

Eyeing Indonesia through the Lens of Aceh

Despite the negative press given to Indonesia in the last three years—as an instigator and propellant of the Asian financial crisis, as a chaotic country torn apart by religious and ethnic intolerance, and as the oppressor of East Timorese sovereignty rights—the country is struggling to bring back stability. With the election of Abdurrahman Wahid to the presidency and the establishment of a National Unity cabinet, Indonesia is poised to undertake the deep reforms needed to become a functioning, economically viable, democratic state. Given the breadth, depth, and, most importantly, the interconnectivity of the economic, political, and security reforms, however, the likelihood of failure is high. As a result, Indonesia also sits poised to fall into chaos.

Nowhere in Indonesia are the linkages among the economic, political, cultural, and security spheres stronger than in the far northwestern region of the country in the province of Aceh (pronounced AH-chay). Sitting at the northern tip of the island of Sumatra, Aceh is, in many respects, a barometer of what is to come for the Indonesia of the next decade. If the reforms that the country must make can succeed in Aceh, they most likely can succeed on a countrywide scale. Likewise, failure in Aceh will foreshadow the republic's doom. Eyeing Indonesia through the lens of Aceh not only provides an understanding of how the interconnectivity of the problems creates the need for systemic change but also illustrates how different constituencies press for alternative solutions to the problems. Finding a way to address the grievances of the people of Aceh within the framework of a united Indonesia means that the Indonesians will need to craft both indi-

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vidual policies for the distinct constituencies while simultaneously embarking on a holistic approach. A new approach will re-conceptualize the nature of Indonesian national unity and the proper relationship of the central and provincial governments. Certainly this is a difficult task but perhaps, if handled in a creative and open-minded way, it is not an impossible one.

What Is at Stake?

If Indonesia does succeed in reforming itself, its natural resources and population could once again make the country an engine of growth for the region and a significant market for U.S. goods and services. Indonesia's gross domestic product fell by 13.7 percent in 1998. Yet, it should not be forgotten that during the period from 1966 to 1993, the economy grew by such an astronomical amount that many analysts in the early 1990s predicted that if the country's growth could be sustained for three more decades, Indonesia could become one of the world's largest economies by 2025.¹

Although having basically closed in upon itself during the last three years, a reformed Indonesia could also reclaim its position as a leader in Southeast Asia. Geographically, Indonesia straddles the entire region. The country provides key shipping lanes throughout the immediate region and to the industrial economies of northeast Asia. Strategically, the country creates a natural deterrent to any hegemonic intentions of China, Russia, Japan, or India.

Finally, with the new president, Wahid, a former leader of Indonesia's largest Muslim social organization, the 40-million-member Nahdlatul Ulama (NU), Indonesia has the potential to serve as a model for how to combine religious identity and religious tolerance within a framework of political and economic liberalization. Moderate Arab Muslim leaders are looking to President Wahid to provide an example to the West, and to their own hard-line Arab brethren, that democracy and Islam need not be at odds. It is not lost on these Middle Eastern leaders that Indonesia is now the second country to be headed by a member of the *'ulama* (Muslim clerical leadership). The other country is Iran.

But what if the reforms fail? Quite simply, Indonesia will be swallowed by an extinction-level event. Foreign investment, which has slowly returned to the country over the last year, will flee. Foreign donors (most notably the International Monetary Fund) will likely suspend their loans, and foreign lenders will refuse to restructure the \$70 billion of sovereign debt under which Indonesia struggles. The National Unity cabinet, already showing signs of fracturing, may implode and the military, seeking an opportunity to strike back against those who humiliated it during the last two years, could

try to orchestrate a coup. Into this mix, some of the outlying provinces (Aceh, Riau, and Irian Jaya) could attempt to formally secede, leading to the dissolution of the republic.

Aside from Indonesia being lost in an economic and political collapse, a black hole would be created in Southeast Asia. Indonesia, a country of 210 million people, would begin to siphon off the hopes of smaller countries in the region that wish to regain their economic prowess of the early 1990s. Foreign investors would become skittish about Indonesia exporting economic instability beyond its borders and pull their money out of the entire region. Regional governments would be destabilized by thousands, perhaps millions, of Indonesian refugees flooding the coastlines. The regional organizations established to handle problems in the area would crumble from infighting and blame-laying over who forgot to establish the contingency plan. For those who doubt this last point, post-East Timor discussions at the Association of Southeast Asian Nations (ASEAN) Regional Forum have ratcheted up tensions among participant states.

