which came into effect on 1 January 2002. Special Autonomy is defined as giving the Papuan authorities power over all governance except “foreign policy, defence, security, monetary and fiscal policy, religion, justice and certain authority in other sectors laid down in the law” (Article 4 (1)).

The law makes mention of Papua’s ethnic differences, and past economic disparities, but equally stresses the importance of maintaining national unity. Recognition is made of the special rights of ethnic Papuans (or “original inhabitants”), defined as someone with at least one ethnically Papuan parent, including the provisions that native Papuans “shall be given priority to employment” (Article 62 (2)) and that the Governor and Vice Governor must be “a native of Papua” (Article 12 (a)). Commitments to *adat* (customary) law and human rights, including women’s rights, are also put in writing.

With specific regards to the economic relationship between the core (Jakarta) and the periphery (Papua), it is stated in Chapter IX, Article 34 that the government of Indonesia shall return revenues to Papua according the following formula: 70% for oil and gas extraction; 80% for general mining, fisheries and forestry; 90% for land taxation; 80% for land and building titles; and 20% for personal income tax. An earlier draft of the law, as proposed by Papuan leaders, would have split all revenue sources with the central government on the simple formula of 80% being returned to Papua. The final law is not quite so generous, but it is a major alteration from past practices.⁶⁴

As a key indication of the changed bargain between Jakarta and the authorities in Papua, the process by which the autonomy law was drawn up demonstrates that local demands were crucial its construction. This is also important because it shows that dialogue sessions demonstrated administrative capabilities on the part of the Papuan elite and this culminated in their direct involvement in fourteen drafts of the law. Elaine M. Samson, an American diplomat in Jakarta, explained that:

⁶³ Arif Zulkifli, (et.al.), “From Sabang to Merauke and the Enemy Between”, *Tempo*, 8 January 2001, p. 27.

⁶⁴ Confidential Interviews by Anthony L. Smith and Angie Ng.

The press and media like to think that the ideas behind this law were top-down. It was not. The ideas came from Papua into Jakarta. The first draft came from Papuan elites and was presented to the Parliament. It went through fourteen drafts and they are based on extensive surveys on the Papuan situation.⁶⁵

The idea for autonomy came out of various organized dialogue sessions and petitions, such as the Team of 100's petition presented to then President Habibie, alongside discussion forums, such as MUBES (*Musyawahar Besar* or "Grand Gathering for Discussion") which was held in February 2000 (both discussed further below). This all eventually paved the way for the drafting of the Special Autonomy Law of 2001. Regional autonomy has been described by the International Crisis Group as offering "the best prospects for a long-term resolution of problems that have plagued Irian Jaya's integration into Indonesia since 1963".⁶⁶

The Struggle for History

In the *reformasi* era, protests against the Indonesian government have largely transformed into a political/legal challenge to the legal arrangements that saw Papua merge with Indonesia (and depart from the armed struggle of the OPM). What is significant about this recent shift is that it is accompanied by a switch by a considerable portion of the Papuan administrative elite, many of whom had supported the Indonesian state – perhaps due to a combination of freedom to express ideas, anger over no apparent end to exploitation, and a keen eye for the mood of public opinion.⁶⁷

That Indonesia has made a mess of the Papuan situation is not even denied by Indonesia supporters in the province. Former Indonesian official and pro-integration figure in Papua, Elias Paprindey, told the *Jakarta Post* "The demand [for independence] is an undeniable fact. But do not blame the Irianese. On the contrary, the central government should reflect on why the Irianese raised the demand for independence."⁶⁸ Despite Elias Paprindey's political leanings, he went on to accuse the Indonesian government of

⁶⁵ Interview by Angie Ng with Elaine M. Samson, Political Section, Embassy of the United States in Jakarta, 15 February 2002.

