

Indonesia: Pre-Election Anxieties in Aceh

I. OVERVIEW

Three years after the 15 August 2005 signing of the Helsinki Memorandum of Understanding between the Indonesian government and the Free Aceh Movement (Gerakan Aceh Merdeka, GAM), Aceh is politically vibrant but on edge. The sources of unease are several. As preparations get underway for the April 2009 parliamentary elections with 44 parties – six local, 38 national – in contention, the military is worried about Partai Aceh, the GAM party, winning control of local legislatures and challenging Jakarta's authority. Partai Aceh is worried about overt or covert interference from Jakarta, and smaller parties are worried about intimidation by Partai Aceh. Election officials are concerned a dispute between Jakarta and Aceh over candidate requirements could delay the polls, and other struggles with the central government are brewing. Everyone is worried about the health of Governor Irwandi Yusuf, a GAM leader with unparalleled ability to manage competing demands in post-conflict Aceh, who suffered a sudden illness – officially undisclosed but widely reported as a slight stroke – in August.

The campaign to create two new provinces within Aceh is heating up, although there is no chance of a division before the elections. But in two districts leading the campaign, Bener Meriah and Central Aceh, there is real concern about possible violence between ex-militia and GAM, especially if local candidates deliberately fuel anti-GAM sentiment.

In addition, incidents of armed criminal activity continue to plague the province, many of them involving former GAM combatants. The level of unemployment among former rebels remains high, as does disgruntlement in GAM ranks about perceived inequitable distribution of reintegration benefits. Many members of GAM's former military structure, now called Komite Peralihan Aceh (KPA), continue to demand cuts from businesses and public contracts and engage in other forms of thuggish activity. There are also criminals who use GAM's name to generate fear but have only tangential links to the organisation. GAM leaders from the governor on down have stated repeatedly that the police can and should prosecute anyone responsible for criminal offences regardless of

affiliation, but the problem goes beyond law enforcement to the unaccountable nature of the KPA itself.

For many GAM leaders, the central question remains full implementation of the Helsinki agreement, or even full implementation of the Law on the Governing of Aceh (Law 11/2006), the watered down legal embodiment of the pact. The content of the law's implementing regulations has become a struggle between bureaucrats in Jakarta, many of whom see Aceh as just another province, and political leaders in Aceh determined to make self-government a reality. It is the latter stance that political conservatives, including many in the military, too often interpret as separatist.

In the midst of the pre-poll anxiety, the immediate goal should be to ensure that the lead-up to the election is violence-free. The longer-term goal is to ensure that the central government and donors do not simply write Aceh off as a success story and move on to other things. Jakarta needs to accept that autonomy in Aceh is not yet complete, and GAM needs to bring the KPA under control. The peace is sustainable, but no one should take it for granted.

II. ELECTION FEVER

Aceh is in the midst of election fever, eight months before polls are due to take place.¹ Six local and 38 national parties are scheduled to compete in the April 2009 legislative elections in which voters will choose representatives at the district, provincial and national levels. Partai Aceh, the GAM party, even at this early stage looks poised to sweep the north and east coast district legislatures and dominate the provincial parliament. In central and south west Aceh, where indigenous, non-Acehnese ethnic groups predominate and a movement to break away into separate provinces is

¹ For earlier analyses see Crisis Group Asia Report N°139, *Aceh: Post-Conflict Complications*, 4 October 2007; and Crisis Group Asia Briefings N°61, *Indonesia: How GAM Won in Aceh*, 22 March 2007; N°57, *Aceh's Local Elections: The Role of the Free Aceh Movement (GAM)*, 29 November 2006; N°48, *Aceh: Now for the Hard Part*, 29 March 2006; N°44, *Aceh: So Far, So Good*, 13 December 2005; and N°40, *Aceh: A New Chance for Peace*, 15 August 2005.

strong, national parties will do better. Across Aceh, party flags are everywhere, with the Partai Aceh colours – red with black and white borders – particularly prominent, to the point that suppliers of red paint and red cloth are reportedly raking in profits.

Aceh is the first and so far only province where local parties are permitted – the result of a protracted struggle first in the peace negotiations in Helsinki, then in the Indonesian parliament – although it could well be a model that the rest of the country follows.²

A. THE LOCAL PARTIES

Six political parties passed a verification process, out of ten that registered with the provincial office of the ministry of law and human rights.³ They are:

- Partai Aceh, formerly known as Partai GAM, with a leadership structure dominated by those close to the former GAM “prime minister”-in-exile, Malik Mahmud. Muzakkir Manaf, former GAM military commander, is the formal chair, and the party will rely on the KPA structure to mobilise voters. GAM leaders have forbidden KPA members to vote for any other party.⁴
- Partai SIRA, representing a younger, more urban base than Partai Aceh but seen by some GAM members as having betrayed the movement by setting up a separate party. The acronym used to stand for Sentral Informasi Referendum Aceh (Information Center for a Referendum on Aceh). For the election, it was changed to Suara Independen Rakyat Aceh (Independent Voice of the Acehnese People). The

party is led by Taufik Abda, but the dominant figure is the deputy governor, Muhammad Nazar.

- Aceh People’s Party (Partai Rakyat Aceh, PRA), a party of young, left-of-centre intellectuals and activists, strong in some urban areas, especially those outside the Acehnese heartland, such as Tamiang and south east Aceh. It has a well-developed political platform that includes free, high-quality education and health care, full Acehnese control over the province’s natural resources and an end to discrimination against women. Its members have been outspoken in their criticism of how Islamic law has been applied in Aceh.
- United Aceh Party (Partai Bersatu Aceh, PBA), led by veteran politician Farhan Hamid. It has support from some of the non-GAM political establishment as well as non-Acehnese ethnic groups, and includes many former members of the National Mandate Party (Partai Amanat Nasional, PAN).⁵
- Safe and Prosperous Aceh Party, (Partai Aceh Aman Sejahtera, PAAS), led by a former member of parliament, Ghazali Abbas. Fiercely proud of Aceh’s culture, Ghazali is known as a traditional singer and poet. He is committed to uniting Aceh through tolerant Islam, but the party is more about him than any specific programs. He has a particular appeal to older Acehnese.
- Aceh Sovereignty Party (Partai Daulat Aceh, PDA). Established as a vehicle for non-GAM religious scholars (*ulama*) from Acehnese Islamic schools (*dayah*), it is seen as largely representing the religious establishment co-opted by the Indonesian government during the conflict. As the only local party representing the *ulama*, however, it could attract the more religiously inclined.

²After Aceh was permitted to field independent candidates for local elections under Law 11/2006, the Constitutional Court ruled that independent candidates would be permitted elsewhere in Indonesia. Whether local parties are allowed elsewhere may depend in part on the outcome of the Aceh elections, but also on the fate of the Constitutional Court, since some legislators in Jakarta would like to curb its considerable powers.

³The four that failed were Partai Aliansi Rakyat Aceh Peduli Perempuan (PARA), Partai Geunerasi Atjeh Beusaboh Tha’at dan Taqwa (Gabthat), Partai Darussalam (PD) and Partai Lokal Aceh (PLA). The verification process carried out by the Independent Election Commission (Komisi Independen Pemilihan) in Banda Aceh consisted of reviewing the structure, leadership, membership and founding charters of the parties. According to Law 11/2006, Article 75, each party was required to have at least 30 per cent women among its members and executives and offices in half of Aceh’s districts.