Aceh, a region at the far reaches of the Indonesian archipelago and containing only four million people (less than 2 percent of the country's population), may seem an unlikely battleground upon which to decide the future of the nation. But more than East Timor (which gained a significant amount of international attention last August) or Jakarta (the seat of economic and political power), Aceh holds the key to whether the republic will remain united. The Republic of Indonesia survived the secession of East Timor but it is unlikely to survive the loss of Aceh. As Dewi Fortuna Anwar, principal advisor to former president Habibie remarked, "Aceh can live without Indonesia but Indonesia cannot live without Aceh."

Aceh versus East Timor

Why is the situation in Aceh so different from what occurred in East Timor? Why would the implications be so much more disastrous? In part, the reason has to do with the historical connection between the provinces and the central government and in part because of the more complicated nature of the Aceh situation.

East Timor became part of Indonesia in 1975 when it was annexed by force immediately after the small island's decolonization. Officially incorporated by Indonesia as the twenty-seventh province in 1976, the annexation was not recognized by most countries in the world. Interestingly, Australia, the first country to recognize the outcome of last August's referendum, was originally the first country to recognize the annexation by Indonesia in 1976. At that time, Australia sympathized with Indonesia's concern that

East Timor needed a firm hand to guide its future after decolonization or the island could become a base for communist insurgents throughout the region.

Resistance to Indonesian rule persisted throughout the 23-year occupation. The island's Catholic majority steadfastly refused to assimilate into the Muslim-dominated Indonesian culture, and the island kept up its links to the Dutch, its former colonial ruler. The resistance movement was aided internationally by a large network of supporters. In January 1999, then-President Habibie announced—to the dismay of his government, the military, and most Indonesia watchers—that the province of East Timor could hold a referendum on whether or not it wished to remain part of Indonesia. Not surprisingly, despite a massive campaign of intimidation and aggression by the pro-Jakarta militias and the Indonesian military, the people of East Timor voted overwhelmingly for independence. Both the outcome of the vote and the brutal aftermath of the referendum, in which an officially sanctioned *pogrom* was visited upon the East Timorese, sparked a resurgence of independence movements throughout the country. The best organized and most vocal of these movements resided in Aceh.

Antigovernment leaders in Aceh, backed by the now-free East Timorese and some international press, began calling for an East Timor-like referendum to be given to the people of Aceh. The newly elected President Wahid, in early autumn of 1999, seemed to give credibility to these demands by remarking, "I support a referendum as their right. If we do it in East Timor, why not in Aceh." The swift condemnation of Wahid's statement by his cabinet and the general population forced Wahid to "re-characterize" his statement.

Unlike East Timor, Aceh has always been part of Indonesia. Acehese freedom fighters, who only gained control of Aceh in 1873, were some of the fiercest in trying to oust the Dutch who had colonized Indonesia in the 1600s. From 1873 through the independence of Indonesia in 1949, more than 100,000 Acehese lost their lives fighting for Indonesian independence. While some Aceh independence supporters argue that they had fought for independence from the Dutch and not for subjugation by Jakarta, the historical accounts seem clear that Aceh agreed of its own free will to become part of the Republic of Indonesia at the birth of the nation.

The Layers of Dispute

Despite their pledges to the republic, the relationship between Aceh and Jakarta was fraught with difficulties from the beginning. Over the course of 50 years, four distinct constituencies arose in Aceh. Loosely bound by their antipathy toward Jakarta, each constituency arose with different goals and objectives. Liberally defined, the constituencies are as follows:

- those pressing for more religious freedom,
- those pressing for economic parity with the central government,
- those with a political agenda, and
- those fighting against domination and repression by the military who request a full investigation into the decades of abuse by the Indonesian armed forces.