⁶⁶ *Indonesia: Ending Repression in Irian Jaya*, International Crisis Group, *op. cit.*

⁶⁷ Nothing could be more indicative (or stranger) of former New Order figures changing their allegiance than the case of Yorrys Raweyai. Yorrys, who is half Papuan, was the feared *preman* (gangster) leader of the Indonesia-wide *Pemuda Pancasila* ("Pancasila Youth"), which was widely regarded as an agent of the state security apparatus and involved in all sorts of nefarious activities. With the departure of Soeharto from office, Yorrys ceased to be an enforcer for the New Order regime, and joined the Papuan independence movement. He was able to apply his skills to the organization of a pro-independence militia grouping called *Satgas Papua*, along with Boy Eluay – the son of Theys.

⁶⁸ "Irian Jaya in the eyes of a prointegration figure", *Jakarta Post*, 24 February 2001. Elias' use of the term "Irianese" reveals his political affiliation.

“neglecting Irianese rights” for 30 years, stating that “Irianese have suffered within the Republic”.

On 26 February 1999, Papuan representatives known as the “Team of 100” presented a petition concerning Papua’s status to then President Habibie. This included human rights violations by the Indonesian security forces and other grievances. Habibie was reportedly shocked when the delegation insisted that the only possible solution to the Papuan problem was independence from Indonesia. This was the clearest evidence to that date that pro-independence sentiments had become widespread. Those sentiments may have been there since 1963, but their intensity, or at least the expression of those sentiments, has increased dramatically in post-Soeharto times: “The pro-independence leaders have successfully propagated the ideal of separatism from Indonesia broadly and deeply in Papuan society – from an Indonesian-educated urban elite to remote villages.”⁶⁹

It is impossible to know the full extent of this, but it cannot be denied that a significant portion of the Papuan population, probably the vast majority in fact, desire independence. Even the governor of Papua, in 1999, is on record as making favourable comments about independence for Papua (and one assumes this politician from Indonesia’s former ruling party, Golkar, had his ear firmly to the ground). Policies such as transmigration and economic exploitation through mining have led to a further “incurable stage of crisis of confidence”, according to elements of the Papuan Community.⁷⁰

The transformation of the independence movement to one of a political and legal struggle largely centres around interpretations of history. The manner in which Papua was incorporated into Indonesia is now at stake.

The MUBES meeting was held from 23–26 February 2000 in Sentani, and brought together 400 Papuan delegates from all over the province to discuss how the Papuan people’s movements should proceed.⁷¹ Another major challenge to Indonesia’s claim to Papua came hard on the heels of this in the form of the *Presidium Dewan Papua* (Papuan Presidium Council, or “Presidium” for short). Like earlier groups that contained members of the Papuan elite, it was evident once more that independence sentiment had captured the political mainstream. The late Theys Eluay as Presidium co-leader, was a former official, Golkar member, and hailed from the Sentani region. Thom Beanal (from the Amungme tribe), as the other Presidium leader, took control after Theys’ death in 2001. In June 2000, a government-sponsored Congress of the People of Papua was convened, and funded by the Indonesian President to the tune of one billion *rupiah*.⁷² The Congress

⁶⁹ *Indonesia: Ending Repression in Irian Jaya*, International Crisis Group, *op. cit.*, p. 2.

⁷⁰ *Masyarakat Papua: Irian Jaya* [Irian Jaya: Papuan Community], Political Statement X1414/980/723, Jakarta: July 1998.

⁷¹ Theo Van Den Broek and Alexandra Szalay, “Current Developments in the Pacific: Raising the Morning Star”, *The Journal of Pacific History*, Vol. 36, No. 1, 2001 pp. 77–92.