⁴See statement of Adnan Beuransyah, Partai Aceh spokesman, in “Partai Aceh Merasa di Teror”, *Harian Aceh*, 11 July 2008.

B. PARTAI ACEH

Partai Aceh is unquestionably the party to beat, but its very strength has raised questions about whether it can stay united, whether its members in the field will resort to intimidation and whether there will be any interference from elements in the military or intelligence community to try to weaken or discredit it.

The answer to the first is probably “yes”, in the sense that most of the pro-GAM votes will go to Partai Aceh, but with Governor Irwandi not playing an active role – aside from his health problems, his relations with

⁵Farhan Hamid has been a member of the Indonesian parliament, representing the National Mandate Party, since 2004.

the Malik group remain strained.⁶ His absence is not likely to put a serious dent in Partai Aceh's popularity, however, since KPA members close to him are actively involved.

In July 2007, Malik's group announced the opening of a "Partai GAM" office, with the old GAM flag as the party symbol, in what Jakarta saw as a violation of the Helsinki agreement and subsequent laws.⁷ Irwandi reportedly was irritated that the Malik group had made what he perceived as a pre-emptive strike against him by claiming the GAM name and symbols and embarrassing him as governor. The rift between him and Malik, already wide open, deepened further. He initially declined to join the new party, and an attempt at reconciliation in December 2007, when he and Malik met in Pasee, North Aceh, was unsuccessful.

By late March 2008, Irwandi's closest associates, including the mayor of Sabang, Munawar Liza Zein, had drawn up the charter, governing structure and symbol of an alternative party, Partai Independen Aceh, but they held back announcing it as efforts at reconciliation picked up. Irwandi said he was willing to go with a single party as long as it operated along democratic principles – ie, Malik and company did not determine policies and candidates without extensive consultation – especially when Malik was spending as much of his time abroad as in Aceh. The governor was also concerned that a formal split within GAM could threaten the peace.

On 29 April, Partai GAM officially changed its name to Partai Aceh, with Irwandi as a member. While the party's executive board continued to be dominated by the Malik group, it began reaching out, with some success, to younger activists from other parties and non-GAM members to serve as legislative candidates. Many of the candidates, however, are KPA members with limited education and GAM loyalty as their major qualification. It will not be easy for them to examine budgets or exercise other oversight functions, and some, particularly at the district level, will be subject to pressure from local KPA members for money, contracts and other political favours. A man working on local governance development in Aceh said deject-

edly, "some say the local legislators in Aceh can't get any worse. But they can".⁸

Several Partai Aceh candidates said a major goal will be full implementation of the Helsinki agreement and full self-government in all but the six areas that under the agreement are the preserve of the national government: foreign affairs, external defence, national security, monetary and fiscal matters, justice and religious freedom. An impressive young candidate, a KPA member who joined GAM in 1998, said he wanted to streamline the bureaucracy, reallocate the funds that go for official houses and cars and remove employees who do no work. When it was pointed out that some of the elected district heads (*bupati*) had had difficulty altering Jakarta's funding allocations to the civil service, he said, "maybe the *bupatis* can't change them, but legislators can".⁹

Partai Aceh has reportedly built up a significant campaign war chest from its control of construction projects and contributions, voluntary and not-so-voluntary, from contractors and businesses that want to be on the winning side.

C. PARTAI SIRA

The only real challenger to Partai Aceh among the local parties is SIRA, established as a political organisation in February 1999 and as a party in December 2007. While not expected to do as well, it is the only other party with a significant mass base – it was SIRA that organised a pro-referendum demonstration of some 500,000 in Banda Aceh in November 1999, one of the largest mass rallies in recent Indonesian history. It boasts some well-known political figures, notably Muhammad Nazar and Shadia Marhaban, head of the women's organisation LINA, as well as several members of the governor's team of assistants. The party head, Taufiq Abda, is a born diplomat who works well across party lines. The main reason Abda rather than Nazar gained the top position was the fear of some SIRA members that Nazar, as deputy governor, would exert too much influence. That said, he remains a key figure and the party's major donor.¹⁰

⁶Leading figures in the Malik group are Dr Zaini Abdullah, Teuku Lampoh Awe, Zakaria Saman and Muzakkir Manaf.

⁷The agreement stipulated that "GAM members will not wear uniforms or display military insignia or symbols after the signing of this MoU", Memorandum of Understanding between the Government of the Republic of Indonesia and the Free Aceh Movement, Article 4.3. The party founders (and many others) did not consider the flag a "military" symbol.

⁸Crisis Group interview, Banda Aceh, 4 August 2008.

⁹Crisis Group interview, Bener Meriah, 6 August 2008.

¹⁰Crisis Group interview, Partai SIRA official, Banda Aceh, 26 August 2008. The official said Nazar as deputy governor had been subjected to intense pressure from KPA members to give them contracts for government projects and was now reconsidering providing funding to his own party because it would only lead the KPA to demand more.

But there is still a problem with GAM. In the past, SIRA relied heavily on the GAM structure for support, and some GAM members now look askance at its decision to strike out on its own. One man, explaining the differences between the two parties, said, "Partai Aceh is for GAM; Partai SIRA is for traitors".¹¹ Malik Mahmud reportedly sees the emergence of a SIRA party as a deliberate effort to cut into GAM's support. At the very least, this means that SIRA will not be able to piggyback on GAM as it did in the 2006 election for governor, when Nazar and Irwandi formed the winning ticket.

In areas along the east coast where both have significant followings, some are predicting violent clashes. However, a member of a national party in Bireuen, in a view echoed by several others interviewed, said he thought the tension between GAM and SIRA was temporary, and they had enough in common to form tactical coalitions in local legislatures after the polls, particularly in areas where GAM does not win a controlling majority.

D. THE NATIONAL PARTIES IN ACEH

National parties are already bracing themselves for big losses, except in the areas that want to break away to form new provinces. In the 69-seat provincial parliament, whose members were elected for five-year terms in 2004, Golkar and PPP are the largest parties, with twelve seats each. Those numbers will likely plummet. The National Mandate Party (Partai Amanat Nasional, PAN) is third, with nine seats. Because it has lost its lustre nationally and its best-known figure, Farhan Hamid, is now leading the local party, PBA, voters may abandon it. PKS, the Islamist party, has eight seats; its goal for 2009 is to hang on to them, but even that may be a struggle.¹²

National parties are likely to do better in the districts where there is support for creation of the new provinces of Aceh Leuser Antara (ALA) and Aceh Barat Selatan (ABAS). A PKS candidate in Takengon, Central Aceh, said local parties were all associated with the coast (*pesisir*), by implication, ethnic Acehnese and GAM supporters. "People here aren't interested in local parties; they fear they will bring back conflict", he said, explaining that if Partai Aceh campaigned

hard, it would likely be countered by the former militia, many of whom are ethnic Javanese migrants.

The worst incident of post-conflict violence took place in Atu Lintang, Central Aceh, in March 2008 when five KPA members were killed by a mob of mostly ex-militia members.¹³ The PKS candidate said his fellow ethnic Gayo do not want to be caught in the middle of another such incident.¹⁴ He expected Golkar, PPP and Partai Demokrat, President Yudhoyono's party, to do well. The Indonesian Democratic Struggle Party (PDIP), the party of former President Megawati Sukarnoputri, has no seats in the provincial parliament and has never been a contender in Aceh – a factor that may explain its support for ALA and ABAS.

