

**GOING POLITICAL DURING VIOLENT CONFLICT:
Lessons from Aceh (Indonesia) and Patani (Thailand) regarding
the Ideas and Roles of Elites in Peace Building**

Edwin Martua Bangun Tambunan

Sarjana Ilmu Politik (S.I.P) in International Relations – Padjajaran University
Magister Sains (M.Si.) in Political Science – Gadjah Mada University

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ABSTRACT

Previous studies have underscored the important role elites play in both inciting and ending conflict in subnational settings. Yet elite contributions to peace building have not been given nearly as much attention as their role in generating conflict. This study aims to correct this imbalance by exploring the ideas and roles of elites in peace building in the context of separatist conflicts. What elite ideas matter, how those ideas contribute to a peace process, what the elites do to end conflict, and how their roles derail conflict towards a peace process, are the central parts of the investigation. The exploration considers two cases of separatist conflict: Aceh (Indonesia) and Patani (Thailand).

Based on evidence obtained from interviews, evidence substantiated by documentary research, this study finds that the ending of separatist conflict is inseparable from the development of non-violent ideas by elites on both sides. Each idea contributes to the process by gradually encouraging parties to think and act beyond military solutions and in increasingly political terms. Observing the cases, three groups of ideas evolved before warring parties reached the verge of a peace process. The first category of ideas sought shortcuts to peace by bringing about one-dimensional changes to the situation. In both cases, these ideas failed to change the situation. Nevertheless, these initial ideas raised public awareness about the impact of conflict and enlarged the constituency seeking a peaceful solution. The second category of ideas was designed to restructure the basic relationships between parties, addressing the substantive issues separating them. These ideas did not gain traction as part of the peace process however, but they did raise interest in the need to find an overtly political solution. The third category of ideas related to face-to-face dialogue. In both cases, the initial engagement of the parties in dialogue or talk was half-hearted; but shared experiences during dialogue events proved to be a foundation for advancing the peace process. In Aceh, government elites learnt from failed dialogue and offered to negotiate. In this way, a genuine peace process emerged and the peaceful solution was within reach.

Laying the groundwork for peace is a long process. Along with their specific ideas, elites in civil society, government, and separatist groups contribute to this

process by constructing peace as a generic shared idea and encouraging parties to be susceptible to a peaceful settlement. In Aceh, the role of civil society elites in conceiving a non-military resolution inadvertently transformed the conflict, opening the way for a peace process to commence. Some ‘peace-dream keepers’ in government also had a role in transmitting the idea of non-military resolutions across government, and when some of these personnel eventually became key decision-makers, the chances of a peaceful settlement was greatly enhanced. The Free Aceh Movement’s (*Gerakan Aceh Merdeka*, GAM) civilian elites considered political options as part of strategy, and these ideas developed into GAM’s readiness to achieve its goal by means other than independence – and it is noteworthy that they had already achieved this even before the 2004 tsunami brought the peace process to a sudden and positive conclusion.

In Patani, the role of civil society elites in raising non-military resolutions helped to mainstream the idea of peace at both the grassroots and elite levels. In response, certain government elites issued policies, decisions, and actions that became building blocks in the resolution of the conflict. Together these elite ideas and roles were instrumental in paving the way towards the verge of a peace process in 2013. However, the likelihood of these latest developments resulting in an actual peace process depends on many factors, including whether separatist and government elites accept the ideas of civil society organizations regarding a political solution.

DECLARATION

I certify that this thesis does not incorporate without acknowledgment any material previously submitted for a degree or diploma in any university; and that to the best of my knowledge and belief it does not contain any material previously published or written by another person except where due reference is made in the text.

Signed.....

Date.....

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I have a longstanding interest in the role of elites in conflict and peace. When writing a thesis for my master's degree at the beginning of this millennium, I worked on the issue of ethno-national separatist conflict by analysing two cases: Kashmir (India) and Quebec (Canada). Based on this research, I came across the idea that ethnic leaders have an important role in aggregating identity and grievances, and in leading their respective groups to articulate political claims against the central government. Later my interest in peace ideas grew as I was more engaged in peace campaigns and peace education in Indonesia from 2000 to 2010. During my participation in training and workshops, I observed that people's understanding of peace determined their behaviour in dealing with conflict.

This thesis is part of my academic journey in studying these issues. I am grateful for the opportunity to explore them at the doctoral level, an opportunity made possible by the generosity of the Australian government through an Australia Awards scholarship. In the process of obtaining this scholarship, I must acknowledge the important role of Associate Professor Michael Barr who paved the way for me to study at Flinders University. Without his recommendation to the university, I would not have won the scholarship and this thesis would never been written.

The thesis raises issues about the role of elites in peace building by looking at two cases: Aceh and Patani. This study would have not been possible without the full support of both my supervisors. I am very grateful to my principal supervisor, Michael Barr, for his intellectual advice, support, and patience. For at least two years, Michael encouraged me to set high standards of analysis in order to finish this research. He read my chapters very carefully and gave clear directions. His attention to detail and open feedback was both helpful and inspiring at all times. For this reason, Michael should be the first person who gets the credit for the best parts of this thesis. The rest is my responsibility.

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LIST OF ABBREVIATIONS AND ACRONYMS

ABRI	<i>Angkatan Bersenjata Republik Indonesia</i> (Armed Forces of the Republic of Indonesia)
ACSTF	Acehnese Civil Society Task Force
AFTA	ASEAN Free Trade Area
ASEAN	Association of Southeast Asia Nations
ASG	Abu Sayyaf Group
ASNLF	Acheh Sumatra National Liberation Front (also referred to as another name refers to GAM)
BBMP	<i>Barisan Bersatu Mujahidin Patani</i> (United Patani Mujahidin Front)
BIPP	<i>Barisan Islam Pembebasan Patani</i> (Patani Islamic Liberation Front)
BNPP	<i>Barisan Nasional Pembebasan Patani</i> (National Liberation Front for Patani)
BPK	<i>Barisan Penjaga Keamanan</i> (Security Guard Group)
BPPT	<i>Badan Pengkajian dan Penerapan Teknologi</i> (Agency for the Assessment and Application of Technology)
Brimob	<i>Brigade Mobil</i> (Police Mobile Brigade, paramilitary police wing)
BRN	<i>Barisan Revolusi Nasional</i> (National Revolutionary Front)
BRN-C	BRN-Coordinate
CCSCD	Center for Conflict Studies and Cultural Diversity
CDRCM	Council for Democratic Reform under Constitutional Monarchy
COHA	Cessation of Hostilities Framework Agreement, signed by the Government of Indonesia and GAM, 9 December 2002
CPCS	Center for Peace and Conflict Studies
CPM 43	Civil-Police-Military joint headquarters
CPT	Communist Party of Thailand

CSOs	Civil Society Organizations
Depdagri	<i>Departemen Dalam Negeri</i> (Department of Home Affairs)
DEWAN	<i>Dewan Gerakan Pembebasan Patani</i> (Assembly of Free Patani Movement)
DI	<i>Darul Islam</i> (Abode of Islam)
DOM	<i>Daerah Operasi Militer</i> (Military Operation Zone)
DPP	<i>Dewan Pimpinan Parti</i> (Party Leadership Council)
DPR	<i>Dewan Perwakilan Rakyat</i> (House of Representatives)
DSW	Deep South Watch
EMOI	Exxon-Mobil Oil Indonesia
FARMIDIA	<i>Front Aksi Reformasi Mahasiswa Islam Daerah Istimewa Aceh</i> (Muslim Students Action Front for Reform in Special Region Aceh)
Forbes	<i>Forum Bersama</i> (the Joint Forum of the members of parliament from Aceh)
Forka	<i>Forum Kepedulian untuk Aceh</i> (Concern for Aceh Forum)
Forsima V	<i>Forum Silaturahmi Mahasiswa V</i> (the Fifth Student's Gathering Forum)
FORUM-ASIA	Asian Forum for Human Rights and Development
FP HAM	<i>Forum Peduli Hak-hak Asasi Manusia</i> (Human Rights Concerned Forum)
F-PP	<i>Fraksi Persatuan Pembangunan</i> (United Development Faction)
GAM	<i>Gerakan Aceh Merdeka</i> (Free Aceh Movement)
GAMPAR	<i>Gabungan Melayu Patani Raya</i> (Greater Malay Patani Freedom Movement)
GJIP	<i>Gerakan Jihad Islam Patani</i> (Jihad for Islamic Patani)
GMIP	<i>Gerakan Mujahidin Islam Patani</i> (Patani Islamic Mujahidin Group)

GPK	<i>Gerakan Pengacau Keamanan</i> (Security Disturbance Movement)
HDC	Henry Dunant Centre for Humanitarian Dialogue
HUDA	<i>Himpunan Ulama Dayah Aceh</i> (Association of Islamic Traditional Boarding School Scholars)
ICG	International Crisis Group
ICMI	<i>Ikatan Cendekiawan Muslim se-Indonesia</i> (Association of Indonesian Muslim Intellectuals)
ICRC	International Committee of the Red Cross
IDP	Internally Displaced Person
IDSW	Intellectual Deep South Watch
IFA	International Forum for Aceh
IMT-GT	Indonesia, Malaysia, Thailand Growth Triangle
Inpres	<i>Instruksi Presiden</i> (Special Presidential Directive)
IPP	Insider Peace-builders Platform
IPS	Institute for Peace Studies
IPTR	<i>Ikatan Pemuda Tanah Rencong</i> (Youth association of <i>Tanah Rencong</i> – a nickname for Aceh)
IRA	Irish Republican Army
ISOC	Internal Security Operation Command
JCHA	Joint Committee for Humanitarian Action
JCSC	Joint Committee for Security Capital
JoU	Joint Understanding on Humanitarian Pause for Aceh signed by the Government of Indonesia and GAM, 12 May 2000
JSC	Joint Security Committee
KARMA	<i>Komite Aksi Reformasi Mahasiswa Aceh</i> (Aceh Student Committee for Reform Action)
Kassospol	<i>Kepala Staf Sosial dan Politik</i> (Chief of Staff for Social and Political Affairs)
KDMA	<i>Komando Daerah Militer Aceh</i> (Regional Military Command of Aceh)

Kepres	<i>Keputusan Presiden</i> (Presidential Decree)
KIPTKA	<i>Komisi Independen Pengusutan Tindak Kekerasan di Aceh</i> (Independent Commission of Investigation for Act of Violence in Aceh)
KMB	<i>Konferensi Meja Bundar</i> (Round Table Conference)
KMPAN	<i>Komite Mahasiswa dan Pemuda Aceh Se-Nusantara</i> (All-Archipelago Aceh Students and Youth Committee)
KMPPMA	<i>Kongres Masyarakat, Pemuda, Pelajar, dan Mahasiswa Aceh</i> (Congress of the Aceh People, Youth, Students, and College Students)
Koalisi NGO-HAM	Coalition of Human Rights NGOs
Kodam	<i>Komando Daerah Militer</i> (Regional Military Command)
Komnas HAM	<i>Komisi Nasional Hak-hak Asasi Manusia</i> (National Commission of Human Rights)
KOMPAS	<i>Kongres Mahasiswa dan Pemuda Aceh Serantau</i> (All Acehese Students and Youth Congress)
Kontras	<i>Komisi untuk Orang Hilang dan Korban Tindak kekerasan</i> (Commission for the Disappeared and Victims of Violence)
Kopassus	<i>Komando Pasukan Khusus</i> (Army Special Forces Command)
Koshamda	<i>Komite Solidaritas Hak Azasi Manusia Daerah Istimewa Aceh</i> (Commission for Human Rights Solidarity in the Special Region Aceh)
Kostrad	Komando Strategis Angkatan Darat (Army Strategic Command)
KMA	Kongres Masyarakat Aceh (Acehnese Society Congress)
KPI	King Prajadhipok's Institute
KRA	<i>Kongres Rakyat Aceh</i> (Acehnese People Congress)
KRN	<i>Komisi Rekonsiliasi Nasional</i> (National Reconciliation Commission)

KTPA	Komando Tugas Pengamanan Aceh (Aceh Security Command)
LTTE	Liberation Tigers of Tamil Eelam
Mabes TNI	<i>Markas Besar Tentara Nasional Indonesia</i> (Indonesian Military Headquarters),
MAC	Muslim Attorney Centre Foundation
MAN	<i>Madrasah Aliyah Negeri</i> (State Islamic High School)
MB-GAM Eropa	<i>Markas Besar</i> GAM Eropa (Headquarters of GAM in Europe)
Menhankam/Pangab	<i>Menteri Pertahanan dan Keamanan/Panglima Angkatan Bersenjata</i> (Minister of Defense and Security/Chief Commander of the Armed Forces)
MILF	Moro Islamic Liberation Front
MKRA	<i>Musyawaharah Kerukunan Masyarakat Aceh</i> (Acehnese Congress for Harmony)
MNLF	Moro National Liberation Front
MP-GAM	<i>Majelis Pemerintahan GAM</i> (Governing Assembly of GAM)
MoU	Memorandum of Understanding, signed by the Government of Indonesia and GAM, 15 August 2005
MPR	<i>Majelis Permusyawaratan Rakyat</i> (People's Consultative Assembly)
MUI	<i>Majelis Ulama Indonesia</i> (Indonesian Council of Islamic Scholars)
Muspida	<i>Musyawaharah Pimpinan Daerah</i> (Regional Leadership Assembly)
NAD	<i>Nanggroe Aceh Darussalam</i> (State of Aceh, Abode of Peace; name of Aceh Province according to Law No. 18 of 2001)
Napol/tapol	<i>narapidana politik/tahanan politik</i> (political prisoners/political detainees)
NBA	<i>Negara Bagian Aceh</i> (State of Aceh)
NESDB	National Economic and Social Development Board
NGOs	Non-governmental Organizations

NII	<i>Negara Islam Indonesia</i> (Islamic State of Indonesia)
NKRI	<i>Negara Kesatuan Republik Indonesia</i> (Unitary State of the Republic of Indonesia)
NLFAS	National Liberation Front of Aceh Sumatra (official name of GAM))
NRC	National Reconciliation Commission
NSC	National Security Council
NU	<i>Nahdatul Ulama</i> (Religious Scholars' Association)
OIC	Organisation of the Islamic Conference
OCM	<i>Operasi Cinta Menuasah</i> (Love the Mosque [Security] Operation)
OPM	<i>Organisasi Papua Merdeka</i> (Free Papuan Organization)
Opslihkam	<i>Operasi Pemulihan Keamanan</i> (Security Restoration Operation)
PAN	<i>Partai Amanat Nasional</i> (National Mandate Party)
PARANAS	<i>Parti Revolusi Rakyat Selatan Thai</i> (Revolution for Southern Thai People Party)
PARTIP	<i>Parti Islam Patani</i> (Islamic Patani Party)
PAS	<i>Parti Islam Se-Malaysia</i> (Islamic Party of Malaysia)
PATRIOT	<i>Pertubuhan Islam Republik Patani</i> (Republic of Islamic Patani Organization)
PC	People's College
PCC	People's Crisis Center
PDI-P	<i>Partai Demokrasi Indonesia Perjuangan</i> (Indonesian Democratic Party-Struggle)
PDSD	<i>Penguasa Darurat Sipil Daerah</i> (Civil Emergency Regional Authority)
PIC	Peace Information Center
Permas	<i>Persekutuan Mahasiswa Anak Muda dan Siswa Se-Patani</i> (Federation of Patani Student and Youth)

PKI	<i>Partai Komunis Indonesia</i> (Indonesian Communist Party)
PLO	Palestinian Liberation Organisation
PNI	<i>Partai Nasional Indonesia</i> (Indonesian Nationalist Party)
Polri	<i>Kepolisian Republik Indonesia</i> (Indonesian National Police Force)
PMLM	Patani Malay Liberation Movement
PPM	Patani People's Movement
PPRM	<i>Pasukan Penindak Rusuh Massa</i> (Mass Riot Prevention Force)
PPP	People Power Party
PPP	Pat(t)ani Peace Process
PRRI	<i>Pemerintah Revolusioner Republik Indonesia</i> (Revolutionary Government of the Republic of Indonesia)
PSU	Prince of Songkhla University
PULO	<i>Pertubuhan Perpaduan Pembebasan Patani</i> (Patani United Liberation Organization)
PUSA	<i>Persatuan Ulama Seluruh Aceh</i> (All-Aceh Union of Islamic Scholars)
REPUSM	Research and Education for Peace Universiti Sains Malaysia
RIA	<i>Republik Islam Aceh</i> (Islamic Republic of Aceh)
RII	<i>Republik Islam Indonesia</i> (Islamic Republic of Indonesia)
RIS	<i>Republik Indonesia Serikat</i> (United Republic of Indonesia)
RMS	<i>Republik Maluku Selatan</i> (South Moluccan Republic)
RPI	<i>Republik Persatuan Indonesia</i> (United Republic of Indonesia)
RTA	Royal Thai Army
SAO	Sub-district Administrative Organization
SBPAC	Southern Border Provinces Administrative Centre
SDLP	Social Democratic and Labour Party