⁷² This figure was given by Papuan independence activist, and Papua Presidium member, Franz-Albert Joku (*op. cit.*). This estimate is widely accepted as accurate, and has been repeated by a number of media sources in Indonesia itself.

attracted 3,000 delegates, including Presidium figures, with a much larger gathering outside. Participants chanted “merdeka” [freedom] as Indonesian officials entered the meeting hall (this included the governor, speaker of the provincial parliament, and regional military and police commanders).⁷³ It was clear from the beginning that this Congress would promote secession. But the Congress went even further when it announced that the Papuan people had become a sovereign nation on 1 December 1961. The implication is that the Indonesian acquisition of Papua, by the New York Agreement of 1962 and the Act of Free Choice of 1969, endorsed by UNGA resolution No. 2504 (XXIV), is null-and-void. There was also a call by the conference for the United Nations to reconsider the issue. The Indonesian government’s response to this, repeated many times to the international community by the then Minister for Foreign Affairs, Alwi Shihab, was that the conference was a distortion of history, a travesty of the Indonesian constitution, and a contravention of the UN ruling on the status of the territory.⁷⁴

The reaction in Indonesia’s parliament was vitriolic as some senior legislators called the Congress treasonable and recommended a full-scale military operation. Wahid was undermined when parliament, in August 2000, refused to approve his decision to change the province’s name to Papua. The Chief of Police in Papua, S. Y. Wenas, even imprisoned Presidium leaders, Theys Hiyo Eluay, Thaha Al Hamid, Merman Awom, Don Flassy and John Mambor and then refused the President’s order to release them. This marked the end of openness in Papua.

Mass rallies and peaceful resistance methods have proven effective in attracting the attention of the Papuan people, as well as the government in Jakarta, elements of which have roundly criticized the pro-independence movement (in the most vitriolic language imaginable) but ultimately have come to realize there is a serious case for which they must answer. International attention, and a good deal of NGO sympathy, has also resulted from these events.

Political Violence: The Enduring Problem

Failure to address the great many injustices of the New Order past is also a problem. Not a single trial for Soeharto era abuses has occurred. Compounding this situation is the fact that the misuse of military and police forces against unarmed combatants is not a thing of the past, and thus remains a contemporary issue even with Indonesia’s rejection of authoritarianism.

⁷³ Michael Malley, “Indonesia: Violence and Reform Beyond Jakarta”, in Daljit Singh and Anthony L. Smith (eds), *Southeast Asian Affairs 2001*, Singapore: Institute of Southeast Asian Studies, 2001, p. 165.

⁷⁴ Address by Alwi Shihab, Indonesian Minister for Foreign Affairs, “Indonesia’s Internal Development and Regional Stability”, Institute of Defence and Strategic Studies, Singapore, 11 August 2000; also Alwi Shihab, “Briefing by the Foreign Minister H E Alwi Shihab to Foreign Ambassadors in Jakarta on Aceh, Maluku and Irian Jaya”, Jakarta, 7 July 2000.

The emergence of a political-legal challenge to Indonesia's rule has sparked a new round of bloody show-downs. A number of people were killed as security forces fired on civilians attempting to raise the Papuan flag (known as the *Bintang Kejora* or "morning star"). This included an incident on 6 October 2000 when a number of demonstrators attempted to raise the *Bintang Kejora* at Wamena, and were fired on by police. Papuan leaders stated that they regretted gaining permission from the President to fly the Papuan flag. Wahid said that the flag could be flown but that it had to be smaller than, and could not be flown higher than, the Indonesian flag. However, the actions of the military and the police demonstrate a clear determination to stop the Papuan flag being flown at all. Political dialogue with Papuan leaders has also been encouraged and discouraged at the same time.

A number of militia groups, similar to those that operated in East Timor, have been fostered by the armed forces to undercut independence. Pro-independence "security" gangs, known as *Satgas Papua* (*Satuan Tugas Papua*, Papuan Taskforce), have emerged in response. Human Rights Watch has expressed concern that some of these gangs have "turned to gangsterism, intimidation, and extortion, often targeting small businesses run by migrants".⁷⁵

The problem of violence is far from over in Papua, and represents a serious obstacle to Jakarta's attempts to end perceptions of internal colonialism. Despite Indonesia's very real democratization process, the reforms have only gone so far, especially for an outlying province like Papua. Senior members of the security forces have justified their use of force in Papua by saying that they are merely reacting to violent political dissidents and that they are protecting the local unarmed civilians from the violence. Jayapura Police Chief Superintendent Daud Sihombing, argued in 2000 that his personnel are there to "safeguard the city from any disturbances" and to protect unarmed civilians.⁷⁶ More recently, the new commander of the Indonesian military, General Endriartono Sutarto told a press conference on 19 June 2002 that the military had grown weary of negotiations with separatists and that he would move to crush independence movements in both Papua and Aceh.⁷⁷ (Police and army personnel stationed in Papua are thought to number more than 10,000.)