E. THE ULAMA VOTE

The role of Muslim scholars and teachers (*ulama*) in the upcoming election could be critical. Over the last two years, direct involvement of local government in applying Islamic law has declined.¹⁵ Governor Irwandi has quietly resisted efforts by the provincial Islamic law office to expand its brief and is seen as a committed secularist; more importantly, public dissatisfaction with the Sharia police (*wilayatul hisbah*, WH) led to a drop in its activities and a focus more on guidance than arrest and punishment.

But the political role of *ulama* appears to be increasing, despite a vow from a prominent group of Muslim leaders at a province-wide meeting in March 2007 that it would stay out of politics.¹⁶ In mid-2007, two well-

¹¹ Crisis Group interview, Banda Aceh, 4 August 2008.

¹² Crisis Group interview, PKS headquarters, Banda Aceh, 5 August 2008. Others in parliament are two Islami parties with eight seats each, Partai Bintang Reformasi and Partai Bintang Bulan, and Partai Demokrat and Perjuangan Umat, six seats each.

¹³ See "Aceh Conflict Monitoring Update, March-April 2008", World Bank, www-wds.worldbank.org/servlet/main?menuPK=64187510&pagePK=64193027&piPK=64187937&theSitePK=523679&entityID=000334955_20080704054805. Nine of the ten people later arrested were Javanese. The perpetrators were on trial in Takengon in August 2008, and police expected they would be convicted, with sentences of five years or more. One minor in the group, aged seventeen, received an expedited trial and a sentence of ten months. Crisis Group interview, Takengon police command, 7 August 2008; and Crisis Group communication, Adrian Morel, World Bank, Jakarta, 7 September 2008.

¹⁴ Crisis Group interview, Takengon, 7 August 2008.

¹⁵ Aceh is the only province in Indonesia with the authority to apply Islamic law fully. See Crisis Group Asia Report N°117, *Islamic Law and Criminal Justice in Aceh*, 31 July 2006. In 2005, the Islamic court in Banda Aceh handled 111 criminal cases from across the province; in 2007, it only adjudicated seven. Data obtained from the Mahkamah Syariah in Aceh, February 2008.

¹⁶ "Merebut Hati Kaum 'Sarungan'", *Kontras*, vol. 10, no. 449, 7-13 August 2008. The announcement came at a meeting of

known *ulama* with close ties to GAM set up a political party called Geunerasi Beusaboh Thaat dan Taqwa (Gabthat).¹⁷ One was Abi Lampisang, a traditional Islamic teacher from Seulimeum, North Aceh, who had joined GAM in 1982. The other was Tgk Muhammad Samalanga, also known as Abu Meureudeu.¹⁸ Gabthat's natural constituency consisted of GAM members and sympathisers based in Islamic schools; its proclaimed goals were full implementation of the Helsinki accords and the restoration of Aceh's role as a leader of Islamic civilisation.¹⁹

The founders said they wanted to use the party to "rescue" not only Acehnese Islamic traditions but also fauna and flora and other aspects of Aceh's heritage that were in danger of disappearing.²⁰ But Gabthat's emergence was also believed to be another manifestation of the rift in GAM between Irwandi and the Malik group. Abu Lampisang was closer to Irwandi and reportedly wanted to test the strength of the Irwandi faction among pro-GAM *ulama*.

Gabthat faced competition from another party that aspired to represent the *ulama*, the Aceh Sovereignty Party (Partai Daulat Aceh, PDA). It was much less rooted in GAM, with members drawn more from former members of national Islamic parties, particularly the United Development Party (Persatuan Party Pembangunan, PPP), the strongest party in Aceh through much of Soeharto's New Order. One Acehnese, noting the degree to which many *ulama* had been co-opted by the state at the height of the conflict, referred to PDA dismissively as the "informer party" (*partai cuak*). But it attracted a number of pro-GAM teachers as well, concerned over declining support for the application of Islamic law in Aceh. When the election commission announced the six local parties that met the verification requirements, PDA passed and Gabthat did not.

the Association of Dayah-based Ulama in Aceh (Himpunan Ulama Daya Aceh, HUDA), a group seen as close to SIRA.

¹⁷A "Gabthat Foundation" had been established in December 2005, but the party was only formally announced in 2007.

¹⁸He was once GAM "governor" of Batee Iliék and a close associate of the late GAM military commander, Abdullah Syafie.

¹⁹"Bersama Gabthat yang Partai Islam, Aceh Aman dalam NKRI", www.wikimu.com/News/DisplayNews.aspx?id=3118; and Crisis Group interview, Abi Lampisang, Gabthat founder, 30 December 2007. In the interview he noted how the Acehnese kingdom of Pasee under the command of Sultan Iskandar Muda had brought Islamic civilisation and spread the Shafi'i school of Islamic law to far reaches of South East Asia. Now Aceh had a chance once again to assume the role of regional Islamic leader.

²⁰Crisis Group interview, Abi Lampisang, 30 December 2007.

That left only one non-GAM party representing the religious establishment. GAM strategists apparently decided they needed to strengthen their *dayah* base, and on 30 July 2008, Malik Mahmud and other top leaders of Partai Aceh, together with Irwandi, attended a ceremony marking the establishment of the Ulama Council of Nanggroe Aceh (Majelis Ulama Nanggroe Aceh, MUNA). Tgk Alibasyah, a North Aceh religious leader who was chosen as head for the period 2008-2013, claimed the new organisation was directly endorsed by Hasan di Tiro, GAM's Sweden-based founder, and tacitly acknowledged that it was linked to Partai Aceh by saying, "we will support the party associated with the birth of the MOU".²¹ MUNA members were mostly men who had been imams for the GAM forces during the conflict and who were beginning to feel neglected after the peace.

Ulama and Partai Aceh officials gave different reasons for the establishment of MUNA. One Muslim leader said the *ulama* had decided to rethink their decision to sit out the elections because their "political libido [was still] high".²² The Partai Aceh spokesman said more *ulama* were needed in parliament "to ensure that government policies did not oppress the people".²³ But it was all about winning, and the fact that GAM suddenly became concerned about support from Islamic schools suggested that the *ulama* were regaining their role as a force to be reckoned with in Aceh.

III. ALLEGATIONS OF INTIMIDATION

Allegations of intimidation have already begun. Partai Aceh is most often identified as the culprit, although in Bener Meriah and a few other places, its members have been the targets. Partai Aceh leaders interviewed acknowledge there is some truth to the charges, saying it is difficult to change guerrillas overnight into well-behaved political campaigners, although they insist the problem is not as widespread as sometimes suggested.²⁴ Muzakkir Manaf, the party head, called on all supporters to refrain from "provocative" actions and scare tactics, because these could be used by other parties to discredit the front runner.²⁵

²¹"Merebut Hati Kaum 'Sarungan'", op. cit. The reference is to the memorandum of understanding (MOU) between the Indonesian government and GAM, the peace agreement reached in Helsinki in 2005.

²²Ibid.

²³Ibid.

²⁴Crisis Group interview, Partai Aceh headquarters, Banda Aceh, 4 August 2008.

²⁵"Partai Aceh Merasa di Teror", *Harian Aceh*, 11 July 2008.