SCHRA	Support Committee for Human Rights in Aceh
SIRA	<i>Sentra Informasi Referendum Aceh</i> (Information Centre for Aceh Referendum)
SMUR	<i>Solidaritas Mahasiswa untuk Rakyat</i> (Student Solidarity for the People)
SOMAKA	<i>Solidaritas Mahasiswa untuk Kasus Aceh</i> (Student Solidarity for the Case of Aceh)
SoS	Sons-of-the Soil
STPN	Southern Thailand Peace Network
STUFPeace	Southern Thailand Universities for Peace
SU-MPR Aceh	<i>Sidang Umum Masyarakat Pejuang Referendum Aceh</i> (General Session of People struggling for Referendum in Aceh)
TII	<i>Tentara Islam Indonesia</i> (Islamic Army of Indonesia)
TJA	Thai Journalists Association
TJI	<i>Tentara Jihad Islam</i> (Armed Force for Islam)
TNI	Tentara Nasional Indonesia (Indonesian National Military)
TNPRP	<i>Tentara Nasional Pembebasan Rakyat Patani</i> (National Liberation Army of the Patani People)
TOR	Terms of Reference
TPF	<i>Tim Pencari Fakta</i> (Fact-Finding Team)
TPPUA	<i>Tim Penasihat Presiden Urusan Aceh</i> (Presidential Advisory Team on Aceh)
TTPMA	<i>Tim Terpadu Penyelesaian Masalah Aceh</i> (Integrated Team for Resolving Conflict in Aceh)
UBANGTAPEKEMA	<i>Ugama, Bangsa, Tanah Air, Perikemanusiaan</i> (Religion, Nation, Homeland, Humanitarianism)
UCDP	Uppsala Conflict Data Program
UII	<i>Universitas Islam Indonesia</i> (Islamic University of Indonesia)
UN	United Nations

UNPO	Unrepresented Nations and Peoples Organization
UU	<i>Undang-undang</i> (Law)
YLBHI	<i>Yayasan Lembaga Bantuan Hukum Indonesia</i> (Indonesian Legal Aid Foundation)

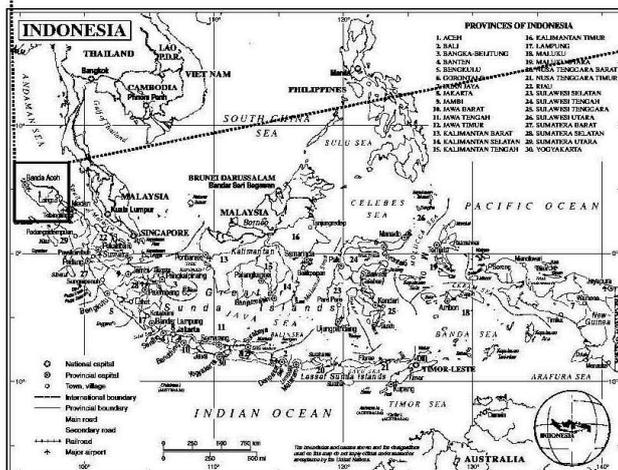
GLOSSARY OF TERMS

Aceh Desk	a task force in the office of Indonesian Coordinating Minister for Political and Security Affairs whose main task is to provide information for policy formulation and day to day response
Aceh Sepakat	Aceh Unite; a group of Acehnese businesspersons
<i>Atjeh Korte Verklaring</i>	Aceh Short Declaration
<i>berjuang</i>	fight
<i>Bersatu</i>	united; a tactical alliance of the leaders of seven separatist groups (BRN-Congress, BRN-Coordinate, BRN-Ulama, BIPP, GMIP, PULO, and New PULO) founded in 1989 and led by Wan Abdul Kadir Che Man
<i>berunding</i>	negotiate
<i>Bicara Patani</i>	Patani Talk
<i>boriwen</i>	the term for a single region comprised of several <i>mueang</i> during King Rama V
<i>bunga mas</i>	gold flowers
<i>chati</i>	Thai race
<i>Chularajmontri</i>	official head of the Muslim community at national level who act on behalf of King in managing Muslim affairs
Cordova	another name for Aceh based Institute for Civil Society Empowerment
<i>daerah modal</i>	a nickname for Aceh as a region that provided financial aid to support Indonesia during the independence revolution
<i>dakwah</i>	preaching Islam
<i>dayah</i>	traditional Islamic boarding school in Aceh
<i>Dewan Kebangsaan</i>	National Council
<i>Dewan Rakyat</i>	People Council
<i>Dewan Repolusi</i>	Revolutionary Council
<i>Daerah Istimewa</i>	Special Region

<i>dwifungsi</i>	dual function; a doctrine implemented by Suharto's military-dominated New Order government to justify the permanent military presence in Indonesian politics
<i>fikh</i>	human understanding of Sharia
Forum LSM Aceh	Aceh NGO Forum
<i>gampong</i>	the Acehnese's village
<i>gerakan pembebasan</i>	liberation movement
<i>Gerakan Ulama Pattani</i>	Pattani <i>Ulama</i> Movement
<i>hak pertuanan</i>	sovereignty
<i>Ikrar Blang Padang</i>	Blang Padang Pledge
<i>Ikrar Lamteh</i>	Lamteh Agreement
<i>Jawi</i>	Malay Patani language written in Arabic script
<i>Jeda Kemanusiaan</i>	Humanitarian Pause: a three month pause in fighting as called in JoU
<i>jihad</i>	Islamic sacred struggle
<i>juwae</i>	fighters
<i>kafir</i>	nonbelievers or infidel
<i>karnmuang nam karn thahan</i>	politics lead the military
<i>kebangkitan</i>	uprising
Koalisi NGO-HAM	Coalition of Human Rights NGOs
<i>Konsituante</i>	a legislative body formed to drafting constitution
<i>kumpulan pemisah</i>	separatist group
<i>Lima Tuntutan Awal</i> or <i>Lima Perkara</i>	Five Initial Demands from the BRN-Coordinate as requirements to continue talks with government
<i>madrasah</i>	Islamic schools
<i>maha nakhon Pattani</i>	the Pattani metropolis
<i>Majlis Ugama Islam Patani</i>	Patani Provincial Islamic Council
<i>maklumat</i>	edict
<i>Makloemat Oelama Seloeroeh Atjeh</i>	Edict of All-Aceh <i>Ulama</i>
<i>mandala</i>	states' territory in Southeast Asia during pre-colonial era
<i>masjid raya</i>	grand mosque

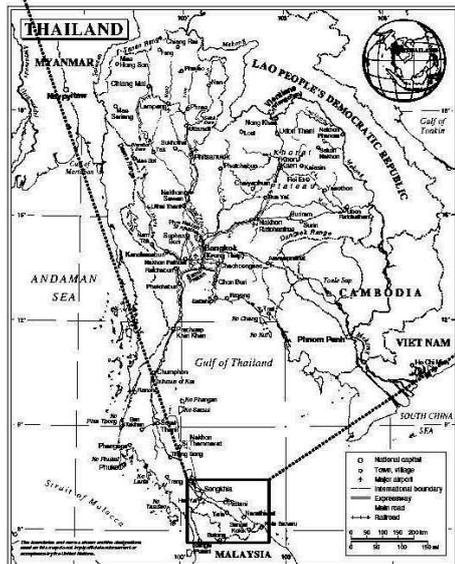
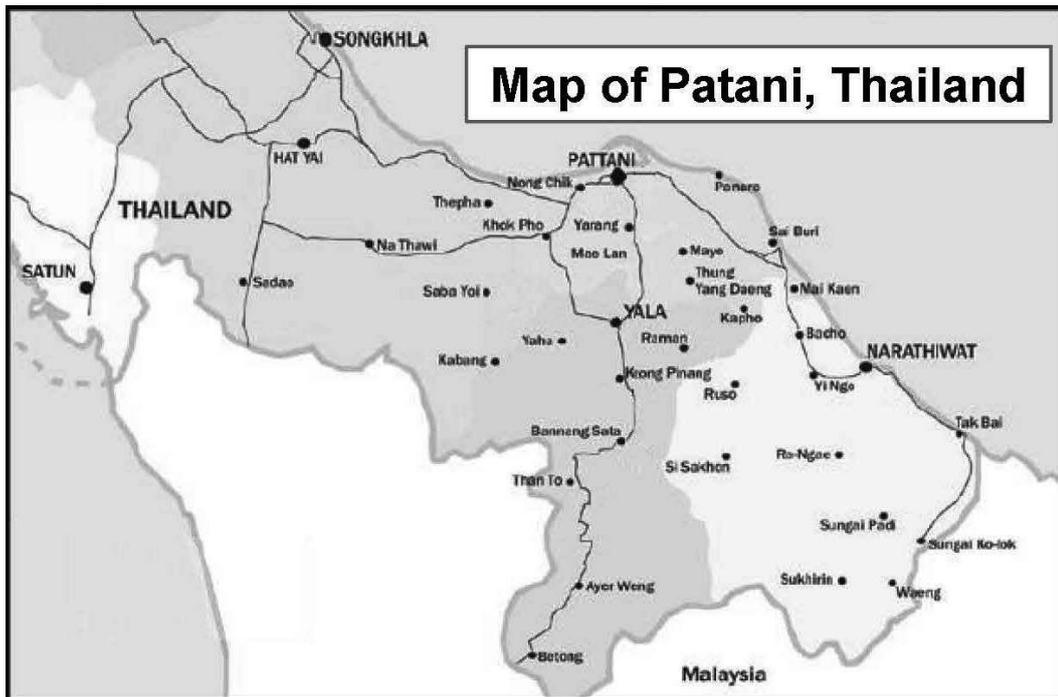
<i>Meuntroe Neugara</i>	Minister of State
<i>monthon</i>	country subdivisions in Thailand at the beginning of the 20th century covered several <i>mueang</i> (province)
<i>mueang</i>	the term for a province during King Rama II
<i>mukim</i>	the Acehnese parish
<i>nakhon</i>	provinces
<i>nakhon rat</i>	principality
<i>nanggroe</i>	state; domain of <i>uleebalang</i>
<i>Pancasila</i>	the five basic principles of the Republic of Indonesia
<i>pemuda</i>	youth
<i>Pemuda Pancasila</i>	Youth for <i>Pancasila</i> (state ideology)
<i>Pemuda Republik Indonesia</i>	Youth of the Republic of Indonesia
<i>Pendidikan Normal Islam</i>	Islamic Teacher School
<i>perang rakyat semesta</i>	protracted people's war
<i>pondok</i>	traditional Islamic boarding school
<i>Prinsipil Bijaksana</i>	the wise and principled policy
Privy Council	a body of advisors to the Monarch of Thailand whose members are self-appointed by King Bhumibol Adulyadej
<i>Qanun</i>	Aceh local regulation or bylaw
<i>Ratthaniyom</i>	Cultural Mandates
Red Shirt	Pro-Thaksin group
<i>Reformasi</i>	reform; people's movement in the first half of 1998 demanded President Suharto – who had been in power for 30 years – to step down and it continued in post-Suharto era calling for democracy with open and liberal politics
<i>santri</i>	Islamic boarding school students
<i>Satu Patani</i>	One Patani
<i>Serambi Mekah</i>	veranda of Mecca
<i>shanti sena</i>	unarmed peace unit
<i>sharia</i>	Islamic law
<i>silaturahmi</i>	informal meeting

Sinn Féin	means ‘we ourselves’ (Irish); an Irish republican political party active in both the Republic of Ireland and Northern Ireland which has the objective of ending British rule in Ireland
<i>Sumpah Bangsa Aceh</i>	the Acehnese Pledge
<i>tabligh akbar</i>	public rally
<i>Tai rom yen</i>	South in the cool shade
<i>teungku</i>	the Acehnese <i>ulama</i>
<i>Tujuh Perkara</i>	the seven points proposal/demands for autonomy forwarded by Haji Sulung in 1948
<i>Tuha Nanggroe</i>	Deputy Head/Guardian of State
<i>ulama</i>	Islamic scholars
<i>uleebalang</i>	self-governing ruler or aristocrat
<i>Wali Nanggroe</i>	Head/Guardian of State
<i>Wali Negara</i>	Darul Islam’s Head of State
Yellow Shirt	Pro-Democratic Party group
<i>zuama</i>	urban based leaders of PUSA who occupied secular positions and had a large influence in local government in Aceh



Map of Aceh
Based on "Map of Aceh, Indonesia" in Edward Aspinall, 2005. *The Helsinki Agreement: A More Promising Basis for Peace in Aceh?* *Policy Studies* 20. Washington: The East-West Center. p. 89.

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Based on UN map Indonesia, No. 4110 Rev. 4 January 2004.



Map of Patani, Thailand
 Based on "Map of The Three Southern Provinces" in ICG. 2007a. Southern Thailand: The Impact of the Coup. *Asia Report No. 129*. Jakarta/Brussels: International Crisis Group. p. 25.

Insert
 Based on UN map Thailand, No. 3853 Rev. 2 July 2009.

CHAPTER 1

INTRODUCTION

“So what do I say when the journalist asks, ‘And do you really believe it is possible to talk about negotiation and peace when war is raging?’ I believe in cultivation. Cultivation as a metaphor suggests that the core of the peacebuilding work – fostering and sustaining committed, authentic relationships across the lines of conflict over time – does not rise and fall with the temporal ups and downs of the conflict cycles. It answers the question – is it possible to pursue peace when things are bad – with a resounding ‘Yes!’”
John Paul Lederach (2003) in his “Cultivating Peace: a Practitioner’s View of Deadly Conflict and Negotiation” (in Darby and Ginty, 37).

This thesis centres on the role of elites in building a peace process in subnational and separatist conflicts. It is specifically concerned with the contribution of the ideas emerging from various elites involved in the process – notably government, separatist, and civil society elites – and the role of these elites in diverting long-running violent separatist conflicts so that participants turn events towards beginning a peace process.

Much of the new literature on conflict has underscored the role of economic and political interests in shaping the onset, duration, and contours of subnational conflict as well as the ways in which they end. Yet, as several studies (Kaufman 1996, 2001, Nordlinger 1972, Schneckener 2002, Peake, Gormley-Heenan, and Fitzduff 2004) have demonstrated, elites are fundamental in shaping rival parties’ involvement in conflict, in managing conflict, and in implementing peace agreements. This thesis focuses on the ideas and roles of these elites in leading warring parties to a peace process by observing two cases of conflict: Aceh in Indonesia, where conflict has been resolved peacefully, and Patani in Thailand, where an end to conflict is not yet in sight.

The elite perspective is one of four standard contending perspectives on subnational conflict, whereas the ideas approach is relatively new to the study of conflict and peace. This introduction begins with the exploration of major works on those theoretical approaches. This thesis is explorative, so I have not begun with any strong pre-conceived commitments to a theoretical position. Following this, I

establish the research objectives and research questions of this dissertation, as well as expanding on its academic significance and its place in the broader literature.

In the last part of this introduction, I set out how the study approaches and incorporates elites' ideas and roles into the analysis of subnational conflict resolution, the research project's case-study structure, and the criteria I have developed for case selection. Following this, I outline the process of obtaining data by using interview and secondary sources, and the use of thematic analysis as my approach to interpretation and analysis of the data. The concluding section sets out the structure of the dissertation itself.

1.1 Raising the Questions

After an upsurge of subnational conflicts at the end of Cold War in late 1980s, there was a relatively high number of peaceful settlements in the 1990s and 2000s. A global report on peace processes, such as conducted by the *Escola de Cultura de Pau* (School for a Culture of Peace) in Spain, revealed that among the 93 conflicts analysed up to 2010, 33 ended with a peace agreement; and only seven conflicts out of 93 were terminated through military victory (Fisas 2011). The Uppsala Conflict Data Program (UCDP), an institution whose database is the most often cited in conflict and peace studies, presents a similar trend. Initially, throughout 1946-1989, military victory was the predominant type of intrastate conflict termination. In this period, UCDP recorded that 82 out of 141 conflicts were resolved by military victory. Yet, since 1990, political resolution has become the predominant form of conflict termination. Out of 147 terminations in 15 years of the post-Cold War era (1990-2005), there was a significant increase in the number of peace agreements (from 12 to 27) and ceasefires (29), as well as other outcomes (71) (Kreutz 2010, 246).¹ These figures indicate that there was a growing confidence among the

¹ The UCDP codes a conflict termination as victory when “one side in an armed conflict is either defeated or eliminated, or otherwise succumbs through capitulation, surrender, or similar public announcement.” It is a peace agreement if there is “an agreement concerned with the resolution of the incompatibility [which is] signed and/or publicly accepted by all, or the main, actors in a conflict” and “addresses all, or the central, issues of contention.” The termination is a ceasefire if it is “an agreement between all of the main actors in a conflict that terminates military operations” in which they “do not deal with the incompatibility but codify a mutual cessation of hostilities.” “Other outcome” is defined as a termination “where the conflict ceases without a victory or any type of agreement.” In this situation, “fighting may continue but not reach the threshold of 25 battle-

warring parties that political solutions could successfully resolve disputes. Resolving conflict by peaceful means, even though this may entail a long process, was considered more workable than using force.

Some of these conflicts had lasted for decades. The longest was the Northern Ireland-Irish Republican Army (IRA) conflict, which started in 1969 and ended 36 years later in 2005. The Indonesia-Aceh conflict began in 1976 and lasted 29 years before ending in a peace agreement. This observation raises questions: Why, after long periods of conflict, do some warring parties return to peace, even if this means that they have to concede claims for which they have been spilling blood for decades? Conversely, why do some long-run violent conflicts persist, even though the death toll and material loss continues to rise?