Whereas each of these “constituency blocs” holds a different set of grievances against Jakarta, the interconnectivity of cultural, economic, political, and security variables adds an additional burden on Aceh’s relationship with the central government.

The first of these constituencies to take shape was the religious movement. Aceh, also known as “Mecca’s front verandah,” has a Muslim population of 3.9 million, more than 98 percent of the entire citizenry of the region. Islam has a long history in Indonesia, beginning as early as possibly the eighth century but firmly taking hold by the thirteenth century when the numbers of Muslim traders

Aceh is a barometer of what is to come for Indonesia in the next decade.

traveling to the archipelago increased. The kingdom of Aceh was the first regional area to embrace Islam. The Acehnese’s strong faith catalyzed them into one of the fiercest opponents of the Christian rule of the Dutch colonialists. The Acehnese who fought against both the Dutch colonialists and the Japanese Imperial Army had hopes that a free Republic of Indonesia would adopt Islam as an official religion. Indonesia’s first president, Sukarno, who based modern Indonesia on the suppression of ideological cleavages that would prevent a unified state, rejected the ‘ulama’s demands for the creation of an Islamic state. Adding insult to what the Muslim community saw as injury, Sukarno even prevented a constitutional doctrine that bound Muslims to *shari’a* (Islamic law).

Balking at the extent of the secularization of the state, the dominant Muslim community of Aceh pressed Sukarno to grant the region special autonomy status. The promises were made but never kept, leading to the radicalization of a segment of the Muslim community. Darul Islam (House of Islam) gained ground as a political force in Aceh during the late 1940s and early 1950s. Today, the descendants of this movement form one of the four constituency blocs in the province’s disputes with the central government.

The Muslim constituency did not remain isolated from the other growing constituencies, however, and the shifting alliances throughout the decades have further complicated attempts to find policy options to confront these issues. During the war of independence from the Dutch (which reached its

pinnacle during the years 1945-1949 when the Dutch tried to reclaim their former colony from the defeated Japanese occupying forces), the Indonesian military operated as a loosely joined confederation of guerrilla cells. At the birth of the nation, the Indonesian army remained highly decentralized with regional commanders owing little allegiance to their superiors in Jakarta.

To augment their empty coffers, the field commands engaged in business (legal and otherwise) in the provinces, often creating and holding monopolies on key resources. When Jakarta became wise to the lost revenue, it clamped

down on the region. In an interesting example of politics making strange bedfellows, the regional command officers joined forces with the recently radicalized Muslims and the local business elite to mutiny against excessive control by Jakarta during the mid-1950s. The parties wanted a greater degree of autonomy. The Sukarno regime responded by orchestrating a change in command leadership and instituting martial law in 1957. The rebellion was effectively quashed. Yet, the foundation of the second constituency, those seeking economic

parity with the central government, was born. It would gather steam in the 1970s as Aceh's valuable natural resources began to be exploited.

When the rebellion of the 1950s reemerged in 1976 with the launching of the Free Aceh Movement (GAM), the third constituency was added into the mix. This group had a decidedly political agenda. Although some in the movement had sympathies with the grievances of the 'ulama and some with those clamoring for greater economic parity, GAM's goals were nothing short of full political emancipation from Jakarta. The founder of the movement, Hasan di Tiro (now living in exile in Sweden), believes that the government of Indonesia illegally occupies the free state of Aceh.

Throughout the 1980s, GAM was relatively unsuccessful in gaining attention leading up to the Indonesian elections of 1982 and 1987, when the activities of GAM increased. Given the various, and sometimes competing, goals of the different constituency blocs, however, the movement lacked the cohesiveness to become a threat tantamount to the one that the higher profile, better armed East Timorese movement posed to Jakarta.

Things began to change in the late 1980s. The yearly growth in gross regional domestic product (percent change) for Aceh in 1988 and 1989 was 9.06 percent and 8.15 percent, respectively. These high numbers reflected a significant contribution of the central government and foreign investors to further explore the natural resources of the area, the largest and most lucra-

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tive of which is the Arun gas field. The Arun gas plant produces 12 million tons of liquefied natural gas (LNG) a year, one-third of Indonesia's total LNG exports. It is owned 55 percent by the state oil and gas firm, Pertamina; 30 percent by Mobil Oil; and the remaining 15 percent by a Japanese consortium. In 1998, the Arun plant produced \$2 billion worth of LNG and generated between \$300 to \$400 million in annual revenue for Mobil alone. But the riches the area produced did not, for the most part, benefit the people who lived in Aceh. Jakarta took the lion's share of the revenue and sent back only five cents of each dollar. Jakarta may also have taken the very best years of Arun's life, as many oil and gas analysts believe that the LNG facility will run dry by the middle of this decade.