The incidents thus far have been mostly minor: destruction of flags and banners and some threats. In cases where Partai Aceh has been the target, GAM leaders believe government security agencies, not other parties, may be responsible. In Peureulak, East Aceh the local KPA head reported a “black campaign” of anti-Partai Aceh text messages being circulated via mobile phones.²⁶ In Langsa, also in East Aceh, the KPA complained about banners that suddenly went up across the city reading “Supporting Separatism is the Same as Destroying Peace”, clearly directed at the GAM party.²⁷ In Sabang, the local military commander reported that a soldier had been shot at on 16 August, the day before Indonesian independence celebrations, when he tried to persuade a villager to raise the national flag. Police investigators later said there was no evidence that shooting had taken place, and GAM accused the army of deliberately spreading the story to “create conditions” for anti-GAM sentiment prior to the polls.²⁸

But the concern is that problems will intensify as the elections draw closer, and international observers will not necessarily detect them. Non-GAM political party representatives in Bireuen and Pidie told Crisis Group that the European Union (EU) observer mission for the 2006 local election, while professional in the areas it covered, is widely regarded in retrospect as having been somewhat naive in not picking up the extent of KPA intimidation in rural areas.²⁹

In addition to independent monitors, all parties can have a witness at each polling place to ensure the elections are fair. Smaller parties are already expressing concern that they will not have the resources to deploy people to remote areas, and they are worried about manipulation by the larger parties, including Partai Aceh. Police are also saying they do not have enough personnel to ensure security for polling places in “tense” areas.³⁰

²⁶ “KPA Lansir Temuan Black Campaign”, *Serambi*, 4 August 2008.

²⁷ “KPA Minta Spanduk Probokatif Diturunkan”, *Serambi*, 4 August 2008.

²⁸ “Anggota Koramil Sabang Ditembak”, www.rakyataceh.com, 18 August 2008; and Crisis Group communication with Partai Aceh Sabang, 24 August 2008.

²⁹ In late June 2008, Governor Irwandi wrote President Yudhoyono requesting that another EU election observation mission be sent to Aceh for the 2009 elections, although the EU itself has made no decisions in this regard. Other local and international monitoring missions will likely have some personnel in Aceh but as part of larger teams to cover Indonesia as a whole.

³⁰ “Papol Dilarang Pasang Atribut pada Fasilitas Umum”, *Harian Aceh*, 8 August 2008. The police chief in Lhokseu-

IV. THE MOVE TO CREATE NEW PROVINCES

The demand from groups in central and south west Aceh to create the new provinces of Aceh Leuser Antara (ALA) and Aceh Barat Selatan (ABAS) is picking up, even though there is virtually no chance of anything happening before the July 2009 presidential election. The incumbent, Yudhoyono, is less likely than any other candidate to agree to the split, because his administration negotiated the Aceh peace, and he understands the implications of a division. He also has repeatedly called for a moratorium on further administrative divisions across Indonesia until after the elections. The danger is that as the local demand for the provinces escalates, egged on by parties in Jakarta, tensions in the affected areas, particularly Bener Meriah and Aceh Tengah, could rise, perhaps leading to local outbreaks of violence.

Earlier Crisis Group reporting has explained the background to the demand for ALA and ABAS.³¹ ALA would consist of the districts of Aceh Tengah, Bener Meriah, Aceh Singkil, Gayo Lues and Aceh Tenggara; ABAS of Aceh Jaya, Aceh Barat, Nagan Raya, Aceh Barat Daya, Aceh Selatan and Simeulue districts.³² Elites of both areas consider themselves ethnically distinct from the rest of Aceh and make the usual argument that government would be brought closer to the people, a disingenuous stance that often masks the desire of local politicians to secure new jobs and get access to more government funding. The campaign for ALA has a long history and is closely bound to the notion of ethnic Gayo identity; as such it appears to have wide popular support. ABAS is a much more recent concept, generated by the military during martial law in 2003 but picked up with enthusiasm by community leaders.

mawe, for example, said there were 770 polling places in his jurisdiction, and his total force was 550. The number of police agreed upon in Helsinki for Aceh was 9,100 for a population of about 4.5 million. Another 3,000 were deployed as additional security for the 2006 local elections and have remained in Aceh, but the number is still too low. The Helsinki MoU set the Indonesian military at 14,700. Members of the EU-led Aceh Monitoring Mission (AMM) brought in to assist with implementing the initial phases of the Helsinki agreement suggested several times that if the Indonesian government wanted to increase police numbers, it could negotiate with GAM about swapping the figures for the two forces, but the suggestion was never taken up. Crisis Group communication, governance expert, 28 August 2008.

³¹ See a listing of such reporting in fn. 1 above.

³² The *bupati* of Aceh Barat Daya reportedly no longer supports ABAS, but the district is still included in the campaign by others.

After lulls and spurts in pro-division activity, the campaign got a major boost in January 2008, when the Indonesian parliament suddenly passed a law recommending the creation of 23 new administrative units, including the provinces of ALA and ABAS. The campaign took on national implications when Megawati Sukarnoputri, Yudhoyono's main rival in the 2009 presidential elections, received a group of village heads from the two areas and expressed her support for division. In July, she made an explicit link between the creation of ALA/ABAS and her own highly controversial decision to divide Papua into three parts. She said the division would strengthen the unitary state of Indonesia.³³

The calculations of Megawati's PDIP were at least twofold. The party has always been weak in Aceh, and by supporting the division, it may be hoping to pick up some seats in the affected areas. Perhaps more importantly, PDIP, with a strong base among conservative nationalists, including the military, sees the team of Yudhoyono and Vice-President Kalla as vulnerable on Aceh. If the latter portray the Helsinki agreement as a major success, if not *the* major success of their administration, PDIP and some other parties see it as having compromised Indonesian unity by giving too many concessions to GAM. By supporting ALA and ABAS, over strong GAM objections, they can portray themselves as the real defenders of the republic. In June 2008, voter preference polls showing Megawati leading raised the possibility that Yudhoyono might not be re-elected; if Megawati should regain the presidency, the likelihood of Aceh's being divided would rise dramatically.

Eight of ten other political groupings in the national parliament also support the division. Vice-President Kalla, a major backer of the peace agreement, refuses to openly endorse it, saying that he has no objection as long as the establishment of new provinces is in accordance with the constitution and existing laws. That stance is a clever dodge, since the division would clearly be in violation of Law 11/2006 and the Helsinki agreement, which set out the boundaries of a single province. Kalla, more than Yudhoyono, is the architect of the peace process and knows full well how deep feelings in the GAM leadership run on this issue. One faction of his own party, Golkar, set up an ALA branch office in Takengon in early August, even though Golkar in Banda Aceh opposes the split.³⁴

Governor Irwandi, Partai Aceh, Partai SIRA and many other Acehnese are adamantly opposed to the division as a violation of the letter and spirit of the Helsinki agreement. The governor has stated repeatedly that he will not endorse the division. "Aceh has existed for 700 years", he told the press. "It is not going to be broken up on my watch".³⁵ Irwandi's strategy to fight the formation of the provinces includes providing evidence to the national Anti-Corruption Commission on the misdeeds of the ALA/ABAS campaign's leaders, some of whom are currently serving or former local officials. In April 2008, he also appointed a key pro-ALA leader, Iwan Gayo, to a newly created position as head of the Committee to Speed-Up Development of Neglected Areas (Komite Percepatan Pembangunan Daerah Tertinggal, KP2DT), in an effort to undercut the campaign.