Earlier studies have discussed these issues at length. Once such contribution is made by William Zartman (2001, 8) who identifies “ripeness” as a turning point from conflict to peace. Zartman argues that when parties in a conflict perceive that their goals cannot be achieved without bearing undesirable risks and costs, or when a “military stalemate” results in high levels of mutual hurt, both parties are in a condition “ripe” for conflict resolution and ready for a peaceful settlement. Barbara F. Walter (2002, 93-101) rejects Zartman’s argument. According to Walter, “ripeness” conditions on the ground are insufficient to explain a successful settlement. Based on statistical analysis and case studies, she argues that other factors are significant including third-party intervention and the content of proposed power-sharing agreements.

These previous studies had been more concerned with factors external to the warring parties as turning points toward peace. Without disputing the importance of external factors, I argue that the people who control power inside the rival parties also play pivotal roles in this process. In Aceh, for instance, the long-running violent conflict would never have moved into a peace process unless the Henry Dunant Centre (HDC) had facilitated peace talks on 27 January 2000. This was the very first meeting between Jakarta and *Gerakan Aceh Merdeka* (GAM, the Free Aceh

related deaths in a year.” It can be where “a party chooses to withdraw for tactical reasons or due to leadership change, decides to pursue a non-violent strategy instead of armed force, explores the potential of opening up negotiations, or loses important support from a powerful ally.” See Kreutz (2010, 244-245) for detail.

Movement), and it commenced not long after Abdurrahman Wahid was elected as president (Djalal and Djalal 2006, 49-55). In Northern Ireland, parties that engaged in the conflict, particularly the IRA, agreed to open communication channels after a series of encouraging political developments in the early 1980s, including new legislation to deal with the problem of religious imbalance in positions of power; the strengthening of civil society; and serious internal debates about the long war with the British government. However, the progress towards a peace dialogue moved rapidly only when John Hume – who had long advocated the need for a peaceful solution – became leader of the Social Democratic and Labour Party (SDLP), and Gerry Adams became Sinn Féin’s President in 1983 (Darby 2003). In both the Aceh and Northern Ireland cases, we can observe that when elites think beyond military solutions – when they start seriously thinking about turning to a political formula, or ‘going political’ – lasting peace becomes a serious possibility.

In contrast, as seen in the Sri Lankan case, an apparently workable peace agreement collapsed because leaders refused to keep talking. In this case, the leaders of the Liberation Tigers of Tamil Eelam’s (LTTE) continued their resistance and discarded peaceful options, even though their military position was too weak even for survival. The consequence of this intractable position was the destruction of LTTE by the government’s indiscriminate military offensive (DeVotta 2009). In Patani (Thailand), people who are tired of conflict have been waiting years for resolution. A series of secret meetings have been taking place between the Thailand government and insurgent groups since 1991 (Forum 2012). Yet leaders from both sides – both of whom are highly dependent on the support of military factions – still hesitate and have failed to make significant progress towards peace (except for the small consolation that they have been able to at least talk about the possibility of holding peace talks). The experience of Sri Lanka and Patani raises a further question: will warring parties be ready for a peace process unless their elites think beyond military solutions and cultivate peace during conflict, as suggested by Lederach in the opening quotation?

This thesis wants to offer an answer for such questions by exploring the contribution of elites’ ideas and their roles in leading warring parties to a peace process. In this thesis, I analyse elites’ ideas and their roles by looking at two cases

of subnational conflict: Aceh (Indonesia) and Patani (Thailand). On the one hand, the cases are similar as both are long-run violent separatist conflicts. On the other hand, the cases are different since they cover both resolved (Aceh) and unresolved (Patani) conflicts. These similarities and difference will help me derive lessons about the circumstances under which elites' ideas and roles contribute to the peaceful settlement of subnational conflicts.

1.2 Elites and Elite Ideas regarding Conflict and Peace: Understanding and evaluation

This thesis links up a series of closely related concepts: elites, ideas, conflict, and peace. In the following sections, I elaborate upon those concepts and frame them in the context of broader scholarly literature.

1.2.1 Defining the Elite

The elite have long been a concern of social scientists, particularly sociologists and political scientists. In Sociology, the most famous study of the elite is C. Wright Mills' "*The Power Elite*." First published in 1956 and observing in detail "the higher circle" in American society, Mills defined the elite as "the inner circle of upper social classes" (Mills and Wolfe 1999, 11). Long before Mills, however, scholars had discussed the elite. Gaetano Mosca and Vilfredo Pareto formulated the concept of "political elites" at the turn of the 19th to 20th century. Their understanding formed a traditional concept of the elite as "power holders." However, according to Bachrach (2010, 1-11), this traditional understanding has been defective in contemporary democracy because the course of politics is no longer determined solely by a group of people executing political decisions. The more suitable meaning of the political elite for contemporary politics is what Parry (2005, 13) refers to as "small minorities who appear to play an exceptionally influential part in political and social affairs." It encompasses high-level government officials and the leaders of various groups who have influence in the allocation and dissemination of values in organisations and society.

In reality, the term "elite" not only refers to people who are in the "position" of the power holder as traditionalists suggest, but also encompasses people who

have “influence” on the exercise of power. Hence, in defining elite, it is better if both understandings are employed in order to provide a more comprehensive ‘inclusive’ definition.

The present study, though in the realm of national politics, is concerned with elites in governments and in separatist groups. Therefore, the use of “elite” here is not limited to formal politics. Bearing this in mind and taking “position” and “influence” as aspects of the definition into account, the term “elite” here refers to persons who by their institutional positions or by their influence affect government decisions or their group’s decisions. Thus, the elite consist of high-ranking government and group officials, and persons who have an influence on government and group decisions.

1.2.2 Elites among Contending Perspectives on Ethnic Conflict

While elites have been studied at length in Sociology and Politics, inquiries into the role of elites in conflict only began to emerge at the end of 1980s. This is the period when ethnic tensions began springing up around the world and often sparking horizontal (among ethnic groups) or vertical (between ethnic groups and government) subnational conflicts.²

Along with the growing literature about subnational conflicts, elites – though often represented by alternative terms such as “leaders” (Treisman 1997, Peake, Gormley-Heenan, and Fitzduff 2004) or “political entrepreneurs” (Rothschild 1981, 2) – also emerged as part of the explanation of the cause of the

² Early investigation on subnational conflicts in the post-Cold War era was most prominent in International Relations. Following the absence of global rivalries among the superpowers, some, such as Michael E Brown (1993), Barry Posen (1993), Richard H. Shultz (1995), David A. Lake and Donald Rothchild (1996), turned their concern from global to sub-national conflicts which in some areas had been long-lasting and even older than the Cold War. The end of Cold War convinced these scholars that the ongoing sub-national conflicts had their origin in domestic processes rather than systemic factors or Cold War’s global rivalries extending into a state, as argued before. Along with the widespread intra-national conflicts in several regions (Central and Eastern Europe, Balkan, Africa, Central Asia, and South and Southeast Asia) throughout the 1990s, voluminous regional focused studies also appeared such as David Brown’s (1994) study on state and ethnic politics in five countries of Southeast Asia: Burma, Singapore, Indonesia, Thailand, and Malaysia. Roudometof (2001) investigated the social origins of ethnic conflicts in the Balkans. In their studies of ethnic conflict in the post-Soviet world, Drobizheva et al. (1996) presented 16 case studies covering conflicts in Central and East Europe, Russia, the Caucasus, and Central Asia. Similar studies can be found in a book edited by Nnoli (1998) which presents 15 cases of ethnic conflict in Africa.

conflicts. Academics who have observed leaders' behaviour in ethnic conflicts have challenged and augmented the arguments presented by those who began from primordial, contextual, and international perspectives. The primordial perspective associates conflicts with elements of the past, such as identity, language, religion, ancestry, territory, traditions, symbols, and emotional bonds all shaped by shared experiences, beliefs, and values (Smith 1986, Anderson 2006, Horowitz 2000). Primordialists argue that contemporary subnational conflicts are related to ethnic groups' efforts to preserve and protect such elements outlined above, or to impose them on other ethnic groups. The second perspective on subnational conflict, the contextual, argues that subnational conflicts are a modern phenomenon. Conflicts may have affinities with elements of the past, but factors affecting their growth, such as relative deprivation and internal colonialism, are rooted in contemporary history, politics, economics, and social development (Gurr 1970, Gellner 1983, Hechter 1999). Finally, observing the role of actors outside national politics, advocates of the international perspective argue that the transformation of ethnic revivalry into ethnic conflict often depends on the support or response of international actors (Ryan 1990, Saideman 1997). The 'elite perspective' contributes a new dimension to the debate on subnational conflict by stressing the vital role elites play in organising and mobilising the mass of ordinary members of ethnic groups, and driving them into conflict with other groups. While issues such as identity, grievances, and international factors are always present, here it is argued that the key element that leads ethnic groups into conflict is the ideas and behaviour of the elite (Treisman 1997, Rothschild 1981).

1.2.3 Elite Studies in Ethnic Conflict and Selected Cases

Studies that apply the elite perspective fall into two strands: constructivist and instrumentalist. The constructivist strand argues that ethnic conflict is a product of social engineering using primordial legacies of ethnic groups, as well as the contemporary setting of political, economic, social and culture. Inside this process, constructivists reveal that there are two factors at play: the leaders/leadership and organization to mobilize the masses. Conflict emerges once there are leaders who reinvent primordial legacies and link them to contemporary grievances, then

organize and mobilize individuals for collective actions (Lake and Rothchild 1998, 5-7, Treisman 1997).

Whereas the constructivist concerns itself with the social process of conflict, instrumentalists present the elite as a group of “rational” actors using “cost-benefit calculation” (Cordell and Wolff 2010, 30). According to Rothschild (1981, 2) elites work as “political entrepreneurs.” They harness ethnic sentiments from “a psychological, cultural, or social datum” and transform into “political leverage to alter and reinforce system.” Further, they manipulate those sentiments in their quest for power (Brass 1985, Horowitz 1999, 350-351) and provoke conflict, even war, in order to retain their power (Gagnon 1994).

These strands share the argument that elites play important roles in fabricating conflict, but they explain the process differently. In the instrumental strand, the process is top-down. The conflict is crafted by elites to serve their interests (Cordell and Wolff 2010, 30). In contrast, constructivists argue that the elite never ‘stands alone’ and that conflict is a result of “dense web of social interactions” (Lake and Rothchild 1998, 5-7). Elite and mass interactions within and between ethnic groups is involved in this process (Kaufman 1996). It is indisputable that the elite have important roles in organising and mobilizing masses for conflict. However, their roles will only be effective if ethnic grievances, fears, insecurities, hostilities, and other ethnic appeals already exist; and if both the elite and the masses are able to construct common understanding to use these appeals against other groups or government.

Regardless of the particular strand that they comprehend and adopt, academics that focus on the role of elites in conflict have spawned a number of studies. Some analyse the role of elites in mobilizing the masses. Other are interested in studying elites as the cause of conflict. Another line of enquiry focusses on the role of elites in resolving conflict. Let us examine these perspectives.

1.2.3.1 Elites Mobilizing the Masses

Examples of studies that adopt this line of enquiry can be found in the work of Treisman (1997) which discusses leader’s characteristics and their organization; De

Juan and Hasenclever (2009), Carment (2007), and Duffy and Lindstrom (2002) who discussing the role of elites in framing, manipulating, and politicizing conflict; and Kaufman (2001) on elite use of symbolic politics. Observing Chechnya and Tyva, Treisman (1997, 238, 246) finds that regardless of their institutional interests, personal history, and social networks, leaders' activism in mobilizing the masses increased when the region's president, head of administration, or chair of parliament was also a leader of the nationalist movement. In a study about the role of elite in religiously charged civil wars, De Juan and Hasenclever (2009) make evident that religious traditions and differences rarely directly affect the course of conflict. The elites used religion as an instrument to mobilize the masses. In regard to ethnic conflicts, Carment (2007, 63) finds that most conflicts were only superficially ethnic. Elites construct conflicts as ethnic conflicts so they can mobilize support more readily. In this process, as Duffy and Lindstrom (2002, 70, 86) argue, conflict is more likely and peace less likely because elites manipulate ethnic symbols to glorify group identity, demonise enemies, and promote political participation of group members. Kaufman (2001, 10-13) is more explicit. He highlights the role of "manipulative leaders" and in the cases he observed, he found that a few powerful elites had harnessed ethnic myths and manipulated them as symbols to raise fear, hostility, and a security dilemma, and to mobilize their group for violence.

1.2.3.2 Elites as a Cause of Conflict

Elites not only have an important role in mobilizing the masses for conflict; to some extent elites alone are the source of conflict. Brass (1985, 48-49) points to "elite competition" as a cause, explaining that, "Elite and inter-elite competition of specific types and alliance patterns within the state are the critical precipitants in ethnic group conflict and political mobilization." Brown (2000, 67) emphasises "elite insecurity" and argues that nationalism is more likely to evolve when it is articulated by an "insecure elite which developed their identity primarily in relation to threatening others." Caspersen (2003, 118) also has concerns about "elite competition." In contrast to Brass, she argues that elite competition is a constraint on, not an opportunity for, elites' self-interests. Political leaders are constrained by

internal competition, by their former actions and rhetoric, and by their interplay with elites in opposing groups. According to Caspersen, the cause of conflict is elites' self-interests that operate within such constraints.

1.2.3.3 Elites and the Process of Resolving Conflict³

Along with studies concerned about the role of elites in causing conflict are others that are interested in elites' role in resolving conflict, including studies focussing on conflict management, conflict termination, peace processes, and conflict transformation. Examples of studies of conflict management may be found in the work of Schneckener (2002, 214-215). According to Schneckener, a group's elite can play major roles in making power-sharing work. Their roles include convincing followers, containing radical and paramilitary opponents, building formal and informal coalitions with moderate opposition forces, ensuring full participation of all relevant groups, and, if possible, reviving positive traditions of mutual understanding.

Conflict termination refers to a process of ending violent conflict (Ramsbotham, Woodhouse, and Miall 2011, 171). A study by Byman (2002, 81-96) illustrates that elites need to be considerate in this process. Having observed the vital role of elites in causing ethnic conflict, Byman offers five strategies for ending conflict: coercing groups and leaders; co-opting key elites; changing group identities; implementing power-sharing systems; and partitioning states. If coercing groups and leaders is too dangerous, Byman suggests co-opting elites as a strategy to steer opposing groups away from sustaining conflict. By co-opting their leaders,

³ I prefer to use a more general term here instead of conflict resolution as the latter has become a distinct concept with limited meaning and specific application. Conflict resolution refers to all process oriented activities through which "deep-rooted sources of conflict are addressed, and resolved" (Ramsbotham, Woodhouse, and Miall 2011, 30). The term 'process of resolving conflict' could cover conflict resolution as well as other related activities designed to change conflict to either negative or positive peace, including: conflict settlement, conflict management, and conflict transformation. Conflict settlement refers to "all outcomes oriented strategies for achieving sustainable win-win solutions and/or putting an end to direct violence, without necessarily addressing the underlying conflict causes" (Reimann 2001, 8). Conflict management, like the associated term conflict regulation, is the "intervention to achieve political settlements, particularly by those powerful actors having the power and resources to bring pressure on the conflicting parties" (Miall 2001, 3) in order to induce them to "limit, mitigate, and contain violent conflict" (Ramsbotham, Woodhouse, and Miall 2011, 30). Conflict transformation refers to "outcome, process and structure oriented long-term peacebuilding efforts, which aim to truly overcome revealed forms of direct, cultural and structural violence" (Reimann 2001, 10).

governments can reassure groups about their status and inclusion in society, but as Byman found, co-optation is useful when hostilities subside. Its impact is more limited while conflict still rages and can become even less effective when used over time.

Peace processes, which will be discussed in greater detail in section 1.2.7, is another part of the process of resolving conflict discussed by scholars. The role of elites in peace processes is analysed by Hancock (2008) who argues that negotiations amongst elites, and elite-community interactions, can contribute to the longevity and success of a peace process. In their study, Peake, Gormley-Heenan, and Fitzduff (2004, 57) revealed the centrality of elites in the peace process. They found that “local leaders who appeared to play a central part in perpetuating their country’s conflict remained prominent figures in the subsequent peace processes.”

Conflict transformation also acknowledges the role of elites. This approach understands that conflict is inherently dynamic and therefore it suggests that attempts to resolve conflict must engage with the complexity of conflict dynamics. Unlike the other approaches that are more concerned on the observable and tangible causes of conflict – such as economic interests, injustice, exploitation, discrimination – and argue that conflict can be settled by addressing them, conflict transformation concerns itself with the psychological, organizational, social, and political circumstances of conflict that hinder any attempts to resolve conflicts. Conflict transformation explains that a deep transformation to restore those circumstances, along with a transformation of institutions and discourses which have perpetuated conflict, will provide a solid foundation for any efforts to end conflict and post-conflict peace building. Ramsbotham, Woodhouse, and Miall (2011, 176-177) identify five generic ways in which conflict transformation takes place.⁴ They include structural transformations, actor transformations, issue transformations, context transformations, and personal/elite transformations.⁵

⁴ Ramsbotham, Woodhouse, and Miall (2011, 176-177) outline five generic areas of conflict transformation based on the works of Väyrynen (Ed. 1991) and Azar (1990). Väyrynen suggests four types of transformation: actor transformation, issue transformation, rule transformation, and structural transformation. Azar proposes four areas of transformations: context, needs, capacity, and actors.