Concomitant with an increase in infrastructure funding for the area came an increase in both transmigration from Java and the return of 500-750 GAM fighters from Libya, where they had trained for the previous few years in Gadhafi-backed training camps. Back in Aceh, the combination of radicalized fighters and Javanese secularists competing for the same limited pool of resources was explosive. Armed in part by the Pattani United Liberation Organization, a separatist Muslim group in southern Thailand, and in part through raids on military outposts, GAM began a series of attacks on local military posts and non-Acehnese migrants.

In May 1990, in response to these attacks, the Indonesian government declared Aceh a designated area of military operations (or DOM). The military, following a model it had perfected in crushing the Communist movement in the late 1960s and would attempt to use again in East Timor in 1999, was brutal in its repression of the Acehnese. Little attempt was made to distinguish between members of GAM and ordinary civilians. Like East Timor, the military suppression of Aceh in the early 1990s included forced confessions, torture, and extrajudicial executions. The Indonesian judiciary, long in cahoots with the military, defended the actions as being legal under the Anti-Subversion Law of 1963 that permitted such punishments to those challenging the unity of Indonesia. Although the military crackdown took its toll on the rebellion, it also had an unanticipated consequence. Sympathy for the movement grew amongst a previously nonaligned segment of the population. This fourth constituency grew not solely out of concern over abridging religious, economic, or political freedoms but out of a deep-seated resentment and growing hostility toward the military's abuse of power.

Over the next decade, GAM's following increased, in part due to a lack of other outlets for many in the other constituency blocs but also because of the organization's own reliance on harassment and threats of retribution toward those Acehnese not aligned with them. Human Rights Watch reported that dozens "of government installations, *including schools* and subdistrict

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government offices, have been burned, and government employees attacked or threatened..." by rebel forces (emphasis added).² In addition, GAM has been implicated in driving a sizeable portion of the now 70,000-strong refugee population from their homes during the 1990s. The forced evacuation of at least 15,000 Javanese migrants may be part of GAM's plan to create a refugee situation and garner international attention.

In considering potential solutions to the problems in Aceh, it becomes apparent that aside from the competing interests of the constituencies with which the proposed policy must contend, there are few groups that come to the table with clean hands. The International Crisis Group reported that in August

1998 the military executed an "assault" on GAM. The "assault"

involved close collaboration between Free Aceh militia and the military, with the latter often turning a blind eye and sometimes actively participating in the activities of the former. ... Local sources in Aceh reported a number of incidents in which the police and military have failed to intervene to prevent a car theft, house looting, or extortion rackets by Free Aceh militia. Cars stolen during raids apparently carried out by Acehese militia later turned up as official [Special Forces Command vehicles]. ... Collaboration with the Acehese "freedom fighters" can provide a lucrative source of extra income from extortion and looting to supplement meager army salaries.³

Reports such as these make the task of any future investigation of military atrocities more difficult and lend some credence to many Indonesian policymakers' assertions that GAM members are not to be trusted in any sort of negotiation.

From 1990 to 1998, the persecution of the Acehese persisted, both by the Indonesian military and GAM. By the mid-1990s, however, support for the rebel forces seemed to be at an all-time low. The economic boom, combined with the strong-armed tactics of the Indonesian military and the local police, gave little reason for the Acehese citizenry to join forces with the rebels.

With the crumbling of the Indonesian economic and political structure in mid-1997, tensions in Aceh once again flared. Hundreds if not thousands of Acehese who had gone to Malaysia during the previous decade to fill an employment gap were suddenly deported back to north Sumatra. Their return, in conjunction with the economic depression, strained local resources to the breaking point. More than ever, the Acehese felt the indignity of transferring 95 percent of their earned income from natural resources back

to the central government. The constituency of those seeking economic parity grew more vocal.