Local representatives of national parties are torn. PKS as a party supports the division, PKS officials in the ALA area are overwhelmingly in favour, but officials in Banda Aceh are more guarded. "In principle we support it, but now is not the right time", said a party executive.³⁶ In Bener Meriah and Takengon, however, it is hard to find anyone outside GAM opposed, and even some members of GAM have reportedly joined pro-ALA demonstrations.³⁷ The Gayo claim pride of place as the original inhabitants of Aceh, who for centuries have been subjugated by the *orang pesisir*, the coastal people. No political parties can get traction in those districts unless they support ALA, one man claimed. In Bener Meriah, where some of the strongest anti-GAM militias were based during the conflict, members have renamed themselves "Laskar ALA" (ALA Militia), although they are not armed.³⁸

Ferry Mursyidan Baldan, a Golkar member of parliament with a particular concern for Aceh, said he has counselled patience.³⁹ The priority should be to get Law 11/2006 fully implemented. Then the provincial government can think about creating administrative divisions in a way that will allow the benefits of the Helsinki agreement to apply to Aceh as a whole. He

³³ "Megawati Medukung Pembentukan Propinsi ALA, ABAS Segera", Antara News Service, 24 July 2008.

³⁴ "Jusuf Kalla Hanya Tersenyum", *Serambi*, 6 August 2008.

³⁵ "Irwandi Laporkan Gangguang Perdamaian pada Wapres", *Serambi*, 6 August 2008.

³⁶ Crisis Group interview, Banda Aceh, 4 August 2008.

³⁷ Crisis Group interview, NGO activist, Takengon, 6 August 2008.

³⁸ Crisis Group interview, KPA member, Bener Meriah, 6 August 2008.

³⁹ Ferry Mursyidan Baldan is Acehnese but grew up in West Java; he chaired the special committee in parliament that pushed through Law 11/2006, the Law on Governing Aceh, and worked out the compromises that saved key provisions, including on local parties, from further dilution by the central government.

said he has told advocates of the split that if ALA and ABAS were created now, they would be ordinary provinces; if they work out a compromise as regions under the broader authority of the government in Banda Aceh, they may be able to secure a separate identity and get the advantages of Law 11/2006 (particularly in terms of increased revenue) at the same time.

But legal moves toward creating the new provinces continue. In response to the Indonesian parliament's initiative in January to create ALA, ABAS and other new units, the state secretariat drafted presidential mandate No. R-50/Pres/8/2008 and on 12 August, sent it to President Yudhoyono for signature. One stroke of his pen would bring the creation of the new provinces much closer. Given his personal opposition, he will certainly not sign before the elections, and only an unlikely constellation of political factors could persuade him to do so afterwards.⁴⁰ Nothing could alienate the Acehnese heartland more than a split or so convince GAM of the central government's bad faith.

V. POLITICAL BATTLES BETWEEN ACEH AND JAKARTA

As the election approaches, several other struggles over the extent of the provincial government's authority were underway. The most immediate involves a provision in the provincial regulation on local political parties requiring a Koran-reading test for candidates for provincial and district legislatures; the most important involves the mechanism for consultation between Jakarta and Aceh over national law and policies related to Aceh. A third relates to the creation of the office of Wali Nanggroe that GAM negotiators in Helsinki assumed would be held by GAM founder Hasan di Tiro. A fourth, less important issue is over the composition of the national election oversight body and whether Aceh would have three representatives, like every other province, or five, as stipulated in the Law on Governing Aceh. Together, they indicate the ongoing contest to define Acehnese autonomy, one that is likely to intensify if Partai Aceh wins a majority in the provincial parliament.

⁴⁰These would have to include Yudhoyono's dependence for re-election on conservative nationalists, giving them greater representation in the cabinet; Irwandi's stepping down as governor for medical reasons; and major political missteps by GAM leading to stepped-up pressure in Jakarta for action against it.

A. KORAN-READING TESTS FOR CANDIDATES

In June 2008 the provincial parliament adopted a provincial regulation (*qanun*) No. 3 requiring all candidates for legislative office to pass a Koran-reading test, both those of local parties (Article 13) and of national parties (Article 36). The requirement was inserted in the regulation after controversy in the responsible parliamentary commission and an emotional debate at a public hearing. The concern of those opposed was that the regulation would discriminate against qualified Acehnese raised in a secular or non-Muslim environment and give conservative Islam a greater political voice.⁴¹ Following strong lobbying by Muslim student groups, it was submitted to a full vote. With 49 members in attendance, the measure passed, 33 to sixteen.⁴²

On 18 July, the home affairs minister sent a letter to Governor Irwandi, stating that Article 36 had to be voided, since Aceh had no authority to determine requirements for national political parties.⁴³ He did not challenge Article 13, thus acknowledging the authority of the Acehnese parliament to regulate local parties, although he did suggest that the criteria for judging Koran reading should be spelled out. Finally, he suggested that in the public interest and to avoid discrimination, it would be better if the parties left requirements on Koran-reading to internal party regulations.⁴⁴

Reactions in Aceh were mixed. The left-leaning PRA expressed disappointment that the minister had not demanded the removal of Article 13 as well. The parliament speaker, a Golkar member, told the press on 4 August that he thought other members would accept the minister's position. But three major national Islamic parties – PPP, PKS and PAN, with a combined 29 seats – rejected that position absolutely, on the grounds that removing the condition violated the provision in Law 11/2006 about the Islamic identity of Aceh.⁴⁵ “If you're

⁴¹While Aceh is overwhelmingly Muslim, there are significant Christian communities, particularly in Aceh Singkil and elsewhere in the south west.

⁴²“Qanun Mengalahkan Undang-Undang?” *Modus Aceh*, Minggu II, August 2008.

⁴³Those requirements are set out in Law No.10/2008 on Elections, which as a national law has higher legal status than a provincial regulation in Aceh.

⁴⁴“Syarat Baca Quran bagi Caleg Parnas: Pusat Harus Bersikap Bijak dan Tegas”, *Serambi*, 12 August 2008. The minister's letter, no. 188.341/2049/sj, is reproduced in *Modus Aceh*, Minggu II, August 2008, p. 13.

⁴⁵“DPRA Beri Sinyal Terima Koreksi Mendagri”, *Serambi*, 5 August 2008.

Acehnese, you can read the Koran”, an official said. “It’s a way of ensuring the candidates are Acehnese, rather than, say, Batak” (the major ethnic group in North Sumatra).⁴⁶ The three parties also argued that as Koran reading had been a requirement for candidates in the December 2006 elections for local executives, it would be inconsistent if the same test was not applied to legislative candidates.