⁵ In his separate work, Miall (2001, 9-10) explains the five transformations as follows. Structural transformation refers to changes in the basic structure of the conflict, that is to the set of actors, their issues, incompatible goals and relationships, or to the society, economy or state within

According to Miall (2001, 9-10), ‘structural transformation’ can be a change of relations between parties in conflict from asymmetric to symmetric relations, a change in their power structures, and changes in the way they use violence. ‘Actor transformation’ is concerned with changes of the number of parties in conflict and intra-party changes such as changes of their leadership, changes of their goals, and changes in parties’ constituencies. ‘Issue transformation’ refers to the changes of actor’s position in conflict such as abandon the initial demands and give consent to dialogue. ‘Context transformation’ deals with the contemporary circumstances at the time of conflict, considering the global, regional, and state levels. Personal/elite transformations are related to individual leaders or small groups with decision-making power. It explains that the transformation of elites is critical in peace building and the changes among them can help to resolve protracted conflict.

One of the basic text on the roles of elites in transforming conflict is J.P. Lederach’s (2006) article, “Conflict Transformation in Protracted Internal Conflicts: The Case for a Comprehensive Framework”. Lederach understands elites to be groups comprised of leaders from three different levels –grassroots leaders, middle-level national leaders and the peak national leadership. He argues that these groups of leaders can make a meaningful contribution in building “an infrastructure for peace” or by building an intentional commitment to achieve peace among parties in a conflict. As explained by Lederach, a long term process focusing on relationship building among those leaders – what he calls “building a peace constituency” – can change the perspective, heart, and will of leaders and groups from a status quo of reflexive support for the option of conflict and violence and move them towards making gestures of conciliation (Lederach 2006, 325-328).

which the conflict is embedded. Actor transformation includes decisions on the part of actors to change their goals or alter their general approach to conflict. Issue transformation is concerned with the reformulations of positions that the parties take about key issues at the heart of the conflict as well as the way in which parties redefine or reframe those positions in order to reach compromises or resolutions. Context transformation refers to changes in the context of conflict that may radically alter each party’s perception of the conflict situation, as well as their motives. Personal and group transformation is related to changes of heart or mind within individual leaders or small groups with decision-making power.

1.2.3.4 Elites in Aceh and Patani Studies

Observing literature about Aceh (Indonesia) and Patani (Thailand), several studies have recognized the importance of elites. In his contributing chapter to “*Verandah of Violence: The Background to the Aceh Problem*” – a book edited by Anthony Reid (2006) which is perhaps the most comprehensive academic endeavour to understand the underlying causes of the Aceh conflict – Rodd McGibbon (2006a, 316) analyses the role of local leaders and their leadership. McGibbon finds that “a key to understanding the Aceh conflict is the failure of successive local elites, and their Jakarta-based patrons, to establish leadership claims over local politics.” In a rebuttal to the “greed approach” on the Aceh conflict, Aspinall (2007, 950-951) also mentions the role of elites. He argues that “natural resource exploitation gives rise to conflict when it becomes entangled in the wider processes of identity construction and is reinterpreted back to the population by political entrepreneurs in ways that legitimate violence.” When discussing Acehnese nationalism, Thalang (2009, 319-320) argues that Acehnese nationalism is fluid and its fluidity is “best understood as changes in the ideological expression of Acehnese nationalism by elite leaders rather than diminished, or heightened, mass sentiments.” As in the onset of the Aceh conflict, in his explanation on the 2005 Helsinki Peace Agreement, Aspinall (2005, 55-56) again acknowledges the role of elites in ending the conflict. A peace agreement was more likely because “Indonesia’s emerging civilian elite, particularly the president and vice president, have no direct interest in maintaining military dominance and believe that the country’s interests would be best served by a peaceful solution.” On the GAM side, their leaders “began to feel that their existing strategy of armed struggle for independence had reached an impasse.”

In Patani, Rahimmula (2004, 105) explains that the separatism was initiated and carried out by the interplay of political and religious elites. The political elite who lost power collaborated with the region’s elite who have a significant role in “maintaining and preserving their cultural identity in terms of language, ways of life, and Islam or Islam-based popular tradition.” Harish (2005a, 2) argues that the identities of the people in Southern Thailand are not primordial. The “minority elite, including separatist leaders, play a significant role in sustaining these subaltern

identities” (ethnic and religion). On the government’s side, McCargo’s (2007b) discussion about ‘network monarchy’⁶ as “the key to the South” problem actually is a discussion about the role of elite in developing conflict. As he frames the power contest between PM Thaksin and the Privy Council President Prem Tinsulanond (key figure representing network monarchy) as the background to the resurgence of violence in 2004, McCargo was about to say that the conflict worsened as the result of elite competition.

Studies of conflict in Aceh and Patani outlined above acknowledge the role of elites in conflict. Yet this literature survey indicates that a single study specifically focuses on elite is still scarce. The role of elites in leading parties towards peace also remains unexplored. Previous studies of Aceh have pointed to various factors or conditions that open a space for peace, but none specifically discusses the role of elites. In discussing the progress of the peace process in 2002, Leary (2004) points to micro-level relational exchanges among participants of dialogue as a key facilitating factor. Some studies explain that the failed peace process in 2003 (Aspinall and Crouch 2003) and the successful peace process in 2005 (Aspinall 2005; Kingsbury 2007) are both a consequence of the nature of the peace process and the content of the agreement. Morfit’s (2007b) argues that the preparedness of Susilo Bambang Yudhoyono-Jusuf Kalla’s government to approach GAM was the key development that lead Jakarta and GAM to start a new round of peace negotiations and achieve lasting solution. In McGibbon's (2006b) analysis, the successful peace process in 2005 was due in part to strategic calculation of the combatants (GAM). Gunaryadi (2006) and Senanayake (2009) emphasize the role of international actors and the international community in this process. Gaillard, Clavé, and Kelman (2008) add disaster diplomacy to the popular argument that the tsunami created conditions conducive to peace negotiations. Missbach (2011) highlights the longing of GAM leaders in the diaspora to return,

⁶ Duncan McCargo (McCargo 2005, 409-503) understands the term ‘network monarchy’ as a political network that is centred on the palace. In this network the King becomes the ultimate arbiter of political decisions in times of crisis. In normal political situations, he is the primary source of national legitimacy. He acts as a didactic commentator on national issues and helps to set the national agenda. The King intervenes actively in political developments, largely by working through proxies such as privy councillors and trusted military figures. The lead proxy, such as former Army Commander and Prime Minister Prem Tinsulanond, helps determine the nature of coalition governments and monitors the process of military and other promotions.

especially after the tsunami, as a factor enhancing the peace process. According to Sujatmiko (2012) peace is possible because there has been conflict transformation since 1998. In Patani, studies thus far only consider the change in patterns of militants' violence (Wheeler 2014) and Thaksin's initiative (McCargo 2014), as conditions leading warring parties to enter into the peace process in 2013.

1.2.4 Ideas in Elite Studies on Ethnic Conflict: Why do they matter?

Elites may initiate conflict, and during conflict, they have a decisive role in determining if hostilities continue or end in some form of resolution. Successful and unsuccessful conflict resolution to some extent depends on the willingness of elites to engage in peace process (see Peake, Gormley-Heenan, and Fitzduff 2004, 16). Yet despite some studies acknowledging the potential role of elites in terminating conflict, the majority of previous studies have written about the role of elites as "agents of atrocity" (Mitchell 2004). The roles and the capacity of elites to end conflict peacefully during periods of ongoing violent conflict have been neglected. One of the consequences of this failure is that the elites' ideas also remain too far in the background of the discussion.

Why do ideas matter in studying conflict and peace? One of the reasons relates to the nature of conflict and peace as social facts. Schmidt (2008, 317-318) explained that social facts never exist unless "sentient (intentional) agents" acknowledge their existence.⁷ According to Wendt (1999, 1) social facts are socially constructed by agents and "determined primarily by shared ideas" among them "rather than material forces." As social facts, therefore, the existence of conflict and peace depends on the ideas of agents. Factors external to agents are therefore never exclusively responsible for either the outbreak of conflict or the transformation of conflict into peace.

Another reason ideas matter is that the very concepts being sought or defended in ethnic conflicts – such as nation, ethnicity, and group identity – are themselves social constructions which depends on the ideas of agents. Two rival

⁷ By using Searle's (1995) explanation, Schmidt (2008, 318) distinguishes between "brute facts" such as mountains and "social facts." Brute facts, which are material, exist regardless of whether sentient (intentional) agents acknowledge their existence or have words for them. Social facts do not exist without sentient agents acknowledge or give meaning to them.

concepts in separatist conflict – ethno-nationalism and state-nationalism – are also social constructions. In both, nationalism essentially is an idea constructed, mainly by leaders, to cultivate loyalty. Ethno-nationalism is loyalty of ethnic members toward an ethnic group, whereas state-nationalism is loyalty of citizens to the state (Connor 1994).⁸ A separatist conflict is an ongoing battle of ideas. On one hand, the separatists continuously reproduce their ideas for independence. On the other hand, the state attempts to undermine separatist ideas by reproducing counter-ideas claiming that ethno-nationalists already belong to an existing nation. Hence exploring contending ideas and their development during conflict will help us to understand the trajectory of ethnic conflict and its movement towards and away from peace.

Ideas also matter as they affect various decision-making contexts and processes. Actors' calculation about external constraints and opportunities connect with their own ideas. Even if members of the elite are motivated by their rational self-interests, their ideas support them in making decisions; especially when they have to deal with mutually conflicting choices (Goldstein and Keohane 1993, 4-5). Moreover, as Hochschild (2006, 285-292) argues, ideas influence actions. There are three distinct ways in which ideas affect actions: (i) by overriding interests in which the ideas of identity, morality, and true interpretation led action against interest; (ii) by justifying interest in which the ideas reinforced interests to a course of action, and; (iii) by creating interests in which the interests that led action derived from ideas. When both these explanations are utilised in the analysis of the dynamics underlying a conflict, warring parties' interests, decisions, and actions that politicize or depoliticize conflict, that extend it, or help develop approaches to end it, are never disconnected from their elites' ideas.

Lastly, ideas also matter when a third party involved in a conflict, the population affected by a conflict, or the conflicted parties themselves begin looking

⁸ If state-nationalism is developed to establish uniform identity, commitments, practices, and attitudes of various ethnic groups, ethno-nationalism attempts to reject the homogenizing. The rejection might be in one or combination of following forms of expression: (i) the aspiration to obtain recognition for ethnic groups' rights; (ii) the determination to change ethnic groups' boundaries; (iii) the demand for autonomy; and (iv) the intention to obtain sovereignty or gain independence. Ethno-nationalism expressed in the last category is called ethno-national separatism, in which sentiment of the members of an ethnic community is mobilized in such a way to achieve sovereignty in an ethno-nation. See further explanation in Riggs (1995) and Connor (1994).

towards reconstructing societies crippled by the serious long-term conflict and hence start thinking in political, rather than military terms. In this long-term process, which is commonly known as peacebuilding programme, a great investment of ideas to bring transformations in the personal, structural, relational, and cultural aspects of a conflict is required (Lederach 1997, 82-83).⁹ There is no pre-determined timeframe in which peacebuilding programme takes place and it usually operates differently at the various system levels. The purpose of peacebuilding programme is to transform conflicts constructively and to create a sustainable peaceful environment. Through peacebuilding, transforming a conflict goes beyond managing or resolving conflict. As Reychler and Paffenholz (2001, 11) explain, it attempts to address “all the major components of the conflict such as: fixing the problems, which threatened the core interests of the parties; changing the strategic thinking; and changing the opportunity structure and the ways of interacting.” In other words, peacebuilding works to change individual attitudes and behavior, improve relations between the conflict parties, and alter structural contradictions (Berghoff Foundation 2012, 62-63).

1.2.5 Ideas and Ideational Analysis in Academic Debate

Despite the fact that ideas have a capacity to provide an alternative understanding on social and political issues, ideas per se have been marginalised as an object of study in Political Science, International Relations, and Peace and Conflict Studies for a long time. In Political Science, ideas per se began attracting attention only in the 1980s when scholars of Comparative Political-Economy raised their significance. However, most scholars at that time still relegated ideas to the role of being just a factor complementing existing research programs rather than as a distinct object of investigation (Blyth 1997, Berman 2001). Ideas only become a

⁹ According to Lederach (1997, 82-83), the personal dimension refers to the changes effected in, and desired for, the individual which involves emotional, perceptual, and spiritual aspects of conflict. The relational dimension depicts the changes effected in, and desired for, the relationship. This includes the areas of relational affectivity and interdependence, and the expressive, communicative, and interactive aspects of conflict. The structural dimension points to the underlying causes of conflict and the patterns and changes it brings about in social structures. It encompasses issues such as basic human needs, access to resources, and institutional patterns of decision making. The cultural dimension refers to the changes produced by conflict in the cultural patterns of a group, and to the ways that culture affects the development and handling of conflict.

real object of inquiry after scholars, such as Vivien A. Schmidt (2008, 2010), promoted a new discursive perspective that focused on ideas and the interaction of ideas with wider society. In order to improve our understanding, Mark M. Blyth (2003) suggested that political scientists should take ideas in a distinct analysis rather than an addendum to conventional analysis.

In International Relations, the turn to an ideational approach commenced at the end of the 1980s when a group of academics did seminal research on the role of ideas in foreign policy. Their work shows that ideas matter and play a “causal role” in policy, even if policy-makers behave rationally to achieve their ends. Policy-makers’ actions depend on “the substantive quality of available ideas, since ideas help to clarify principles and conceptions of causal relationships and to coordinate behaviour” (Goldstein and Keohane 1993, 3-5). In the last twenty years, as Gofas and Hay (2010) portrayed, concern about “ideational analysis” has grown fast. The key question for scholars interested in ideas has also moved from “whether ideas matter” to “how they matter” (Mehta 2010, 25). However, amidst this progress, inquiry into elite’s ideas about peace has not emerged.

The study of conflict and peace, whether subsumed in War Studies, Peace Studies, or Conflict Studies, has not been a field where ideas are taken into account. Where discussion has occurred, scholars misleadingly refer to ideas as only ‘great men’s political thought’ about the ideal condition of peaceful life (Bowles 1958; Cortright 2008). Even at this stage, the progress was nothing less than descriptive studies of ideas with brief comparison in some accounts. Vilho Harle (1989) explains the importance of conducting comparative research on great ideas. Apparently, until recently, nobody followed up his suggestion to undertake cross-cultural and cross-national research. Oliver P. Richmond (2008) called for academics in Politics and International Relations to move further than just analysing political organisations that drive war and peace. He suggested conducting research about the processes that might bring peace. However, in his subsequent explanation he did not consider whether ideas should part of such research. A survey of the main literature in the area of Peace and Conflict Studies leads to the same result. Whether in handbooks on conflict resolution, such as that edited by Bercovitch, Kremeniuk, and Zartman (2009) and Sandole (2009), or textbooks such as those by

Ramsbotham, Woodhouse, and Miall (2011), Bercovitch and Jackson (2009), and Barash and Webel (2008), there is not any particular part, chapter, or section, which discusses ideas about peace.¹⁰

1.2.6 Understanding Peace Ideas

Ideas and peace have been mentioned repeatedly in this introductory chapter, but what exactly are ‘ideas,’ ‘peace,’ and ‘peace ideas’? The challenging problem when approaching an idea as a concept is that there are so many ideas about ideas. Schmidt (2008, 306) found that several terms have been used to discuss ideas. Some define ideas according to their content and hence refer to ideas as belief and collective memories. Others focus more on their function and define ideas as road maps, strategic constructions, narratives that shape understanding of events, and frames of reference. However, regardless of the various terms referring to ideas, ideas are references according to their function. Ideas constitute interest (Wendt 1999, 114) and together with interest, ideas influence action. Thus, ideas are references for interest and action. When people say, “We have no ideas,” it means that nothing from existing references in their mind enable them to respond.

Accordingly, what constitutes these references? In his classic book entitled “*Roles: An Introduction to the Study of Social Relations*,” sociologist Michael Banton (1965, 28-29) posits that individual action related to “ideas of what is appropriate (cognition), ideas about what will be done (expectation) and ideas about what should be done (norms).” These three facets are cited in many later reviews about ideas, though using different terminology. Because Goldstein and Keohane (1993, 3-4) understand ideas as belief, they switch cognition to causal belief and norms to principled beliefs. Belland and Cox (2010, 3) simply understand ideas as

¹⁰ A list of academic research topics prepared by Lucie Podszun (2011, 44) shows that in three parts of conflict, the discussion about peace ideas is unavailable. In pre-conflict, the inquiry contains topics such as conflict prevention, training and education, poverty and conflict-potential, sources of conflict, actors involved, and conflict sensitivity for developing projects. Topics on actual conflict comprises of nature of conflict, economics of conflict, conflict resolution approaches (track I, track II, track III diplomacy), humanitarian intervention, sanctions, negotiation/mediation, timing of peace efforts, designing of peace agreements, actors involved, and impact of development aid on conflict. Whereas post-conflict encompasses implementation of peace agreements, peace vs. justice, building of civil society, reconciliation processes, rule of law/prosecution, peacekeeping, democratization, state-building, durability of peace, actors involved, and conflict sensitivity for developing project.

the causal belief produced by cognition. It posits connections between people and things, and provides guides for action. For Parsons (2002, 48), ideas contain cognition and norms, and he defines ideas as “subjective claims about descriptions of the world, causal relationships, or the normative legitimacy of certain actions.” In line with Parsons, Schmidt (2008, 305) and Campbell (1998, 378) also argue that ideas contain cognitive and normative aspects. Alexander Wendt (1999, 122-138) refers ideas to a cognition schema which include beliefs about the external world. If all of these definitions are taken into consideration, then ideas can be defined as a collection of knowledge that shapes understanding about what the world really is, expectation about what is to be achieved, and norms about what should be done. Simply, ideas can refer to individuals’ subjective thinking based on their understandings, expectations, and norms.