Those seeking redress of human rights abuses also found their voice in the liberalization of the press that followed the ouster of Suharto in May 1998. They demanded an end to the DOM and an accounting of the damage. In response to the widespread protests, the new Habibie government promised to end all military operations in the area, and conduct a thorough investigation into alleged abuses. Formal military operations ceased in August 1998, but the government did not act on the promised investigation.

The constituency demanding greater political freedom was emboldened by President Habibie's January 1999 promise to give East Timor a referendum. Following on the heels of the announcement, an all-Aceh student congress took up the call for a similar measure. The residents of Aceh wanted guaranteed employment, universal education, and religious freedom. They believed such desires would be impossible if the region remained part of the Republic. Cries for independence broadened. These cries deepened when, on May 3, 1999, Indonesian security forces opened fire at a rally, killing more than 40 people. With the August referendum for East Timor and the subsequent officially sanctioned militia rampage through Dili, the ability for Jakarta to find a solution to Aceh's multilayered problem seemed to be dimming.

But when Wahid, the well-respected cleric, became Indonesia's first democratically elected president in October 1999, many believed that a new beginning was on the horizon for Indonesia.

Finding Solutions

One of the first acts of Wahid's National Unity government was to begin implementing three pieces of legislation enacted earlier in 1999. The first was Law 25 on the Financial Balance Between the Center and the Regions. Law 25 assigns specific percentages of taxes earned from natural resource exploitation to the provinces, according to the following guidelines:⁴

Resource	DIVISION OF RENT	
	Province	Center
Mining, Forestry, Fisheries	80%	20%
Onshore Gas	30%	70%
Reforestation Funds	20%	80%
Onshore Oil	15%	85%

Given the explosiveness of the Aceh situation, the government is trying to adopt a fast track for the law, originally to take effect in 2002, as it applies to

Aceh. Wahid's government has also promised an additional RP500 billion for infrastructure development, a concerted and immediate program to develop the port of Sabang, and a long-range effort to help facilitate development of the whole area. Although Law 25 makes great progress toward addressing issues of economic inequity, it does not give the provinces the authority to tax. As a result, provinces are not being taught to evaluate costs and benefits, make fiscally prudent policies, or evaluate the trade-off

between current resources and future ones. In addition, there is concern that while the resource-rich provinces, like Aceh and Riau, will gain from the realignment of wealth, resource-poor provinces will be made much worse off by the decline in revenue they are able to receive from Jakarta. Nonetheless, most agree that the law is a step in the right direction and will appease many in the economic constituency.

Why is the situation in Aceh so different from what occurred in East Timor?

Those vested in the economy of Aceh realize that instability in the province thwarts their ambitions for greater affluence. Refining and transporting the highly volatile LNG, the region's dearest export, necessitates a pacific environment. Instability diminishes the chances that lucrative terms will be won in the contract negotiations with the major resource-related foreign investors whose current contracts expire in 2001. Those who wish for economic parity also recognize that Aceh needs to sell its exports to the outside world. The thought of an independent Aceh causes concern not only in the non-Muslim neighbors of Thailand and Singapore but also in Muslim-dominated Malaysia. The worries focus on the potential destabilization of the Strait of Malacca. Japan, which receives 80 percent of its oil through the strait, has recently considered dispatching vessels to ensure safe passage through the waterway. As a result of these concerns, many in the economic constituency would like to find an equitable financial arrangement with Jakarta and remain part of the republic.

The religious constituency, ruled by the 'ulama, has seen some amount of progress on its demands through the enactment of Law 45, which grants authority in the field of religious affairs and allows Acehnese to make policies based on Islamic values. Although their voice has quieted in the public domain, the 'ulama are pushing through back channels to assist in drafting new laws that formally codify shari'a beyond Law 45. President Wahid's former organization, the NU, continues to provide firm support for the president and his policies. Nonetheless, certain harder-line Muslim groups, who have long chafed over what they saw to be NU's overly lenient policies, have openly criticized Wahid for his failure to grant full Islamic authority to

Aceh. This faction, however, remains a minority voice in the broader Muslim community.