⁷⁵ *Violence and Political Impasse in Papua*, Human Rights Watch, Vol. 13, No. 2 (C), July 2001, p. 11.

⁷⁶ Emmy Fitri, "Police Gear up for Irian Folly", *Jakarta Post*, 1 December 2000.

⁷⁷ "Indonesia: Military's Patience with Separatists Waning", *Stratfor Analysis*, 21 June 2002. These views are not confined to the security forces, as members of parliament across a number of political parties have expressed support for military campaigns to quell separatism. For example, in a June 2002 hearing before parliament's Commission I on defence and foreign affairs, commission member, Yasril Ananta Baharuddin (Golkar Party) gave General Endriartono Sutarto his advice on how to handle separatist movements: "just exterminate them". "Legislator Urges Extermination of Separatists", *Laksamana.net*, 24 June 2002.

The widespread abuse of human rights by the security forces has been well documented in reports in the last few years by Amnesty International, Human Rights Watch, International Crisis Group, and even the US State Department's *2001 Country Report on Human Rights Practices for Indonesia*.⁷⁸ Amnesty International has said of the security forces that "serious human rights violations, including extra-judicial executions, torture and arbitrary arrests, continue to be reported in Papua on a regular basis", and it expresses concern that pro-integration militia groups have been allowed to establish themselves.⁷⁹ Despite the shift in opposition from an ill-coordinated guerilla movement to a civilian-based movement that seeks to mount a legal and political challenge to Indonesian rule, Human Rights Watch notes that with thousands of new troops entering the province there has been "a return to many of the abusive practices of the past".⁸⁰ It also concludes that in practice there is a ban on peaceful expressions of support for Papuan independence, and civil society has been increasingly subject to harassment and surveillance, while the security forces have "moved aggressively against independence demonstrators, in many cases killing or seriously injuring them".⁸¹

From January-April 2001, Indonesia's National Human Rights Commission (KOMNAS-HAM) conducted an investigation into "*genosida*" [genocide] and its Half Time Report drew the broad conclusions that, *inter alia*, Irian Jaya exists under a repressive atmosphere which has not changed with the era of political reform and that wholesale intimidation has occurred without any recourse to the law. The report also accuses the police forces of operating under a system in which they have complete impunity from legal accountability.⁸² These findings provoked very public reactions from senior members of the national police force, who accused the investigation of bias.

During 2001, several independence leaders lost their lives due to political violence. On 12 September 2001, Willem Onde, well known independence activist, and his associate, Johannes Tumeng, were killed – their bodies showed evidence of torture. On 10 November 2001, Theys Hiyo Eluay was killed after leaving a military function near Jayapura. This case sparked enormous international interest (both from governments and media sources), partly because of his high profile, and partly because of the clearest evidence yet of military involvement in the assassination of an independence leader.⁸³ In June 2002, Dani Chief and highlands' leader Yafet Yelemaken,

⁷⁸ <http://www.state.gov/g/drl/rls/hrrpt/2001/eap/8314.htm>

⁷⁹ *Indonesia: Impunity persists in Papua as militia groups take root*, Amnesty International On-line (www.amnesty.org), 28 September 2000.

⁸⁰ *Violence and Political Impasse in Papua*, Human Rights Watch, Vol. 13, No. 2 (C), July 2001, p. 2.

⁸¹ *Ibid.*

⁸² Komnas-HAM, "Tindakan Penyelidikan Pelanggaran Hak Asasi Manusia di Papua/Irian Jaya", 11 April 2001.