Though not discussed at length, the connection between ideas and peace has been alluded to by Johan Galtung (1996, 107-111). According to Galtung, there are three types of conflict transformation: (i) autonomous conflict transformation; (ii) dialogical conflict transformation; and (iii) imposed conflict transformation.¹¹ When discussing the pre-conditions for autonomous conflict transformation Galtung highlights the role of ideas. He explained:

First, deep down in themselves they will have some prognosis of how the process is going to end. There will be some more or less explicit ideas of what the outcome looks like; maybe unclear even to themselves, and still more difficult to communicate to other parties, lest they make use of it in the struggle (Galtung 1996, 107).

Although Galtung did not explain further the role of ideas, his statement indicates his understanding that the transformation of conflict into a peace process commences once parties, even if they remain engaged in hostilities, begin having nuanced ideas about how to end conflict.

¹¹ Galtung distinguishes types of conflict transformation according to the pattern of communication between conflicting parties and outside parties. An autonomous conflict transformation is one in which warring parties have no communication with outside parties. When warring parties have communication to outside parties, either asymmetric or symmetric, and the process is dialogical, he calls it a dialogical conflict transformation. An imposed conflict transformation is one in which warring parties have asymmetric and imposed communication from outside parties (Galtung 1996, 104-111).

Galtung (1969, 183) defines peace not just as an absence of conflict, but an “absence of violence.” Further, he distinguished between “negative peace” which means an “absence of personal (direct) violence” and “positive peace” means an “absence of structural (indirect) violence.” While Galtung makes a distinction between types of peace based on types of violence, Anderson (2004, 103-104) distinguished a “state” of peace and peace as cultural “trait.” As a “state,” peace means “a condition in which individuals, families, groups, communities, and/or nations experience low levels of violence and engage in mutually harmonious relationships,” whereas as a “trait” means “their adherence to non-violence as a cultural value and a behavioural norm.” Taking into account Galtung and Anderson’s definition, this study defines peace ideas as subjective thinking about a situation, condition or circumstance in which parties in conflict perceive they will experience the absence of violence; and as subjective thinking of parties in conflict that indicates their adherence to the use of non-violent means to achieve their ends.

1.2.7 Peace Processes

Internal conflict can be resolved using violent or non-violent means. In the case of the former, conflict ends once a party achieves military victory over the other, whereas in the latter case, conflict is resolved only after warring parties reach a peace agreement.¹² As Fisas (2012, 24) and his team observed in 2011, over the last two decades there has been a growing confidence among warring parties that conflict can be resolved by a peace settlement rather than by military means. Of 97 conflicts analysed, 38 ended with a peace agreement and nine with a military victory. Warring parties considered that resolving conflict by peaceful means, even though it may be a long process, was more workable and enduring than using force.

Before ending conflict through a peaceful settlement, warring parties usually engaged in a number of stages of communication known as a peace process. Sadly, despite scholars acknowledge that the peace process can lead to a

¹² Uppsala Conflict Data Program (UCDP) described the conflict ending in more detail. According to this Program, conflict can be terminated by a peace agreement, a victory, a ceasefire, low activity, no activity, or by any other reasons such as failure to establish a government or other unclear ties regarding the incompatibility or level of party organisation (Department of Peace and Conflict Research 2015).

breakthrough peace agreement, there is no generally accepted definition of the term 'peace process.' Cynthia J. Arnson (1999, 1), in an edited volume on peace processes in Latin America, defined peace process as a "dialogue over time between representatives of contesting forces, with or without an intermediary, aimed at securing an end to the hostilities in the context of agreements over issues that transcend a strictly military nature." John Darby and Roger Mac Ginty (2003, 2), rather than giving a clear definition, were more inclined to list essential criteria for a successful peace process. According to them, in a successful peace process "protagonists are willing to negotiate in good faith, the key actors are involved, the negotiations address the central issues in the dispute, the negotiators do not use force to achieve their objectives, and the negotiators are committed to a sustained process." Jonathan Tonge (2014, 4) followed Darby and Mac Ginty, stipulating that a peace process includes "the involvement of most combatants; the cessation of conflict; the formulation and implementation of political arrangements, whether interim or comprehensive accords; the prevention of the re-ignition of conflict and the attempted political management of differences." S.P. Harish (2005b, 3), comparing Aceh and Mindanao, defined peace process as "a sustained dialogue between contending parties to a conflict conducted in sincerity with an intention to quell the violence and an agreement to negotiate the central issues of the dispute."

Despite the different terminology, the four understanding of peace process described above contain at least three commonalities. They emphasize the importance of a sustained communication, whether in term of dialogue or negotiation. The definitions also share an understanding that the primary parties should be involved in the process. Another similarity is the communication aims to end hostilities and to reach an agreement in resolving the underlying causes of conflict. Having considered these commonalities, this study defines peace process as a sustained communication between the primary parties in a conflict conducted with the aim of ending hostilities and reaching an agreement to resolve the underlying causes of conflict.

As discussed in section 1.2.3.3, the peace process is part of the process of resolving conflict. However, because only a few studies have acknowledged the role of elites in the peace process, little is known about how elite's roles and ideas

can overcome obstacles to peace. There are three mainstream understandings of conditions that lead warring parties to a peace process. Some see the substance of the proposals for a solution as conditions shaping warring parties' inclination to participate in a peace process (Hopmann 1998, Pruitt 1981). Alternatively, Zartman (1985) argues that warring parties resolve their conflict only when they are ready to do so; they are in a "ripe moment" to engage in a peace process when they experience a "mutual hurting stalemate." The third explanation points to third-party intervention, arguing that warring parties' participation, compromise, and decisions – including their implementations – are dependent on active third-party intervention (Walter 2002, Balch-Lindsay, Enterline, and Joyce 2008). The problem with these three explanations is that they only acknowledge external conditions as a stimulus for elites to participate in a peace process. They overlook the contribution of the elites themselves in building the groundwork for peace. As a consequence of this failure, elites' ideas and roles have been overlooked in discussion.

1.3 Research Objectives and Questions

As described above, several previous studies have acknowledged the role of elites in peace processes. What has not been acknowledged sufficiently is the contribution of elites' ideas and their roles in leading warring parties to a peace process. Based on this observation, I considered that it is important to conduct a distinct exploratory research project on this issue. The point is not to rebut the previous studies, but by focusing on elites' peace ideas and elites' roles during conflict, this thesis demonstrates that the transition from conflict to peace is not just a matter of objective conditions adjacent to warring parties, but it is also an endogenous process. In this process, elites' internal representation of war and peace constantly adapts to the provisional result of conflict which, then, continuously reshapes their preferences and behaviour, both collective and individual, and affects the course of conflict (see Beer 2001, 9).

Hence, this study aims to contribute to an understanding of how warring parties lean towards a peace process by observing elites' ideas and their roles. Unlike earlier studies that overlooked elites' ideas, I argue that during conflict elites' ideas contribute in a pivotal way by shaping the warring parties' inclination

towards (or away from) a peace process. For the objective of exploring the ideas of peace among elites, and their contribution to the peace process, I raise two questions: What peace ideas did matter among elites during conflict? In what ways did those ideas contribute to a peace process?

Ideas do not appear in a vacuum. People (usually members of elites) invent and construct them, and then carriers (possibly but not necessarily the inventors) embed them in larger groups. Ideas do not attract widespread attention and cannot be sustained without both inventors and carriers (see Berman 2001, 235-240). I suspect such a process also occur during conflict and argue that along with the ideas they produce, elites have profound roles in constructing peace. For the objective of exploring elites' roles, I offer two more questions: What did the elites do to end conflict? In what ways did their roles derail conflict towards a peace process?

1.4 Selecting Cases

The questions of this research are constitutive in nature, set up in the form of 'what' and 'how' questions. Asking questions of this type requires a deep insight into concrete evidence from the phenomenon, not the cause of the phenomenon (Wendt 1998, 105). For such a purpose, in-depth study is indispensable. This requirement and the necessity for tracing elites' peace ideas and their roles direct this research to employ a case-study approach. The other reason for applying this approach is its "affinity toward descriptive goal" (Blatter 2008, 68). Using case study enables this research to produce a rich or "thick" description of the phenomenon under study (Woodside 2010, 6). Another reason is its capacity for comparison (Blatter 2008, 68). Since I hope to uncover lessons from different circumstances of conflict, the depth of analysis in case studies provides abundant sources and opportunities for comparison.

This research understands a case as an instance of "a class of events" (Eckstein 1975, 85). In this inquiry, "a class of events" or a "phenomenon of scientific interest" (George and Bennett 2005, 17-18) is elites' ideas and elites' roles. Two instances, rather than one or multiple, become the cases. There are two reasons for choosing two cases for the phenomenon under investigated. First, the nature of research questions requires thick case penetration. Consequently,

“focused cases” is more suitable than multiple or “aggregate case” studies (Druckman 2005, 165, 209). Second, two cases enable this research to learn lessons about what works in certain circumstances, why it works, and what we can be adapted elsewhere (Stake 2005, 445, 457-458).

In this thesis, I explore elites’ ideas and elites’ roles by looking at two cases: Aceh (Indonesia) and Patani (Thailand). The cases are selected considering their “sufficient similarities” (Lijphart 1971, 687), comparability, and “accessibility” (Yin 2014, 28). I identify six criteria to justify my choice of cases.

The most basic criterion is that the selected cases involve ethno-nationalist conflicts that are localised in a particular region within a nation-state. The next criterion is the similarity of issues in the two cases. Since ethnic rationale never stands alone as an underlying factor to claim independence, the cases should also have similarities in other issues. Similarity of issues strengthens comparability. The third criterion is that the cases are internal conflicts, not heavily internationalised (at least until the warring parties agree to commence peace talks under the auspices of an international actor). This criterion is required to assure that the peace ideas under investigation are endogenously derived, not exogenously imposed. Fourth, the cases are both examples of “protracted conflict,” which is characterized by hostile interactions and sporadic open warfare between parties, involving the whole of society, and lingering over a long time (Azar, Jureidini, and McLaurin 1978, 50). This particular criterion is important to provide sufficient information on the preservation of peace ideas amid hostilities and their evolution during conflict. Such cases also enable in-depth investigation over periods. The fifth criterion is that the selected cases have at least one major group that has consistently struggled over periods of time. This is important to enable the research to trace the evolution of elite’s peace ideas and their roles. Lastly, the cases are both accessible for investigation. This criterion is vital because in-depth investigation requires the researcher to have direct contact with subjects in the field. Accessibility ensures the availability of information for thick description.

Four major ethno-nationalism cases in Southeast Asia are within reach for this research: Aceh (Indonesia), Papua (Indonesia), Patani (Thailand), and Mindanao (Philippines). All of these cases involve protracted conflict and non-

internationalised internal conflict, at least before the warring parties agreed to commence peace talk (Aceh, Mindanao) and achieve a peace agreement (Aceh). The underlying claim for ethno-nationalist independence in these cases is based on the overlap of between ethnicity, religion, and grievances in Aceh, Patani, and Mindanao (Chalk 2001, Aspinall 2007, 2009, Liow 2006); while in Papua the claim is based on history, ethnicity, and grievances. Religion has never been taken into account in the Papua case (Chauvel 2005, Trajano 2010). The anatomy of ethno-nationalist groups in the four cases is diverse. In Aceh, there is only one group, GAM, that struggles against the national government (Schulze 2004). There are several groups in Patani and Mindanao. In Patani, the major groups are *Barisan Nasional Pembebasan Patani* (BNPP, National Liberation Front for Patani), *Barisan Revolusi Nasional* (BRN, National Revolutionary Front), *Pertubuhan Perpaduan Pembebasan Patani* (PULO, Patani United Liberation Organization), *Gerakan Mujahidin Islam Patani* (GMIP, Patani Islamic Mujahidin Group) and *Barisan Islam Pembebasan Patani* (BIPP, Patani Islamic Liberation Front). In general, these groups are largely unwilling to coordinate their action, but to some extent they have agreed to a tactical alliance (Chalk 2001, 244). In Mindanao two groups remain active: the Moro Islamic Liberation Front (MILF) and the Abu Sayyaf Group (ASG). These groups have different objectives in their struggle. MILF struggles for an Islamic state whereas ASG struggles for a theocratic state. Their objectives are in contrast to the Moro National Liberation Front (MNLF), which struggles for autonomy, and made peace with the government in 1996 (Chalk 2001, 247-248). In Papua, the major group is *Organisasi Papua Merdeka* (OPM, the Free Papuan Organization) which choose armed struggle as its strategy to gain independence. However, in addition to OPM, there are numerous minor groups in Indonesia and diaspora whose presence is difficult to detect (Kivimaki 2006, 28-29).

Having applied the six criteria in those four cases, in terms of similarities, the best cases for investigation are Aceh and Patani. These selected cases have sufficient similarities in all criteria and both are accessible for undertaking in-depth investigation in the field and in one point of time. The cases are also sufficient in

terms of difference, with Aceh representing a resolved conflict, while Patani represents unresolved conflict.

1.5 Collecting Evidence

This study needs to build a thick description of elites' peace ideas and their roles within selected cases. In order to accomplish this, I use multiple sources of evidence, which are common in case studies, partly for the most basic purpose of obtaining raw data covering many facts, but also to provide corroboration and alternative perspective when different sources address the same fact (Yin 2003, 85-97).

As this research attempts to reveal elites' subjective peace ideas and their roles, the main source of evidence is the research interview. I corroborated the interview results as much as possible through recourse to documentation and archival records. The bulk of consulted sources in the former are formal documents such as policies, laws, regulations; administrative documents including proposals, reports, internal records; written communication in form of letters and memoranda; written reports of events such as agendas, announcements, minutes; relevant formal studies or evaluations; and media content comprising news clipping, website pages, and documentaries. In the latter, the sources include organisational records such as charts, tables, graphs, and lists of names; maps; survey data (statistics); and personal records (diaries).

I prepared open-ended questions for use in semi-structured interviews in order to gain in-depth information from the elites. I asked the interviewees a series of questions that required them to deliberate on their experiences, thoughts, and feelings. The interview processes were more like a "guided conversations" rather than "structured queries" (Yin 2003, 89-90, Rubin and Rubin 2005, 4). In addition to guiding questions, the interviewer asked more impromptu probing questions to create a responsive interview (Rubin and Rubin 2005, 30) and obtain deeper insight of the interviewees. Through this process, interviewees become more like "informants" rather than "respondents" (Yin 2003, 89-90). The table in Appendix 1 contains the guiding questions for interview.

The time-frame reference for those questions is different for each case study. The time-frame for Aceh is the period from 1976 to 2005: between Aceh's declaration of independence on 4 December 1976 and the decision of the Indonesian government-GAM to negotiate a peace solution in 2005 (Djalal and Djalal 2006). In Patani, though the onset of the conflict can be dated to 1938, the time-frame reference for this project is the 1960's to the present; from the year when the first groups struggling for independence were established (Janchitfah 2004, 273-281).

The subjects of investigation in this inquiry are the warring parties' elites as well as elites who are outside the warring parties but who are nevertheless concerned with and involved in conflict. I identify elites as persons – whether in government, an ethno-nationalist group, or any other groups – who are in charge, have an assigned position or held authority to represent their organisation in dealing with the conflict. I also include people who are outside formal structures or who are not in charge of any group's position, but whose thoughts or opinions are influential in the warring parties, and so can influence the course of conflict (Mikecz 2012, 485). Following the logic pioneered in John Paul Lederach (1997, 37-55), which identifies three levels of leaders among a pyramid of actors, they include high-level political and military leaders representing the peak national leadership. Among the middle-level leaders are influential ethnic, religious, academic, intellectual, and non-governmental organizations' (NGOs) leaders. Grassroots leaders mostly consist of local leaders and community elders.¹³

I processed the interviewing in two phases: February-May 2013 in Indonesia and September-November 2013 in Thailand. The combination of pre-specified informants recognized in previous studies and the "snow ball" process while residing at the research site enabled me to identify members of an elite. During fieldwork in Indonesia and Thailand, I recruited 45 participants consisting

¹³ Track 1 in peace building is an official discussion involving high-level political and military leaders and focusing on cease-fires, peace talks, treaties, and other agreements. Track 2 involves unofficial dialogue and problem-solving activities aimed at building relationships and encouraging new thinking that can inform the official process. Track 2 activities typically involve influential academic, religious, and NGO leaders and other civil society actors who can interact more freely than high-ranking officials. If it involves state agency officials, it is called track 1.5. Track 3 at the grassroots level involves individuals and private groups who try to encourage interaction and understanding between hostile communities. It involves awareness raising and empowerment within these communities. See Lederach (1997, 37-55).

of twelve in the Government of Indonesia and eleven Acehnese. Six of whom are from GAM. In Thailand, the identified elites include ten members of the Government of Thailand and twelve leaders of various groups in Patani, ten of whom are Patani Malays. The Aceh interviewees live in both Jakarta and Aceh whereas the Patani interviewees live in Bangkok, Pattani and Yala.