For those whose primary concern is receiving redress for the human rights abuses of the military, there is heartening news that Attorney General Marzuki Darusman has made the full investigation into military abuses a cornerstone of his office's policies. Unfortunately it may be extremely difficult, if not impossible, to hold the trials that result from these investigations in Aceh, which would be needed to show transparency and give victims psychological closure.

The first of a series of trials on alleged human rights abuses, the investigation into the murder of 65 people in West Aceh in July 1999 was compromised when a key witness disappeared in February 2000. The trial, known as a dual-jurisdiction trial because it involves both civilian and military elements, is not being categorized as a human rights trial. A broader Truth and Reconciliation Commission, similar to the one in South Africa that was seen as a necessary tool for national healing, is being contemplated. Unfortunately, progress on both the Aceh massacre trial and the creation of a broader human rights court is slow. The trial has suffered numerous delays due to security concerns and financial constraints on the local government. The law to create the human rights court, meanwhile, has been held up for months in the Indonesian House of Representatives. At issue is whether the bill should contain a retroactive principle on prosecuting past abusers or simply grant the House the authority to decide on such matters on a case-by-case basis.

While policies to address the concerns of the economic, religious, and human rights constituencies move forward, those whose main aims are political remain. In this group, GAM represents a significant faction. GAM's supporters seek a formal secession from Indonesia. The movements Jakarta has made to improve political autonomy have meant little for this group, as demonstrated by the deteriorating situation since the beginning of 2000, well after Wahid took office and legislation on economic and religious relief was drafted.

According to the Indonesia Legal Aid society, in January 2000 alone, there were 115 cases of torture, 21 summary executions, and 33 arbitrary arrests. Both the armed forces and the rebel fighters are blamed for these atrocities. This begs the question whether GAM has the legitimacy to become a representative of the people, within or out of the Republic of Indonesia.

Law 22, passed in the beginning of 1999 and meant to be implemented by 2002, provides a foundation for the other Acehnese who still hope to retain

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their place within a united Indonesia. The law stipulates that local elections will be held for local leaders. Yet, it does not allow the popular election of the governors or deputy governors, who will be elected by the provincial legislatures. Although Law 22 allows greater authority to be given to the district heads, the provincial leaders remain essentially powerless. Some have argued that this is just as Jakarta wants it—any threat that a concentration of power could be amassed in a provincial capital would be minimized. For the time being, the law and the local elections may be sufficient to both satisfy a portion of the political constituency and enshrine the rights that the other blocs seek. In the longer term, however, the stability of the country depends on addressing the systemic problem of center-provincial relations.

President Wahid, strengthened by pledges of international support for the territorial integrity of Indonesia, appears to have taken the correct steps necessary to temporarily bring at least three of the four constituencies back into the fold. The odd man out remains GAM which, for the most part, still refuses to consider any sort of political accommodation with Jakarta. In mid-March 2000, GAM secretary general Zulfahri commented, "GAM members never have and never will surrender and vow loyalty to the unitary state of Indonesia." Despite such strong rhetoric, Jakarta's strategy of mixing economic-religious-political carrots with strong counterinsurgency sticks appears to have broken the ranks of GAM. Offers from GAM to consider holding talks with the government were made in mid-spring 2000.

Finding a way to vest the more moderate members of GAM in the political process is necessary for the future of Aceh. Enough of the organization's members remain committed to full independence, however, that, even if a political solution can be found, insurgency in Aceh will remain. As long as Jakarta's accommodations to the other constituencies prevent this faction from finding sympathizers in other sectors, an accord could succeed.

Considering the Idea of Federalism

The proposed solutions intended to co-opt the four constituencies of Aceh may only prove a short-term fix if a systemic change to the relationship between the center and the provinces does not occur. One possible option that should be considered is a federalist system. It is unfortunate that the word "federalism" is a loaded term in Indonesia. It is reminiscent of the offer made to Indonesia by the Dutch in the late 1940s as a weak substitute for independence. Despite this historical resonance, the idea is once again being debated in Indonesia. At the moment, most members of the policymaking community are against it. They argue that an archipelagic country is not conducive to a federalist system; that the nation-building

process must be completed before the conceptualization of the nation is substantively changed; that the threat of disintegration rises with a weak central government (the result, they believe, of a federalist system); and that national security will be compromised because the armed forces will not have the flexibility to contain sea-based infiltration.