⁸³ Initially military and police figures claimed that the killing was a "criminal act", meaning that it was not politically motivated. It is perhaps natural that the death of an independence leader would draw suspicion on the military, but in this case the killing took place in a region tightly controlled by *Kopassus* (Special Forces) units and Theys' driver, Aristoteles, was

died from what respected Papuan human rights group ELSHAM claimed was a poisoning.⁸⁴ Another highland leader, and chair of the pro-independence Koteka Tribal Assembly, Benny Wenda, was arrested around the same time and subject to arbitrary detention (albeit on trumped up charges) and torture. A number of demonstrators have also been killed since late 2000,⁸⁵ and local NGO groups and international observers have either hinted at, or clearly pointed to, security force involvement in these killings.

Conclusion

Papuan independence supporters claim, justifiably, that they were never consulted initially by the Dutch regarding the status of their territory and, that now, they are being coerced into being a part of Indonesia. The Indonesian authorities have made very little headway in convincing Papuans that their future is best served as part of Indonesia. Many commentators have noted that President Megawati Sukarnoputri, like her father before her, is a “conservative” and seeks to hold Indonesia together. This, however, does not particularly mark Megawati out from any other political figure in Jakarta, as no future government in Indonesia is likely to want to preside over the “break-up” of Indonesia. The desire to hold Indonesia together is shared across the political spectrum in Indonesia, but it is the manner in which Papua will be approached that will make a difference.

While there have been many changes in Papua since the end of authoritarian rule in Indonesia, there is still much progress to be made in addressing the problems of Papua. It can be concluded that a good deal of progress has been made in moving away from “internal colonialism”. Indeed, in three crucial areas, significant gains have been made since the end of authoritarianism. First of all, the opening of democratic space has allowed for Special Autonomy, which delivers most aspects of governance to Papuan officials, gives special rights to “native born” Papuans, and provides for a major return of revenues into the province itself. (On this last point, it remains to be seen how this money is used.) Second, international investors, especially

able to make a cell phone call identifying his attackers as being non-Papuan. Aristoteles went missing after placing the call, and was last seen seeking help from a *Kopassus* guard post. An investigation by KOMNAS-HAM (National Investigation Commission) resulted in the arrest of nine *Kopassus* soldiers, who are currently on trial at a military court. One of the defendants, Lieutenant Colonel Hartomo, has since admitted to being present when Theys died. His lawyer offered the explanation that Hartomo’s subordinates were questioning the independence leader when he died of shock from a heart attack. This explanation does not line up with the evidence that Theys died from strangulation. The official police line is now that the accused were engaging in a “criminal act” (thus coming full circle in the explanation) and not a political one – meaning that Theys was killed for a motive that had nothing to do with politics.

⁸⁴ “Senior WP chief poisoned”, *Berita Irian News*, 24 June 2002.

⁸⁵ See US State Department, Country Report on Human Rights Practices for Indonesia, 2001.

Freeport, have had to amend the way they operate now that they no longer have an authoritarian government to make way for their operations – benefits to local communities have already been forthcoming. And third, official transmigration has come to an end.

But will this be enough? Jakarta must now convince the Papuan people that their economic security and recourse to justice are served within the Republic of Indonesia, and thereby try to claw back regime legitimacy within the province. However, the abuses of human rights, perpetuated by the security forces (backed up with apparent support from civilian leaders in Jakarta) represents a major problem in this process. It is the military that has closed the political space, and is responsible for the death of at least one major independence leader (Theys Eluay), most likely other independence leaders, and a number of ordinary citizens. Lack of justice in Papua continues to be a problem for the Papuan people, who, in spite of major political changes, most likely still consider that they are living with some sort of occupation force. In this sense, the situation in Papua is continuous with the authoritarian past.

But limited democratization has not been without its benefits. The nature of Papua's relations with Jakarta has changed to the extent that they now resemble less of the core-periphery relationship than they once did. After decades of authoritarian misrule, the empowerment of Papua's local authority, coupled with the activism of an emerging Papuan elite, has seen the emergence of some important aspects of local decision making over local problems. Although far from perfect, this is something of an improvement on the past.