On 12 August, the commission in the Aceh parliament responsible for political and security matters rejected the minister’s request. If it refuses to amend the *qanun*, the minister will have to apply for a presidential decree to void the article, which would cause major delays in election preparation.⁴⁷

Governor Irwandi was put in a difficult position. As someone who has quietly worked to downplay the role of Islamic law in Aceh, he did not support the requirement. But as the champion of Acehnese authority vis-à-vis the central government, he was uncomfortable being on the same side as Jakarta. The local election commission pointed out the logistical difficulty of administering the test to more than 3,000 candidates for district and provincial positions and was also worried that the test would delay preparation of candidate lists.⁴⁸

In Jakarta, Golkar legislator Ferry Mursyidan Baldan said it should be relatively easy to find a compromise. His solution was for the local parliament to require Koran reading but not subject it to a verification process by the local election commission. “Make it clear that it’s a requirement for Muslim candidates, and make sure everyone knows it. Have them submit a letter attesting to their ability. Then during the campaign, if people want to test whether someone can read the Koran, let them ask for a show of skills. If the candidate doesn’t do well, the voters will know”. As long as there is no official verification process, he argued, there is no violation of the national law.⁴⁹

But as of early September, the situation remained unresolved. The speaker of the provincial parliament said testing would go ahead until and unless a presidential decree forbade it, and at least one candidate representing a national party had registered a formal

complaint with the provincial election commission, arguing that the test violated national law.⁵⁰

B. CONSULTATION BETWEEN JAKARTA AND ACEH

A second, more important struggle is taking place between the central and provincial governments over the mechanism for consultation on matters of law and policy relating to Aceh. Article 1 of the Helsinki agreement states that all international agreements and parliamentary decisions concerning Aceh will be taken “in consultation with and with the consent of the legislature of Aceh”.⁵¹ Administrative measures by the central government “will be implemented in consultation with and with the consent of the head of the Aceh administration”, the governor.⁵²

Law 11/2006 eliminated the word “consent”, much to the unhappiness of many Acehnese and particularly GAM, since this was seen as one of the key principles of self-government. Instead, it noted that the “means of consulting and considering plans for international agreements, draft laws and administrative measures directly related to Aceh” would be laid out in a presidential regulation (*peraturan president* or *perpres*).⁵³

The content of that regulation then became critical: if consultation took place, and a disagreement arose, how would it be resolved? This is of paramount importance with regard to the implementing regulations of Law 11/2006, which have to be issued by Jakarta, in particular with regard to national government authorities in Aceh, joint management of oil and gas resources and Aceh’s cooperation with foreign institutions, where serious disputes are likely. It is also important with regard to foreign assistance to Aceh, over which the ministry of finance has final say. Efforts of the Papua governor, Barnabas Suebu, to set priorities in donor aid met with a strong rebuff earlier in 2008; a carefully worked out consultation mechanism might leave the Aceh governor in a stronger position.

An early draft from Jakarta in mid-2007 set out the process as follows: for international agreements and parliamentary bills, drafts would be submitted to the

⁴⁶ Crisis Group interview, Jakarta, 15 August 2008.

⁴⁷ The minister, however, could decide not to apply for a presidential instruction even though he would be neglecting his legal responsibilities; in general, home affairs officials have been reluctant to exercise their right to revoke regional regulations, particularly those relating to Islamic matters.

⁴⁸ “3237 Caleg Dites Baca Al Quran”, www.inilah.com/berita/2008/08/14/43900/3237-caleg-aceh-dites-baca-al-quran/.

⁴⁹ Crisis Group interview, Jakarta, 23 August 2008.

⁵⁰ “Caleg tak Mampuk Baca Quran Digugurkan”, *Serambi*, 3 September 2008; and “Caleg Protest Baca Quran”, *Rakyat Aceh*, 4 September 2008.

⁵¹ “Memorandum of Understanding”, op. cit., Article 1 (Governing Aceh), 1.1; Law 11/2006, Law on the Governing of Aceh, subsections b and c.

⁵² Ibid, Article 1.1 (d).

⁵³ Ibid, Article 8.

Aceh provincial legislature, which would have 30 days to respond and submit suggestions for improvement. If the suggestions could not be accommodated, the head of the relevant agency involved in drafting would sit down with the speaker of the provincial parliament to reach an agreement. A similar procedure would be followed for administrative measures, such as government regulations, presidential decrees, presidential instructions, ministerial regulations and other policies, but with the drafts submitted to the Aceh governor.⁵⁴ In neither case was provision made for how disagreements would be resolved.

The governor sent back a counter-proposal in late 2007, after soliciting suggestions from the provincial parliament and various experts. On 5 December, Jakarta invited a group from Aceh consisting of the governor, the parliamentary speaker and four others to discuss the Aceh draft. After eight hours, the Jakarta team agreed to virtually all points that the Aceh draft wanted, including the formation of a joint commission to resolve disputed issues and the possibility of voting in the absence of consensus. Both sides signed an agreement to this effect.

Once the new draft reached the state secretariat, the body which acts as the gatekeeper for the president on administrative and legal matters, however, it got stuck, apparently because of objections raised by a senior official there. A counter-draft was prepared by the ministry of home affairs that reportedly was a significant step backwards from the December agreement, although Crisis Group has not seen the specific provisions. As of late August 2008 no further discussions had taken place between the Jakarta and Aceh teams. Disagreements over this regulation could hold up all the other regulations that still need to be enacted for Law 11/2006 to be fully functional.

C. WALI NANGGROE

The role and authority of the Wali Nanggroe, literally “guardian of the state”, has become another contested issue. Jakarta officials, and many of the non-GAM political elite in Aceh, see it as an institution for protecting cultural values, much like the Papuan People’s Council in Papua. GAM leaders see it as an hereditary executive position higher than the governor that rightfully belongs to Hasan di Tiro.

The relevant provision of the Helsinki agreement was deliberately left vague: it simply says, “the institution of Wali Nanggroe with all its ceremonial attributes and entitlements will be established”.⁵⁵ Law 11/2006 on Governing Aceh specifically eliminated any political role. Its Article 96 defined Wali Nanggroe as an independent institution of customary (*adat*) leadership that oversees *adat* councils and traditional ceremonies and presents honorary degrees/diplomas. It “is not a political institution or part of the Aceh government”. The institution is led by an individual, also called Wali Nanggroe, whose functions, term of office, protocol position and other aspects are to be defined by a local regulation (*qanun*).

In May 2008, a draft on the Wali Nanggroe seemed to appear out of nowhere. It had not been a priority for the provincial parliament, which has been notoriously slow in producing implementing regulations for Law 11/2006. A special committee to complete the draft was appointed, and, after consultations in Jakarta with the home affairs ministry and the coordinating ministry for political, security and legal affairs, it held a public hearing in Banda Aceh on 16-17 July. The draft presented noted that the Wali Nanggroe would be a “partner of the governor, at the same level” and would work in consultation and coordination with him. The Wali’s major tasks were ceremonial, as outlined above, but he would also be responsible for resolving disputes among customary organisations and among governmental agencies.⁵⁶ The committee sent a delegation to Sweden, ostensibly to ask Hasan di Tiro if he would be prepared to take the job, but he refused to see it, and to the Netherlands, to do some historical research into how the Wali Nanggroe had functioned in history.⁵⁷

But while the media focused on the expense of the trip to Europe for over twenty officials – initially Rp.2.3 billion (\$230,000), later reduced by about half – GAM officials were outraged at evisceration of a role that they saw as essential to Aceh’s identity. The KPA spokesman asked the Aceh parliament to halt its discussions of the draft; GAM would much prefer to have a *qanun* discussed after April 2009, when it believes it will control the debate.⁵⁸

⁵⁴“Rancangan Peraturan President Republik Indonesia tentang Tata Cara Konsultasi dan Pemberian Pertimbangan Atas Rencana Persetujuan Internasional, Rencana Pembentukan Undang-Undang, dan Kebijakan Administratif yang Berkaitan Langsung dengan Pemerintahan Aceh”, 2 October 2007.

⁵⁵Memorandum of Understanding, op. cit., Article 1.1.7.

⁵⁶“Sekali Lagi tentang Wali Nanggroe”, *Modus Aceh*, Minggu V, July 2008.