During my fieldwork, I also conducted secondary data collection of documentation and archival records. In Indonesia, I visited Jakarta-based media (*Kompas*, *Jakarta Post*, *Tempo*) and *Serambi Indonesia* in Banda Aceh to collect, for the most part, records of interviews with members of the government and GAM, as well as contemporary news coverage during the conflict (1998-2005). Library visit to research centres (Centre for Strategic and International Studies, Indonesia Institute of Sciences, the Aceh Institute) and the Aceh Regional Library were also conducted to collect documents and archival records. In Bangkok, I visited the offices of two English language newspapers (*Bangkok Post*, *The Nation*) to collect reports and records of interview with members of the elites in the government and local groups in Patani during the period of 2004-2013, which was the period when my interviewees were operating. In addition I conducted library visits to Sirindhorn Anthropological Centre, Thammasat University, and Chulalongkorn University. To explore in-depth the activities and views of elites, online searching complemented the data collection process.

1.6 Analysing and Presenting Evidence

The presentation of evidence is qualitative in nature, and I present the data and analysis simultaneously. All evidence collected, either from interviews or archival documents, was managed by simple thematic analysis (Boyatzis 1998, 4). The first task in this process was to capture themes from interviews and archival documents. By ‘themes’ I refer to common elements that can be identified in more than one piece of data, which allows me to describe and interpret the phenomenon under-investigation (elites’ ideas and roles) in ways that inform understanding. I generated ‘themes’ by identifying commonalities in interviews or documents. I grouped similar and comparable pieces of information as peace ideas if they contained subjective thinking about the situation, condition or circumstances in which elites

perceive they would experience the absence of violence, and contained examples of subjective elites thinking that indicated degrees of adherence to the use of non-violent means to achieve their ends. I considered pieces of information as elites' roles if they contain elites' policies, decisions, initiatives, actions, and activities in resolving conflict.

Having discovered themes in the first stage, at the second stage, they were linked to each other. Then, I considered themes in a wider perspective or grouped them in clusters (technical concepts). Finally, I put every cluster of theme or group of technical concepts into a core category of ideas and roles, and used them as building blocks to answer research questions. This research methodology uncovered three similar core categories of ideas that operated across both case studies. They are ideas to change the situation, ideas to change the relationship between central and local government, and ideas of dialogue or talk. In addition to those core categories, in Aceh case the investigation found a fourth category of ideas – the ideas of negotiation – that provided a breakthrough to a peaceful settlement. Regarding the roles of elites, this study classified themes into three core categories: the role of civil society, government and separatist group elites. I identified themes extracting from the interviews of ethnic, religious, academic, intellectual, and non-governmental organizations' (NGOs) leaders as well as local leaders and community elders as the role of civil society elites. Whereas themes captured from the interviews of persons in government and any other persons or groups who were in charge, had an assigned position, or held authority to represent the government were categorized as the role of government elites. Themes found in the interviews of the leaders of ethno-nationalist movements and any other persons who were out of formal structures or who were not in charge of any group's position, but whose thought or opinion were influential within the groups, were categorized as the role of separatist group elites.

I built the thick description of each case upon the result of the process indicated above. Following this step, I conducted a cross-case analysis of core categories. As every conflict is unique, the purpose of cross-cases analysis is not to draw a pattern among the cases. The analysis aims at assessing what ideas and roles

have worked in certain circumstances, why they have worked, and what we can learn that can be adapted elsewhere.

1.7 Thesis Structure

In order to address the research questions and present evidence appropriately, I organized this thesis into nine chapters. After this introductory chapter – which delineates the focus of research, evaluation and assessment of the literature, as well as approach and methods employed – the following chapters (2-7) are organized into three parts.

The first part discusses “The Ideas of Separatism: Origin and Development.” Both cases, Aceh (Chapter 2) and Patani (Chapter 3), are examples of how separatist conflict, in fact, is a struggle between opposing peace ideas. In Aceh, GAM’s elites defined peace as ending injustices by reclaiming the province’s independence. They proposed this idea as a reaction to the centralization policy of the unitary state of Republic Indonesia, policy that perpetuated injustices in Aceh. In Patani, the main ideas of peace revolve around questions of sovereignty and identity. The separatist groups demanded independence after they observed that the official idea of the Thai state and the nation-building process barred their chance to restore the sovereignty and the identity of Malay Muslim Patani.

The next two parts present evidence for the case studies. Each part includes separate chapters on Aceh and Patani. The second part, “The Non-Violent Alternatives to Resolve Conflict,” describes evidence for the first two research questions about elites’ peace ideas. What peace ideas did matter among elites during conflict? In what ways did those ideas contribute to a peace process? Based on evidences at hand, it is found that during conflict, elites produce non-violent alternatives to end conflict based on their constructed and evolving ideas and ideals of what peace should look like. In Aceh (Chapter 4), four groups of ideas evolved during conflict from 1998 to 2005: ideas to change the situation; ideas to change the nature of the relationship between Jakarta and Aceh; ideas of dialogue; and ideas of negotiation. These ideas, both enduring and short-lived, gradually shaped the parties’ position so that they developed an inclination to enter into a peace process. Observing the ideas that evolved during the conflict in Patani (Chapter 5) from 2004

to 2014, there were three main groups: ideas to change the situation; ideas to change the nature of the relationship between Bangkok and Patani; and the idea of talk. Under these categories, there are many ideas but less opportunity to apply them. Yet, as this chapter suggests, those ideas indicate that party and non-party elites kept alive the non-violent alternatives while violence continued. The ideas gradually directed parties toward the verge of a peace process.

Part Three, “Propagating Ideas and Cultivating Peace,” discusses the answer to the last two research questions about the role of elites. What did the elites do to end conflict? In what ways did their roles derail conflict towards a peace process? In both cases, three groups of elites have roles in propagating peace ideas: civil society elites, government elites, and separatist elites. In Aceh (Chapter 6), I argue that the relentless and continuous attempts of elites and their passion for peace created an environment conducive to a peace process and a peaceful settlement. The role of civil society elites in raising and transferring ideas about the non-military solution paved the way for the peace process. The opportunity for a peaceful settlement was strengthened dramatically when government elites were able to sustain and develop the idea of a non-military resolution across government. The GAM’s civilian elites made non-military options as a normal part of GAM’s strategy and made GAM more accessible to outside parties. They ripened and nurtured non-military options and options other than full independence years before the 2004 tsunami. In Patani (Chapter 7), even though a peaceful settlement has not been reached, I argue that the relentless and continuous attempts of elites to resolve the conflict have made peace a shared idea. This development has paved the way for talk and encouraged warring parties to consider a peace process. The role of civil society elites in raising and transferring ideas about the non-military approaches to terminate violence had enlarged the peace constituency at the grassroots as well as at elite levels. Amidst the shifting political tides in Bangkok and the inflexibility of the military’s position, the parties were nevertheless on the verge of entering a meaningful peace process in 2013. This is because since 2005 government elites had been seeking alternative approaches and an opportunity to talk with the separatists. The old separatist elites brought in the idea of achieving sovereignty and identity by means other than independence. The encountering of

some separatist leaders with the civil society elites made them began to consider peaceful means despite sustained violence.

Chapter 8, “Elites’ Ideas and Their Roles: Lessons Learned from Aceh and Patani,” discusses factors that have pushed the parties towards peace and away from the peace process in Aceh and Patani. In both cases, peace efforts fluctuated and the progress was slow. Yet, just as in a learning process, here nothing was in vain. Even rejected ideas and failed stages of talks or dialogues contributed to the final process. The chapter begins by comparing their different varieties of separatism. The separatism in Aceh shares many elements with that in Patani, but in term of ideas and the role of elites in conflict, they are different. Consequently, this distinction leads the cases on different trajectories. The second section of the chapter contains a comparison of the ideas proposed by elites in Aceh and Patani during their respective conflicts. In Aceh, there was always a chance that ideas would be implemented, and this became a foundation in making conflict stakeholders prone to peace. In Patani, many ideas for conflict resolution have been proposed, but there has been little chance to employ them. The chapter concludes with a consideration of the role of elites in both conflicts. In Aceh, elites were successful in propagating peace inside the warring parties and making it a widely accepted idea. When there were elites who were capable of translating ideas into action, peace had a chance. In Patani, efforts to popularise peace as a shared idea have only just begun. The number of elites who desire peace is growing, but the discontinuity of peace initiatives has hampered progress towards a peaceful solution.

This thesis concludes in Chapter 9. This chapter recapitulates the findings of this study of separatist conflicts in Aceh and Patani, which give us an understanding about how elites’ ideas and their roles can overcome obstacles to ending conflict. This is followed by an outline of the lessons learned from both cases to explicate circumstances in which elites’ ideas and their roles may be effective in the search for peace. Lastly, a critical look at the analysis is provided, including offering implications of this research for the discussion about the road to peace in Aceh and Patani, also about elite, ideas, and peace process; and identifying

the limitations of the research and unresolved issues which may be the subject of further research.

PART 1

IDEAS OF SEPARATISM: ORIGIN AND DEVELOPMENT

CHAPTER 2

ACEH: CEASING INJUSTICES BY RECLAIMING THE PAST

“I wanted to redeem the past and to justify the future of my people.”
Hasan Tiro (1984c, 20), Founder and Leader of GAM, in The Price of Freedom: The Unfinished Diary of Tengku Hasan di Tiro, diary entry of 7 December 1976.

“The Acehese might be killed, but not their history.”
(Orang Aceh bisa dibunuh, tetapi sejarahnya tidak.)
A former GAM negotiator in his interview with author, Banda Aceh, 8 April 2013.

The quotations above suggest that history has a significant role in the Acehese’s separatism. These statements also indicate Acehese suffering under Indonesian rule, and their determination to restore their their dignity through independence.

Aceh, a home of separatist conflict for almost thirty years (1976-2005), is situated in the Northern tip of Sumatera. It had earlier been an independent kingdom, which had a glorious past until the Dutch conquest in 1873. Taking advantage of its strategic position in the Malacca Straits, long before the colonial contest over Sumatera and Malacca Strait from the 16th to 19th century, Aceh had developed into a vital regional commercial hub connecting the Indian Ocean and China. Aceh also had a strong Islamic identity introduced by Muslim traders from the Middle East and India in the 13th century, which turned it into an Islamic religious and cultural centre.¹ In the 19th century, Aceh was a sultanate with sophisticated diplomatic relationships ranging from China to Europe, even to the United States of America (Reid 1969, Feener, Daly, and Reid 2011, Alfian 2005).

This chapter discusses the idea of separatism in Aceh, an idea founded on the Acehese aspirations to return to the lost glory described above. Teungku Hasan Muhammad Tiro who invented the idea, proclaimed the independence of Aceh in 1976 and led the National Liberation Front of Aceh Sumatra (NLFAS) – better known as Gerakan Aceh Merdeka (GAM, the Free Aceh Movement). Tiro was the

¹ For this greatness, Aceh is famously known as *Serambi Mekah* (Veranda of Mecca).

central figure in raising on to the surface the Acehese's grievances about the Indonesian state. He packaged the glorious history into the rationale of contemporary separatism and proposed a successor state to the independent kingdom of the pre-colonial era as his self-realization of desirable peace for the Acehese.

The discussion on separatism in Aceh is divided into three sections. It begins with outlining the long conflict in Aceh that greatly affected many Acehese leaders, and in particular Hasan Tiro. Then, it explores the evolution of Tiro's ideas that lead him to his history-based nationalism. The final section examines the transformation of this idea into the separatist movement; including the role of Hasan Tiro and his circle played in making separatism popular in Aceh.

2.1 A Prelude to Separatism

Prior to GAM's proclamation in 1976, Aceh had suffered long conflict that can be divided into three episodes: colonial resistance (1873-1945), social revolution (1945-1946), and republican rebellion (1953-1962). These phases have a connection with the idea of separatism. Overtime the distinctive Acehese identity grew and Aceh elites shifted from supporting Indonesian revolution to supporting Acehese separatism (Thalang 2009, 20).

This long history of conflict began when the Dutch invaded Aceh in 1873. Though the Dutch successfully took power after the death of Sultan Mahmud Shah a year later, they had never managed to control Aceh entirely. The Dutch, instead, faced four decades of war, which was the most expensive in its colonial history. The Acehese were very steadfast in defending their territory. Following the occupation, mass resistances – either led by *ulama* (religious scholar) Teungku Chik di Tiro family or by royal descendants such as Teuku Umar – took place one after another before the last Tiro's Teungku death in the 1911 battle. After this, the sporadic resistances never ceased until the Japanese invasion in 1941-1942; when the Dutch eventually forced to leave Aceh (Reid 2005). This enduring resistance and being never completely subject to the Dutch rule make Aceh is distinctive among regions in Indonesia.

The Japanese occupation was another developing period of conflict. The dispute between *ulama* who joined *Persatuan Ulama Seluruh Aceh* (PUSA, All-Aceh Union of Islamic Teachers) and *uleebalang* (self-governing ruler or aristocrat), escalated in this period. The main cause of this dispute was the struggle for power between *ulama* and *uleebalang*. *Ulama* considered *uleebalang* as Dutch collaborators after agreeing to *Atjeh Korte Verklaring* (Aceh Short Declaration) in 1898.² As a consequence of this rivalry, when the Japanese surrendered to the Allies and there was a vacuum of power in Aceh, PUSA members and its sympathizers launched the social revolution against the *uleebalang* to preclude them realigning with the returning Dutch (Talsya 1955, Sulaiman 1997, Reid 2006).³ This revolution, known as the Cumbok War, makes Aceh get another distinction as a region which has a classless society, united under Islam, and led by *ulama*.

The Japanese defeat of the Allies in 1945, which was followed by the Indonesian proclamation of independence, was warmly welcomed by the Acehnese. Within a short time, the Acehnese, especially the youth groups, became deeply affected by the atmosphere of revolution. The youth did not even wait for an *ulama*'s decision when they organized a rally to support the Republic on 14 October 1945 in Kutaraja. In a state of urgency, *ulama*, who were "cautious with the situation and considering the possibility of independence for Aceh,"⁴ then convened in Kutaraja the next day. Weighing up the risk that people would abandon them if they did not support the Republic, they made a swift decision and issued *Makloemat Oelama Seloeroeh Atjeh* (Edict of All Aceh Ulama) (Sjamsuddin 1999, 129-130). In their edict, *ulama* asserted that aligning with other regions in Indonesia was

² The declaration was a short contract in which *uleebalang* personally declared that he recognised Dutch sovereignty over the Aceh Sultanate. In return, Dutch confirmed *uleebalang* power over its *Nanggroe* (territory). Amidst this competition, there was also a widespread public discontent. *Uleebalang*'s power in the customary law, which granted by the colonial governments, was often manipulated, detrimental to the public, and against *sharia* which under *ulama*'s authority (Sjamsuddin 1999, 16-17).

³ A lot of *uleebalang* and their relatives were killed as the result of the January 1946 violence which began from Cumbok, Pidie where *Uleebalang* Teuku Mohammad Daud stood against the pressure of PUSA's pro-republic sympathizers. In his attempt to seize power and occupy Sigli, Daud organized militia *Barisan Penjaga Keamanan* (BPK, Security Guard Group). The bloodshed was unavoidable after PUSA sympathizers' attempt to thwarting BPK's action. Following this fighting, there was a widespread mass resistance against *uleebalang* (Talsya 1955, 6-20).

⁴ A negotiator of GAM for COHA (1), interview with author in Banda Aceh, 8 April 2013.

imperative “to secure independence first” and prevent the Dutch’s return.⁵ They urged people to support the struggle and abide by the existing leadership as the revolution was to defend Islam from greater damage if the Dutch returned to power. Further, the edict also justified the revolution as a successor of the Aceh struggle led by Tengku Cik di Tiro (El Ibrahimy 1986, 243-244).

Defending Islam was the main reason of the Acehnese’s support for the Indonesian revolution. Islam became an unifying factor between Aceh and Indonesia (Aspinall 2009, 27). This distinguished Aceh from other regions. Sadly, in post-Indonesia’s independence Aceh suffered a new conflict. Less than a decade after the proclamation, a conflict emerged between Aceh and the government, and at this juncture Islam became the main issue.

Aceh’s uprising broke out on 21 September 1953 under the leadership of Teungku Muhammad Daud Beureueh.⁶ It was proclaimed as a part of *Darul Islam* (DI, the Abode of Islam) struggle.⁷ This uprising sought to establish the state of Aceh as a part of the federal Islamic state of Indonesia.⁸ The proclamation was the culmination of long disquiet among *ulama* who fully controlled Aceh politics in the post-colonial era. They expected Indonesia, which had been bloodily defended by the Acehnese during the national revolution, to become an Islamic state in which

⁵ Teungku Syech Marhaban Kruengkale, interview with *Tempo*, 28 November 1999. Perhaps Sukarno realized this and among other reason of his historic visit to Banda Aceh in 1947 was to convince as well as secure support from *ulama* who were still hesitant joining the revolution.