Obviously, whether or not to reconfigure the Indonesian state in the mold of a federalist system is a matter for the Indonesian people to decide by and among themselves. A closer look at the evolving experience of the United States in creating a balance between federalism and the rights of the individual states may be instructive for Indonesia. It is interesting to note that, although Indonesians fear that a federalist system will weaken the central government, those who argued for or against federalism in America at the dawn of this country's foundation thought exactly the opposite. The federalist system, as proposed during America's Constitutional Congress, enshrined a strong central government.

Alexander Hamilton, the most vocal supporter of a federalist state, delivered a speech in June, 1788, at the Constitutional Convention in which he stated:

Gentlemen have placed the interests of the several States and those of the United States in contrast; this is not a fair view of the subject; they must necessarily be involved in each other. ... The local interests of a State ought in every case to give way to the interest of the Union; for when a sacrifice of one or the other is necessary, the former becomes only an apparent, partial interest, and should yield, on the principle that the small good ought never to oppose the great one. [And yet] the States must, by every rational man, be considered as essential, component parts of the Union; and therefore the idea of sacrificing the former to the latter is wholly inadmissible.

In the United States, the federal government retains strong powers and all public officers of the individual states must take an oath supporting the Constitution. The powers of the states are formalized as the Tenth Amendment to the Bill of Rights. The interpretation of this amendment has varied over our history, as has the balance of power between the states and the federal government, but the United States still operates on the following guidelines:

- Each state must extend full recognition to the public acts, records, and judicial proceedings of every other state.
- A state is forbidden from discriminating against residents of citizens from other states.

The stability of the country depends on addressing center-provincial relations.

- No state law, or provision of a state constitution, or decision of a state court is valid if it conflicts with the federal Constitution or with a federal law or treaty made under the authority of the Constitution.
- States are forbidden from making treaties of alliances, to coin money or to levy duties on exports or imports without the consent of Congress, to enter into any agreement with a foreign country, or to keep warships or troops in time of peace or to engage in war unless invaded.

Such guidelines add particular insight into some of the concerns of the economic, religious, and political constituencies of Aceh.

Another example from the U.S. debate over the proper reaches of federalism may provide ways to curb future excesses of the Indonesian military and satisfy some of the demands of the human rights constituency. The example concerns an 1878 law called the Posse Comitatus Act (Latin for “power of the county”). The law asserts the illegality of using federal troops to enforce the day-to-day law of the land. Begun as an anti-Reconstructionist act to protect the southern states from the excessiveness of federal troops during elections of the post-Civil War years, the act has evolved to prohibit granting search, seizure, or arrest powers to U.S. military personnel.⁵

Over time, federalism as an incentive for decentralization has served to maintain and enhance a variety of systems of private power. The adoption of a federalist system also has not diminished the ability of the states to remain strong as autonomous units. The concept of self-government, the foundation of democracy, is enhanced by a devolution of power to the institution closest to the people.

While federalism may not be the proper future for Indonesia, the merits of such a system should be explored as this new, evolving democracy seeks ways to enshrine the power it has only recently given to its people and serve as a viable option to help stabilize Aceh.

Notes

1. William Hollinger, *Economic Policy under President Soeharto: Indonesia's Twenty-Five Year Record*, The United States-Indonesia Society, 1996.
2. “Indonesia: Why Aceh is Exploding,” Human Rights Watch, August 1999.
3. “Indonesia's Shaky Transition,” *ICG Indonesia Report*, Jakarta, October 10, 1999.
4. “Decentralizing Amid Regional Dissent,” *Van Zorge Report*, November 26, 1999, 4.
5. The first exception to the act was in 1957 when U.S. president Dwight Eisenhower federalized the Arkansas National Guard and dispatched troops from the 101st Airborne Division to enforce federal desegregation statutes. The law was amended in 1981 to permit increased Defense Department support of drug interdiction.