⁵⁷“Gubernur: Tunda Serap Aspirasi ke LN”, *Serambi*, 23 August 2008; and “Terkait Draf Qanun Wali Nanggroe: Biaya Jaring Aspirasi ke LN Rp 2,3 Miliar”, *Serambi*, 21 August 2008.

⁵⁸“Ibrahim KBS: Tak Perlu Qanun Wali Nanggroe, Jika Tak Sesuai MoU dan Keinginan KPA”, *Serambi*, 22 August 2008.

GAM officials see the Wali Nanggroe as the highest authority in the land. They look back to a critical moment in Acehnese history when, in the midst of the war against the Dutch in the late nineteenth century, a state council selected an ancestor of Hasan di Tiro, Tgk Chik di Tiro Muhammad Saman, as Wali Nanggroe to rule on behalf of a twelve-year-old sultan, whose father had just been killed. His function was to restore order and protect Aceh from the enemy. Hasan di Tiro claims that after this first Wali Nanggroe's death, the job stayed in his family for seven generations, until 1911 when Tgk Chik Maat di Tiro fell in battle against the Dutch in Pidie, and that Queen Juliana acknowledged this legacy when he met her in 1968.⁵⁹

A different version suggests that the idea is a more recent construct, born of tension in the early twentieth century between the mostly pro-Dutch traditional aristocracy, ruling over more than 100 little fiefdoms, and the anti-colonial *ulama*, organised in 1939 into the All-Aceh Ulama Union (Persatuan Ulama Seluruh Aceh, PUSA). That organisation claimed that before the last sultan surrendered to the Dutch in 1903, he created a state council composed of three *ulama*, one of whom was Tgk Chik di Tiro. When the other two surrendered, according to this version, di Tiro carried on as Wali Nanggroe, with the power of the *ulama* behind him.⁶⁰

The first version suggests that Hasan di Tiro and his descendants have a birthright to the position; the second still makes him the obvious choice for the position but without implying it should stay in the family thereafter. The real battle, though, will be over authority. GAM and the KPA see the job as analogous to the Malaysian king, who can take decisions in emergencies, appoint the prime minister, dissolve parliament and free prisoners; as head of state, the king is also the com-

mander of the armed forces.⁶¹ The Wali Nanggroe, according to Adnan Beuransyah, spokesman for Partai Aceh, is senior to the governor, not just a symbolic post. Anything else would be a violation of the Helsinki discussions.⁶²

To invoke a constitutional monarch as a model for the position is to play into some of the military's fears about GAM's ultimate political agenda. Beuransyah said Jakarta need not worry: Aceh is not going to challenge Indonesian sovereignty.⁶³ But the debate over the Wali Nanggroe position is not going to make relations between Jakarta and Aceh any easier.

VI. MILITARY RESPONSE

Many in the military remain convinced, as they have been since the signing of the Helsinki agreement, that GAM, the KPA, the governor and local political parties are a threat to Indonesia's territorial integrity. They believe that GAM members have not dropped their commitment to independence and will use local elections to further that goal.

Despite those misgivings, the military has maintained relatively cordial relations with GAM elected officials at the provincial and district levels. While one GAM official noted that the local district military commander was continually trying to undermine him by building housing and other projects with off-budget funding, then insinuating that the military cared more about the people than he did, that is hardly an abuse.⁶⁴ Another official noted that the district commander came to him regularly with reports of KPA members in the interior talking about independence. He said he understood the commander's concern, but the military had to understand as well that it was not possible to completely transform a movement overnight. The important point was that he and other elected GAM officials were completely committed to implementing the peace agreement.⁶⁵

⁵⁹This version is found in the early writings of Hasan di Tiro and was a justification for his embarking on the struggle for Aceh's independence. See a pamphlet in Acehnese by di Tiro, *Atjeh Bak Mata Donja*, published in New York by the Institute of Acheh of America, 1968. See also Teungku Hasan di Tiro, *One Hundred Year Anniversary of the Battle of Bandar Acheh, April 23, 1873-April 23, 1973*, Institute of Acheh in America, 1973. When di Tiro declared the establishment of the Free Aceh Movement on 4 December 1976, he was harking back to the struggle of his great-grandfather, Teungku Chik Maad di Tiro, who fell in battle on 3 December 1911.

⁶⁰"Memorandum dari Pengurus Besar PUSA", Persatuan Ulama Seluruh Aceh, Kutaradja, 1950, p. 2, quoted in Fachry Ali, "Bagaimana Negara Menghampiri Rakyat? Masyarakat Aceh dan Negara Orde Baru", in Ichlasul Amal and Armaidu Armawi (eds.), *Regionalisme, Nasionalisme dan Ketahanan Nasional* (Yogyakarta, 1998), pp.136-137.

⁶¹Malaysia has a political system in which the king, called Yang di-Pertuan Agong, rotates every five years among the traditional rulers of nine Malay states. It is a largely ceremonial position but with more powers than envisioned by the drafters of the Wali Nanggroe regulation.

⁶²"Jika Tak Sesuai, Kami akan Ubah", *Serambi*, 25 August 2008.

⁶³Ibid.

⁶⁴Crisis Group interview, Jakarta, 28 April 2008.

⁶⁵Crisis Group interview, senior GAM official, Jakarta, 15 August 2008.

Nevertheless, the level of distrust within the military and its failure to appreciate serious rifts within GAM is illustrated by a power point presentation from the Aceh provincial military command, Kodam Iskandar Muda, apparently prepared in early 2008, and describing events in 2007. Entitled "The Plan for Operation Vigilance" (Rencana Operasi Waspada), it notes concerns on the political, economic, social and security fronts.⁶⁶

On political developments, it cites the formation of a political party of "ex-separatists" using the GAM flag; the failure of Governor Irwandi to fully represent Jakarta's interests by continuing to claim that the Helsinki agreement had not been completely implemented; the campaign "by the KPA and SIRA in collaboration with local and international human rights organisations" to investigate past human rights abuses; and the visit of two East Timorese who were former members of Fretilin and came to "agitate/provoke a policy of separatism that could threaten the security of the state". The authors seem oblivious of the tension between Irwandi and the Partai GAM founders. They also seem unaware that senior political figures in Jakarta acknowledged gaps in the implementation of the Helsinki agreement or that the reason for the visit of the Timorese had been to attend a seminar in December 2007 explaining how the Timorese truth and reconciliation commission had worked.

On the economic front, the presentation notes the continued demand of "ex-separatists" for a revolutionary tax (*pajak nanggroe*); their control of the economic sector and various illicit businesses, such as illegal logging, drug dealing and smuggling; and the positioning of ex-separatists as the "new middle class" in the Acehnese social structure. The authors fail to appreciate how ongoing extortion by the KPA and some of its business activities have alienated many Acehnese and led to internal divisions within GAM.

On the social side, the regional command states that KPA members have been able to take advantage of government services, getting free medical treatment by showing letters with a KPA stamp. It also says that ex-separatists have been able to exploit social problems by actions such as mediating land disputes between villagers and the government or military, "thus encouraging anti-government sentiment". Finally, on security, the presentation notes the rise in criminal acts involving ex-separatists and provocations directed toward the military and police.