⁶ Having known that Daud Beureueh led the revolt, many parties portrayed it as Daud Beureueh’s personal initiative. In his letter to Teungku Hasan Hanafiah dated on 10 September 1961, Daud Beureueh expressed that the decision against the central government was not his own idea and at the outset he also refused to lead this movement. It was Teungku Abdul Wahab Seulimeum who raised the idea, but he was unable to participate in this revolt. He had set time to perform Islam pilgrimage and could not go back to Aceh after the uprising broke out. Daud Beureueh took the responsibility to lead at the insistence of his circle among *ulama*, such as Teungku Hasan Aly, Ayah Gani, Ali Hasjmi, and many others (El Ibrahimy 1986, 1, 2, 27; Saleh 1992, 372).

⁷ Darul Islam rebellion was led by Sekarmadji Maridjan Kartosoewirjo. DI proclaimed the establishment of *Negara Islam Indonesia* (NII, the Islamic State of Indonesia) on 7 August 1949 in West Java and dispersed to other island, including the struggle of *Tentara Islam Indonesia* (TII, the Islamic Army of Indonesia) led by Kahar Muzakkar in South Sulawesi (Dijk 1987).

⁸ In a simple sentence Daud Beureueh declared that, “Based on the Declaration of Islamic Republic of Indonesia on 21 Sjawal 1368/7 August 1949 by Imam Kartosuwiryo on behalf of Indonesian Muslim, then we hereby declare Atjeh and its surrounding areas to be part of Islamic State Indonesia.” Along with the proclamation, a *maklumat* (edict) also issued. It contained appeal to public to support and cooperate with the Indonesia Islamic armed forces and the government of Islamic state in Aceh; order to government’s officials to work and serve people as normal; statement of security guarantee for business, foreigner, and non-Muslim people; and affirmation of the enactment of military law for any actions that disrupt public safety.

Aceh with its strong Islamic heritage could play a major role (El Ibrahimy 1986, 1-3, Kell 1995, 11).⁹

The religious issue was not the single cause of this revolt. It was compounded by concern for losing identity and power among “*zuama*” (urban-based leaders of PUSA who occupied the secular position and had a large influence in local government of Aceh). They were disappointed because Aceh – instead of having access to greater autonomy as *daerah modal* (the region that was a source of financial aid to support Indonesia during the independence revolution) – was dissolved at the end of January 1951 and merged into North Sumatra province along with East Sumatra and Tapanuli.¹⁰ They also perceived that their control over local politics, the military, the economy, and the local administrative machinery which they had regained after the Japanese surrender would be completely stripped by this integration (Sjamsuddin 1985, 319-320, 322).¹¹

The uprising in 1953 was clearly the result of two rival ideas: the religious idea as an alternative to the national idea and federalism as to the unitary state. The Acehnese leader considered that a combination of Islam and federalism would

⁹ The nationalist leaders in central government deliberately curbed any plan to make Indonesia an Islamic state. *Ulama* in Aceh were very disappointed when Sukarno, in his speech in Amuntai, said clearly that he personally disagreed if Indonesia became an Islamic state. This contradicted his earlier promise when he visited Aceh in 1947 to gain support from the Acehnese. Observing this, *ulama* considered that there was little indication that after the national revolution Indonesian politics would meet their Islamic aspiration (Saleh 1999, 117).

¹⁰ Aceh was established as a province on 1 January 1950. The uprising did not arise immediately following the provincial merging at the end of January 1951. It took years to develop after a number of initiatives to defend the province failed. On 12 August 1950, the Aceh Legislative Council unanimously issued a motion to sustain the province and sent a strong message that all Acehnese who were in the ranks of government would resign when the province dissolved. Following this, a number of central government missions ranging from the Minister of Home Affairs Mr. Assaat (26 September 1950), the Vice President Mohammad Hatta (27 November 1950), up to the Prime Minister Mohammad Natsir (22 January 1951) came to Aceh to settle the unease. However, the negotiations with these missions did not result in desirable outcomes. The province of Aceh was dissolved on 23 January 1951 by Natsir with the promise that “the autonomy of Aceh would be accomplished integrally through the nationwide legislation direction.” Sadly, Natsir’s promise was never accomplished until the revolt in 1953 due to the rise and fall of cabinet caused by power struggles in the central parliament (Morris 1983, 180; El Ibrahimy 1986, 62-63; Saleh 1992, 58-59, 130-135).

¹¹ Prior to this, in mid-1950, while the Acehnese combatants who joined in the 10th Division of Indonesia National Army were still overwhelmed with a sense of pride and high patriotism, the government downgraded their division to a brigade that was subject to *Bukit Barisan* Division and under the commander of the First Military Territory in Medan. Following this decision, a number of Acehnese units were transferred to other regions, for example, the Acehnese brigade under the command of PUSA sympathizer, Major Hasballah Haji were reassigned to Tapanuli, and replaced by an ethnically non-Acehnese unit from Tapanuli (Morris 1983, 185; Saleh 1992, 125-147).

better serve them.¹² The revolt drew widespread support of the Acehnese because it raised the issue of Islamic state. The Acehnese embraced it as they were alarmed that should the integration with North Sumatera and being part of Indonesia be accepted, Islamic values would vanish soon from Aceh. As the demand was for Islam, people moved willingly, especially, when the movement was led by influential *ulama* such as Daud Beureueh (Amin 1958, 232).

At first, the uprising was designed as “a coup de grace” (El Ibrahimy 1986, 28).¹³ It was expected to be a peaceful revolt in which the government’s officials would hand over all positions voluntarily. Once they were on the rebel’s side, then negotiations with the central government, with the aim to obtaining recognition as a state, would begin (Amin 1958, 49).¹⁴ In fact, this relatively peaceful scenario would not resist the bloodshed. Insufficient preparation, poor coordination, and excessive zeal among the rebel led the revolt broke out with violence before and after the proclamation (El Ibrahimy 1986, 26-28).¹⁵

¹² Among *ulama* themselves, the self-ideation of peace for Aceh in term of Islam and federalism, was a notion that appealed to both traditionalists and reformists. Traditionalist *ulama* accepted this notion because it would allow them to protect Islamic values against external values brought in by government officials and migrants. Reformists in PUSA thought a new Islamic based state would give them the momentum to exercise their reform programmes. Since the late of 1920s the reformist *ulama* had committed to socio-economic development which was expected would create a modern Acehnese society. This long-term plan had been hampered by the World War II and national revolution, (Sjamsuddin 1985, 2-3, 5).

¹³ This struggle was really for ideas. It put forward the idealism without measuring power at hands. The conversation between M. Nur El Ibrahimy and Ayah Gani, one of the movement’s leader sent by Beureueh to Jakarta illustrated this. When Ibrahimy asked him about weapons, finances, and any other resources for the movement, Ayah Gani simply replied that all those necessities did not exist. They expected that once they started, those resources would come by themselves. They argued that people had to see their work first (El Ibrahimy 1986, 26-27).

¹⁴ With this intent, prior to the proclamation, the perpetrators had massively approached local government officials and then asked for their loyalty by taking an oath. Believing in their oath it was likely the seizure of power would not cause any battle (El Ibrahimy 1986, 28). Along with these efforts, the leaders such as Daud Beureueh, Husin Mudjahid, Husin Jusuf, T.A. Hasan, Sulaiman Daud, Zaini Bakri, and Gani Mutiara organized expeditions throughout Aceh to mobilize a wider mass support. Through *tabligh akbar* (public rally) and sermons delivered, they expected the public would fully support the resistance against the government. Regrettably, not all of sermons’ contents were conveyed properly. In many places, heated sermons which were actually meant to emphasize the poor policies of Jakarta toward Aceh, fueled people’s resentment, shaped hatred, and eventually dragged the movement away from its original peaceful goal (Meuraxa 1956, 26, Amin 1958, 10-11).

¹⁵ Provocation from the followers who were incited by the leaders’ sermons had raised tensions in a number of places before the D-day. Bloodshed was inevitable when the movement supporters attempted to seize weapons that were told would be handed over voluntarily by security authorities. A day before proclamation, several groups had carried out attacks in Lhoong, Indrapuri, Keumang, Garot, Matang Glumpang Dua and Bireuen. Then, they launched attacks on Kuta Raja (now Banda Aceh), Sigli, Lhokseumawe, Bireuen, Langsa and Takengon. After the proclamation, the insurgent attacked some towns and weeks later nearly controlled the entire province. Only major

The central government led by nationalist Ali Sastroamidjojo of *Partai Nasional Indonesia* (PNI, Indonesian Nationalist Party) declared a policy of confrontation and sought military solutions to crush the rebels. This policy was sustained until the Ali's cabinet collapsed in 1955 (Morris 1983, 205). The government's military offensive drove DI forces out of urban centers within weeks and forced them to continue their struggle in rural areas. However, over the years, the military was never able to fully control the Aceh security (Umar and Chaidar 2006, 168).¹⁶

Having realized that it was impossible to quell the rebellion using force, the government under Burhanuddin's administration was more inclined to a policy of accommodation.¹⁷ The government returned the status of Aceh as a province on 7 December 1956. Under Jakarta's direction, Colonel Sjamaun Gaharu, *Panglima Komando Daerah Militer Aceh* (Commander of Regional Military Command of Aceh) also commenced a dialogue with the rebels' leadership based on his conception of *Prinsipil Bijaksana* (the wise and principled policy) which meant "without abandoning military operations, a political settlement should be sought" (Sjamsuddin 1999, 217-222).

Some of the rebels' top leaders, whose main purpose were to obtain extensive autonomy for Aceh, embraced this new approach. The first dialogue between Gaharu and the rebels' leaders (represented by Hasan Aly, Hasan Saleh, and Ishak Amin) resulted in the *Ikrar Lamteh* (Lamteh Agreement) signed on 8 April 1957. This agreement detailed the foundations for settlement which aimed at: upholding: Islam, the dignity and the interests of the Acehnese, and the dignity and the interests of the regional Aceh. Following this agreement, the rebels and *Komando Daerah Militer Aceh* (KDMA, Regional Military Command of Aceh)

cities, such as Kutaradja, Sigli and Langsa in the east, and Meulaboh on the west coast remained in Republican hands (Amin 1958, 6-10, 49).

¹⁶ Especially in the northern part of Aceh, such in the district of Aceh Besar, Pidie and North Aceh Regency, the rebels were robust and continued the struggle using guerilla tactics.

¹⁷ Prime Minister Burhanuddin Harahap and Vice President Mohammad Hatta made contact with the rebel's leader. At regional level, S.M. Amin (North Sumatera Governor) corresponded extensively with the rebel's leadership to seek opportunities to negotiate.

also reached a decision to enact a cease-fire which persisted until 1959 (Saleh 1992, 307-310).¹⁸

In 1959, the rebellion suffered a split between the faction of *Wali Negara* (the Darul Islam's Head of State) Daud Beureueh who was keen to sustain armed resistance and the faction struggling for autonomy under the *Dewan Repolusi* (Revolutionary Council) that later took over power from Beureueh.¹⁹ The government took advantage of this split to resolve the conflict. Soon after *Dewan Repolusi* came into power, a mission of high rank government officials led by Deputy Prime Minister Mr. Hardi arrived in Kutaraja on 23 May 1959 to negotiate the settlement.²⁰ An intensive debate lasted over two days, at times seemingly at deadlock, but ended with an agreeable result. The government rejected the federalist demand by *Dewan Repolusi*, yet granted Aceh *Daerah Istimewa* (special region) with an extensive autonomy in the areas of religion, customary law, and education. Jakarta also granted amnesty, rehabilitation, and reintegration for the rebels (Sjamsuddin 1985, 289-294).²¹

¹⁸ Though it was impeded by political turbulence in Sumatera following the proclamation of *Pemerintah Revolusioner Republik Indonesia* (PRRI, the Revolutionary Government of the Republic of Indonesia) on 15 February 1958 and the rifts within the rebels, the dialogue resumed in 1958. Considering that the rebellion's goal could not be achieved by armed resistance, a group of leaders led by Teungku Hasan Ali (Prime Minister), Hasan Saleh, and Ayah Gani decided to seek a political solution instead of sustained armed resistance. For this purpose, Hasan Ali and Hasan Saleh met twice with the government's top brass (with Prime Minister Juanda in March 1958 and Army Chief of Staff General A.H. Nasution on 20 December 1958) discussing the possibility to achieve agreement on the basis of greater autonomy for Aceh. Meanwhile, the rebels suffered a split when at the meeting in Cubo, January 1959, Daud Beureueh sacked Deputy Prime Minister Ayah Gani and Minister for War Hasan Saleh on charges of the refusal to take orders from *Wali Negeri*, in particular to launch guerrilla warfare, and on their hypocritical actions negotiating with the government. In this conference, Beureueh reaffirmed its mandate as *Wali Negeri* through the statement of allegiance signed by the commanders and the civilian leaders who attended the conference (Saleh 1992, 348-357).

¹⁹ Daud Beureueh insisted that the armed resistance should continue though there was a dialogue with the government. He asked to cancel the cease fire and restarted guerrilla warfare on 1 January 1959, which at the Panca Conference on September 1958 as halfheartedly agreed to by the other top leaders. In order to save the peace dialogue, Hasan Saleh took over power from Beureueh on 15 March 1959, announcing himself as *Penguasa Perang Negara Bagian Aceh-Negara Islam Indonesia* (the War Commander of the State of Aceh-Indonesian Islamic State) and then transferred the power to *Dewan Repolusi* led by Ayah Gani and the new *Wali Negeri* Teungku Amir Husin Al Mudjahid (former Chair of *Madjelis Sjura*, NBA's House of Representatives) (Sjamsuddin 1985, 275-278; Saleh 1992, 344-357).

²⁰ The *Dewan Repolusi* put on the table two proposals. One concerned on the status of the region which contained their federalist viewpoint and another was a listed of twelve demands.

²¹ Mr Hardi signed the Prime Ministerial Decree granting this status which came into force on 26 May 1959.

The peace negotiation did not automatically terminate the conflict. Daud Beureueh resumed the uprising under the new banner *Republik Islam Aceh* (RIA, the Islamic Republic of Aceh).²² He sustained the struggle until 1962, when he returned to the Republic of Indonesia after a series of persuasive approaches. The rebellion ended on 21 May 1962 when the government officially welcomed him in Kutaraja (El Ibrahimy 1986, 202-208, 215-216). As an epilogue to this conflict, in December 1962 more than 800 community leaders gathered for *Musyawarah Kerukunan Masyarakat Aceh* (MKRA, the Acehnese Congress for Harmony) in Blang Padang, Kutaraja. At the end of congress on 21 December 1962, they released *Ikrar Blang Padang* (Blang Padang Pledge) in which all participants agreed for reconciliation and vowed to maintain harmony, unity, and friendship in Aceh (Dijk 1987).

2.2 Inventing Separatism

Daud Beureueh's return and the Blang Padang Pledge denoted the end of DI/TII rebellion. Yet, this did not mean that peace in Aceh had been achieved and the ideas of rebellion had been ruled out. It was merely a pause in the conflict. In less than two decades after Jakarta granted special region status for Aceh, another conflict emerged. Between the previous and the new conflict, there were parallels and connections in many respects.²³ Yet, whatever their linkage the latter became more precarious because it was an obvious attempt to secede from the Republic of Indonesia. At the center of this perilous uprising was Teungku Hasan Muhammad di Tiro, the declarant of GAM, who bred the idea of separatism.

²² The RIA and PRRI joined in a new federal state *Republik Persatuan Indonesia* (RPI, United Republic of Indonesia) which was established on 8 February 1960. The government paralyzed the RPI at the end of 1961.

²³ Both conflicts were reactions against the state's failures in rendering "the Aceh dream." They covered the same story: uprising against central government to regain power as in the past in term of rights and identity. In this recurring conflict, the Acehnese claimed that they had right to govern themselves according to their own uniqueness and identity which had been established long before the Indonesian independence. Both were similar regarding their warning that Aceh was an independent entity in pre-colonial era and had managed to maintain its unique identity in the colonial era. Hence, the Acehnese perceived this should be acknowledged by the central government if Aceh was still considered part of Indonesia. Another connection is that the declarants in both conflicts have strong personal and emotional ties. In the last conflict, the declarants likely had a desire to complete unfinished business between Daud Beureueh and the government. Declarants in both conflicts were also strongly influenced by grandeur of the past. If Beureueh referred to the glory of Islam, the last declarant cited the glory of sultanate kingdom.

Hasan Tiro was not a new figure in Aceh's history when declaring the independence of Aceh in 1976. He had a long record of involvement in Aceh's historical events from the national revolution in 1945 to the termination of DI/TII rebellion. His involvement in those events is suspected constructing his idea to secede from Indonesia.

2.2.1 Formative Years: Heroism, Islamism, and nationalism

Tiro was born in Tanjong Bungong, Lameulo, Pidie in 1925. His maternal grandfather, Teungku Mahyudin, was a son of Teungku Cik di Tiro Muhammad Saman who led the resistance against the Dutch in Aceh's colonial war in 1885-1891 (Sulaiman 2000, 11).²⁴ Born and raised within the warrior family, Tiro certainly heard many stories of his ancestors' heroism which affected his inclination to engage in the national revolution and Aceh's struggle later on. For Tiro, this heroism became a personal burden as he expressed in his unfinished diary, "Many national heroes of Aceh therefore have come from my bloodline. Because of this long history, my people have come to expect their leaders to come from the family" (Tiro 1984c, 1).