As solutions to these problems, it advocates a number of steps, many of them aimed at winning hearts and minds and therefore not problematic. But for intelligence operations, it recommends exposing GAM's "grand strategy" to win the 2009 elections and become the majority party; detecting its strategy to "create a scenario of people power to push toward a demand for a referendum, supported by the international community"; and detecting efforts by ex-separatists to "publish the Hasan Tiro version of Acehnese history, claim Acehnese territory in the International Court and push for international intervention using issues of human rights and democracy". Pro-Indonesia elements, such as the anti-GAM groups FORKAB and PETA, should be used, it suggests, to disseminate the concept of Indonesian nationalism.⁶⁷ Finally, it recommends that guidance be given to pro-Indonesia political organisations, with the goal of weakening public support for ex-separatists.

Overall, the presentation reveals the military as an institution that has not fully accepted the peace agreement or the idea that a critical ingredient for a lasting peace is to give former rebels a stake in the political process. Just as GAM leaders acknowledge that some KPA heads cannot be turned overnight into model citizens, it may take some time for military commanders to become neutral observers of political change in Aceh.

VII. RENEGADE AND CRIMINAL GAM ELEMENTS

A number of individuals and groups with current or former links to the KPA are committing armed crimes. It is not enough to say, as a KPA head did, "if they're using guns, they're not us, because we don't have weapons".⁶⁸ Some KPA members *have* been involved in violence and their closeness to the power structure in some areas surely inhibits people from making accusations or bringing charges. The police are a more effective institution than they were during the conflict, and some district chiefs get high marks from their communities – the Bireuen commander for one. But their forces are thinly spread and cannot be expected to singlehandedly find and arrest errant KPA, when

⁶⁶The document is in fairly wide circulation in Aceh; Crisis Group obtained a copy from a political party source in Takengon in August 2008.

⁶⁷FORKAB, an acronym for Forum Komunikasi Anak Bangsa (Children of the Nation Communication Forum), is an association composed in part of former rebels who surrendered before the Helsinki agreement; PETA, an acronym for Pembela Tanah Air or homeland defenders, is the name given to former anti-GAM militias.

⁶⁸Crisis Group interview, Takengon, 6 August 2008.

many senior GAM leaders are unwilling to acknowledge the extent of the problem.

Resentment over distribution of reintegration benefits and competition over contracts and business deals have created rifts within GAM that can turn violent. If, during the conflict, many Acehnese would be quick to accuse the military of responsibility for any outbreak of violence, now the first assumption tends to be intra-GAM problems.

GAM officials occasionally blame renegade groups when current or former KPA members are involved. The most striking example was an incident in Beutong, Nagan Raya. On 13 July 2008, five armed men arrived at an Islamic boarding school in Babah Kreung village. They carried a bag containing one AK-47, three AK-56 assault rifles and hundreds of rounds of ammunition. Someone reported them to the police, and on 15 July a paramilitary police team surrounded the school. In the shoot-out that followed, four of the men were killed and one surrendered. Of the dead, three were from Peureulak, East Aceh and one was from Bireuen; the one who surrendered was from North Aceh. Police reported that a GAM flag was found among their possessions.

Immediately accusations began flying. The central KPA spokesman issued a statement that the men were common criminals but did not deny that they might have been former GAM members. The head of KPA-East Aceh said that the Peureulak men were not members of his organisation and suggested they belonged to a faction of GAM opposed to the Helsinki peace agreement. Governor Irwandi concurred, saying that the men were linked to a group led by a New York-based Acehnese activist and journalist named Eddy Suheri.⁶⁹ He said the group was part of an old faction, MP-GAM, bitterly opposed to the Malik group.⁷⁰

Both Suheri from New York and the Stockholm-based secretariat of the group, called the Preparatory Committee for a Democratic, Independent Aceh (Komite Persiapan Aceh Merdeka Demokratik, KPAMD), issued long statements rejecting any connection to the Beutong men.⁷¹ The secretariat's statement, signed by

Yusuf Daud, who is also secretary for MP-GAM in Europe, said that KPAMD had been formed on 15 January 2006. It did reject the undemocratic process by which the Helsinki agreement was concluded, it said, but this did not mean it was opposed to peace.⁷²

Several GAM members interviewed remain convinced that there is a link between KPAMD and Beutong, although hard evidence is in short supply. The dead men have also been linked to earlier incidents in Sawang, North Aceh, in late December 2007 and mid-January 2008 in which a member of one GAM faction killed the leader of another and then himself was killed.

KPA members, former or current, are not responsible for all violent crime in Aceh, and there are undoubtedly groups that use GAM's name as a way of instilling fear. The military and intelligence communities need to be careful about lumping criminals together with law-abiding GAM members, or mixing up renegades and mainstream GAM. But GAM officials also need to make the KPA a more accountable institution. In some areas it acts like a local mafia. It straddles too many lines of economic and political power, and it is not clear that anyone has the political will or capacity to bring it under control.

VIII. CONCLUSION

With all the factors described above at work, it is not surprising that there are anxieties in Aceh in the lead-up to the polls. But it is striking how many of the battles that earlier would have been fought with force are now being waged in the political arena. GAM is using its party to try for control of local legislatures. The central and provincial governments are struggling to assert their authority via laws and regulations. The governor is using corruption charges against local officials trying to create new provinces, who in turn are appealing for political support to Jakarta. The military appears to be relying on intelligence strategies

⁶⁹ "Bedil Menyalak Lagi di Beutong", *Modus Aceh*, Minggu IV, July 2008, p. 8.

⁷⁰ MP-GAM's former secretary-general, Don Zufahri, was gunned down in Malaysia in 2000, a murder widely attributed to GAM.

⁷¹ From 2001 until the end of 2003, Suheri said, he had been based in Malaysia, helping Acehnese refugees, but ran afoul of some senior GAM members whom he accused of being "oligarchic". He arrived in New York in late 2003, and when the Helsinki process started, began organising friends in

Acehnese civil society to lobby the negotiators. They apparently ignored him, and he and his friends rejected the 2005 agreement as the result of a closed and undemocratic process, though they acknowledged some positive aspects. He said when some of his followers entered Aceh in 2006, they were harassed by KPA members. He wrote Irwandi that if this continued, "victims of assault" would defend themselves. See "Giliran Eddy Suheri Menjawab", *Modus Aceh*, Minggu V, July 2008.

⁷² "Inilah Tanggapan KPAMD", *Modus Aceh*, Minggu V, July 2008, p. 7. A full list of the founding members of KPAMD appears in "Komite Aceh Merdeka Demokratik, Siapa Mereka?", *Modus Aceh*, Minggu IV, July 2008, p. 12.

and support for pro-Indonesia political groups, some of them composed of former militia members. The extent to which political activity has replaced conflict is extraordinary.

Nevertheless, problems remain. Violence is never very far from the surface in Bener Meriah and Central Aceh, and if pro-ALA local politicians use ethnicity and anti-GAM sentiments in their campaign for legislative office, it could mean trouble. Any effort by the military to fund ex-militia groups to challenge Partai

Aceh would be seriously ill-advised. Systematic intimidation by KPA commanders could lead to friction with other parties. The big issue, however, remains power sharing between a GAM-led government and Jakarta, particularly if GAM wins control of the provincial legislature. How that relationship is managed will be the key to maintaining peace.

Jakarta/Brussels, 9 September 2008

APPENDIX A

MAP OF ACEH





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Regional Offices and Field Representation

Crisis Group also operates from some 27 different locations in Africa, Asia, Europe, the Middle East and Latin America.
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