The young Tiro gained his early secondary education in Madrasah Sa'adah Al-Abadiyah in Sigli led by Daud Beureueh (Sulaiman 2000, 12).²⁵ The school was established in 1931 by Teungku Daud who at that moment was the influential *ulama*. He was known for his clear teaching of Islam and did not hesitate to argue any issues which in his view were inconsistent with Islam. Daud's debate with his interlocutor typically revolved around the issue of government and religion (El Ibrahimy 1986, 222).²⁶ It is possible that his time in this school were the formative

²⁴ Tiro was a son of Teungku Muhammad, a pious *uleebalang* of five *mukim* (the Acehese parish) in Cumbok. Except the youngest son Teungku Umar Tiro and all daughters, all male offspring of Teungku Cik di Tiro Muhammad Saman died in the guerrilla war. Hasan Tiro's grandfather died in 1910, a year before the last Tiro's fighter, Teungku Maad Tiro, killed in resistance in Tangse, 3 December 1911, which was marked by the Dutch as the end of Aceh War.

²⁵ Tiro commenced his study in this school in 1938 and was Hasan Saleh's junior. According to Saleh (1992, 381), he was active in organization, somewhat intelligent, and aristocratic.

²⁶ In school led by reformers like Teungku Daud who enjoyed the debate, students were certainly nurtured to think critically about any situation they encountered. Watching their teacher debating Islam and politics undoubtedly had an effect on students' ways of thinking. It was unsurprisingly that this school produced a "new generation who became the revolutionaries of the next decade" (Reid 2006, 104).

years that shaped Tiro's ideas on the relationship between Islam and the state. Apart from that, Tiro's presence in this school marked the beginning of his long and close relationship with Teungku Daud.

In 1943, Daud sent Tiro to continue his study in *Pendidikan Normal Islam* (Islamic Teacher School) in Bireun. This school, which was led by Teungku Muhammad Nur El-Ibrahimy, was built by PUSA as an experimental school. Its goal was to prepare a new generation of leaders and to train teachers who were not only knowledgeable in religion, but also understood sciences (social and natural sciences).²⁷ El-Ibrahimy admitted that Tiro was a brilliant student. He boosted Tiro's intellectuality by providing him quality reading materials in a variety of fields: religion, economics, even communism.²⁸ Tiro's understanding of nationalism, patriotism and the spirit of resistance seemed to thrive when he was in this school. The ideas gained from the school encouraged Tiro and his brother Teungku Zainal Abidin Tiro to lead their family declaring support for Indonesian independence on 24 September 1945 (Pane 2001, 68). Later, in November 1945 they also joined PUSA's pro Republic militia *Pemuda Republik Indonesia* (Youth of Republic of Indonesia) in Lameulo (Sulaiman 2000, 12). Tiro's first experience in leading a movement into physical resistance was in this phase, during PRI and *Barisan Penjaga Keamanan* (BPK, Security Guard Group) of *uleebalang* engaging in a bloody conflict in Cumbok.²⁹

²⁷ Tiro completed his secondary in this school during the independence revolution. This school was established on 27 December 1939. Its curriculum provided secular subjects and non-Arabic languages (Dutch and English) to meet the needs of the Acehnese society participation in the modern world. The school director Teungku Muhammad Nur El-Ibrahimy was a graduate of Al-Azhar University in Cairo and son-in-law of Teungku Daud Beureueh (Alfian 1985, 85; El Ibrahimy, 139-140n).

²⁸ H.M. Nur El-Ibrahimy, interview with *Tempo*, 26 December 1999.

²⁹ Tiro was among several youth militants who had important role in this organization. Their main duty was to observe any movements of the RI's enemy spies (El Ibrahimy 1986, 139-140). Later on, Tiro regretted his involvement in this. Associating himself as common Acehnese at that time, he expressed:

Once upon a time our people have forgotten this, especially at a decisive moment of history, such as at the end of World War II. Because of that, we lost our chance for independence in 1945, and because of that also we have to do what we are doing here today. The Javanese could not have gotten here to colonize us if we were conscious of our history at that time, and if we knew how to govern ourselves. In 1945 our people have forgotten how to honor themselves and they had honored other people – the Javanese – more than our own (Tiro 1984, 109).

Hasan Tiro continued studying in Yogyakarta after his secondary school. Daud Beureueh recommended Tiro to Sjafruddin Prawiranegara (Deputy of Finance Minister), who helped him join the Faculty of Law, *Universitas Islam Indonesia* (UII, Islamic University of Indonesia) in 1946 (Pane 2001, 69). While he was studying, Tiro worked for the government that was struggling to save the independence. During his days in Yogyakarta, Tiro was a real Indonesian. He was able to blend nationalism, Acehnese, and Islam internally. As a nationalist, he actively delivered his ideas to support the struggle. In 1946, he wrote an article *Dasar Negara Kita* (The Foundation of Our State) in the daily newspaper *Semangat Merdeka*. His romanticism with Aceh history grew when he published a monograph on *Perang Aceh* (Aceh War) in 1948.³⁰ Here, he clearly made an association between Aceh's history as "one undivided part of Indonesian history" (Reid 2005, 346). His association with Islamic thought lingered when in the same year he translated Cairo professor, Abd al-Wahhab Khallaf's Arabic textbook on Islamic law (*fikh*) which was published with title "*Dasar-Dasar Negara Islam*" (*Principles of an Islamic State*) (Reid 2004, 36).

When Sjafruddin, in his position as Deputy Prime Minister of *Republik Indonesia Serikat* (RIS, the United Republic of Indonesia), resided in Kutaraja in 1949 and headed the government emergency office in anticipation of the failure of *Konferensi Meja Bundar* (KMB, Round Table Conference), Tiro was one of the officials who worked for the office (Sulaiman 2000, 12). It was during this period the province of Aceh was established.³¹ Working close to the centre of power may have opened Tiro's eyes to the real politics of newly proclaimed state. It was also possible that during this term he witnessed the political competition among self-interested elites and even fraudulent practices that gradually weakened his loyalty to the Indonesian nationalism. This decline kept on deteriorating and reached its nadir later on in 1954.

Tiro returned to Yogyakarta in 1950 to finish his study. At the end of 1950, he received a Colombo Plan scholarship and departed for the United States where

³⁰ M. Isa Sulaiman, interview with *Kontras*, 18-24 Oktober 2000.

³¹ Syarifuddin Prawiranegara issued *Peraturan Wakil Perdana Menteri Pengganti Peraturan Pemerintah No.8/Des/WKPM tahun 1949* (Decree of the Deputy Prime Minister in Lieu of Government Regulation No.8/Des/WKPM 1949) as the legal basis for the establishment of Aceh province.

he studied Law, Government, and Economics in Columbia University. To help him earn additional income, Sjafruddin recommended Tiro to the Indonesian Mission to the United Nations, where Tiro worked part-time at the Information Desk until 1954 (Pane 2001, 69).

2.2.2 Against the Republic: Fighting injustices based on the idea of human rights, self-determination, and federalism

Tiro's life in New York was the turning point that completely changed his relationship with Indonesia and caused his nationalism to wane. His understanding about Indonesian politics changed significantly during this period. At this juncture, his opposition to the growth of Jakarta's centralism was also established and continued to strengthen thereafter. The following explanation may have effected this change.

Tiro studied in the US at a time when new ideas in Law and Politics were flourishing. Two years before his arrival, the United Nations (UN) had adopted the Universal Declaration of Human Rights, which became subject of debates in Law and Politics' classes for years to come. Decolonization and self-determination were also hot issues due to the desire of many territories for independence. Tiro admitted that he "had the opportunity to study these subjects under great authorities of our time" (Tiro 1984c, 103). His encounter with these issues was critical. Later, Tiro referred much of his criticism for the government's poor conflict management on the Acehese rebellion based on human rights' principles. The content of one his legal claims for the Acehese independence was grounded on the rights of self-determination. He also kept restating the issues of human rights, decolonization, and self-determination in his later publications.

Tiro's encounter with the post-war views and being present in the US when this country was transformed into a global giant, shaped his beliefs about the ideal structure of state and government. He invented his first ideation of Indonesia and Aceh at this stage. Unfortunately, as an Information Officer at the Indonesian Mission – who had to be aware of all development at homeland – he found that the political situation in Indonesia was more often in contrast to all the valuable tenets that he had been learning. This caused an internal tension and further diluted his

loyalty to the government. The new development in Aceh reinforced this inclination. Being witnesses to the birth of Aceh province, Tiro was clearly upset when the government dissolved the province in 1951.³²

At first, Tiro's involvement in the 1953 Aceh rebellion appeared to be merely tacit, but when Jakarta sought to crush the revolt, he sent a letter to Prime Minister Ali Sastroamidjojo on 1 September 1954 in which he denounced Jakarta's centralism (El Ibrahimy 1986, 13-15).³³ This criticism showed Tiro's early objection to the conception of the unitary state which he understood as inappropriate for Indonesia that had many ethnic groups.³⁴ He called the government's attempt to suppress regional aspirations in Aceh as a political crime. He paralleled this violence as communist and fascist oppression against their opponents. He demanded that Ali end the government's military campaign, release all political detainees, and negotiate with the rebel leaders.³⁵ This ultimatum marked the beginning of Tiro overt opposition to Indonesia. Yet, at this stage his opposition was against the government, not against the state. As he addressed this letter to the Prime Minister himself, Tiro observed the conflict in Aceh and other regions was caused more by the negligence of Ali's government.

Ali's cabinet strongly reacted to his ultimatum. The government revoked his diplomatic passport and asked the US to expel him. The US Immigration failed to get rid of him though he had been detained since 27 September 1954 as two US Senators gave him support (El Ibrahimy 1986, 15-16).³⁶ The Ali's cabinet decision

³² In addition to his indebtedness to the respected teacher Daud Beureueh, this disappointment certainly became a decent reason for him to join the revolt in the 1953.

³³ This letter was published by the US' newspapers and Jakarta based newspapers, such as Abadi, Indonesia Raya, and Keng Po.

³⁴ Later, he discussed this issue in his book "*Demokrasi untuk Indonesia*" published in 1958.

³⁵ Tiro also threatened that if the demands were not carried out by 24 September 1954, he and the rebel's sympathizers would establish diplomatic representatives for *Republik Islam Indonesia* (RII, Islamic Republic of Indonesia) in the UN and all over the world, and sought diplomatic recognition or support from other countries. Further, he threatened to expose to the UN genocide committed by the government and sought a diplomatic boycott and economic sanctions for Indonesia.

³⁶ He persisted and was allowed to stay in US after paying a penalty of US\$ 500 (H.M. Nur El-Ibrahimy, interview with *Tempo*, 26 December 1999). Support by his American friends was critical for Tiro's future struggle. Without this support, Tiro's long struggle against Indonesia probably would never have survived. This support indicated that in his first four years in the US, Tiro had succeeded in establishing connection within US domestic political circles. It is arguable that such connections caused by Tiro's negotiation skills, but it was obviously that in the 1950s the US wanted to establish a broad network with Indonesian in connection with US foreign policy

on Tiro cut his ties with the government, but not with the rebels. Soon, after he was released from custody, his campaigns against Ali's cabinet resumed.³⁷ For his courage, Daud Beureueh endorsed him as the Ambassador of Islamic State of Aceh to the UN to work promoting DI/TII and Aceh interests in New York (Pane 2001, 70).

In September 1958, Tiro finished writing his book "*Demokrasi untuk Indonesia*" (Democracy for Indonesia) where he proposed federalism as an alternative to the unitary state.³⁸ In this book Tiro's criticism shifted from government misconducts toward more systemic issues. Tiro examined the state's basic principle including the political structure established upon it which he suspected as being the sources of failures. However, at this juncture he had not rejected his idea of being Indonesian.³⁹ For Tiro, growing regional rebellions and discords against the government was injustice caused by the unitary system:

... [B]asically all political chaos in our homeland lays in a very basic issue, namely the justice ... [I]n Indonesia we do have a justice system for individual but in this unitary state we do not have a justice system for groups. And because the Indonesian politics based on

objectives toward Indonesia. In the late 1950s, the US was involved in a series of covert interventions to provoke civil wars in Indonesia. President Eisenhower and Secretary of State John Foster Dulles aimed at moderating the character of the Indonesian government under Sukarno to fit their foreign policy agendas (Kahin and Kahin 1995). At that time the CIA built broad relationship with many Indonesians for their own interests (James P. Siegel, interview with *Serambi Indonesia*, 26 February 1999). Aspinall (2009, 42-46) presents an in-depth investigation of this case and shows that Tiro is among many Indonesian who has such a special relationship. Through this relationship Tiro had worked for American interests in Indo China and at the same time apparently drew a lot of experience of how to organize a clandestine movement.

³⁷ He sent a letter to the New York Times to draw public and US decision-makers' attention to the rise of communism in Indonesia since Ali's cabinet had come into power. He also published a report on "Violations of Human Rights by Ali's regime in Indonesia." In early 1955, Tiro sent a letter to twelve Muslim countries asking them to boycott the Asian-African Conference which would be held in Bandung in April of that year (Kementerian Penerangan 1954; Umar and Chaidar 2006, 223).

³⁸ This book seemed had been written long before but was sought to be published between the proclamation of *Pemerintah Revolusioner Republik Indonesia* (PRRI, the Revolutionary Government of the Republic of Indonesia) on 15 February 1958 and *Konferensi Jenewa* (Geneva Conference) in mid-December 1958 and discussed the integration of separatist movements in Indonesia. After the collapse of DI/TII and its leader Kartosuwiryo was captured, Daud Beureueh joined the PRRI. It is quite possible this decision was due to advice from Tiro who associated himself with the PRRI led by his former mentor and superior Sjafruddin Prawinegara (Saleh 1992, 317-328; Sulaiman 2000, 13).

³⁹ His five-chapter book begins with his observation on the main problems of post-independence Indonesia. In the subsequent chapters Tiro explores the failure of Sukarno's regime responding to to respond to the problem, explains why failures occurred, proposes federalism as an alternative to resolve it, and synthesizes all his argument in the conclusion.

groups' alignment, therefore in the current Indonesian politics there is no justice (Tiro 1999, 189-199).

Tiro argued that democracy run by Sukarno was a primitive democracy based on numbers (quantity) (10). There was no justice in such democracy because the regional's interest would always be overruled by a majority in parliament that represented the biggest ethnic group (32-33). According to Tiro, this democratic defect was aggravated by Sukarno's politics, which replaced Islam, the living religion of more than 90% of population, with *Pancasila* (the five basic principles of the Republic of Indonesia) as the state's ideology based on suggestion that Islam could not protect the freedom of other religions. Sukarno also imposed the unitary state despite the fact that Indonesia was "*bangsa bersuku*" (a nation of tribes). The interests of the smaller ethnic groups would be permanently underrepresented in such state (34).⁴⁰

Hence, Tiro portrayed Indonesia as a work in progress, a project that would end well if the demands of local, regional, and ethnic groups were taken into consideration and not sacrificed for the sake of the unity. Compared to his early involvement in the independence revolution, his ideas in this book are a big leap. While Tiro retains a belief in the progression of Indonesia as a state in the form he imagines, his stance to promote regional interests marks the shifting of his ideas from civic to ethno-religious nationalism (Damanik 2010, 65-66). In this book, Tiro begins to spread his preference for Islam and regionalism while setting aside Indonesian nationalism. In several parts, he also becomes a radical advocate, concluding that, if Indonesia failed to meet local demands, there was no other way to achieve these except by means of the struggle to gain self-determination (Tiro 1999, 203-204).

⁴⁰ As Tiro wrote this book at the time when the *Konsituante* (a legislative body formed to drafting constitution) convened to prepare new constitution for Indonesia, he proposed five issues which he expected to be adopted by the constitution in order to eliminate the current political deficiencies: (i) Islam becomes the reference of the state's ideology; (ii) the recognition of Indonesia as a nation of tribes ensuring the right of every ethnic groups to preserve their own religion, culture, customary, and values; (iii) a federal arrangement as a consequence of the recognition for ethnic groups' rights; (iv) a bicameral legislative body consisting of *Dewan Rakyat* (People's Council) whose members are elected in a general election and *Dewan Kebangsaan* (National Council) whose members are elected to represent each of ethnic groups; and (v) electoral district system (Tiro 1999, 101-106).

Not long after completing this book, in mid-December 1958 the Geneva Conference was held. The rebel groups in Indonesia agreed to Tiro's invitation to struggle for the self-determination and build a coalition. After the conference, Aceh became *Republik Islam Aceh* (RIA, Islamic Republic of Aceh), one of the states in a new federal structure named the *Republik Persatuan Indonesia* (RPI, United Republic of Indonesia).⁴¹ Tiro returned to Aceh secretly in 1959 to campaign for RIA and RPI (Saleh 1992, 370) and took the opportunity to visit his mother, brother, and the rest of the family. This return most likely made his resistance against the government more personal, as he said, "My house had gone with the wind. I found my mother here, on this spot, who fell to the ground on her knees when she saw me, in tears" (Tiro 1984c, 37).

The RPI was short lived. On 25 August 1961, it officially declared the termination of its struggle (El Ibrahimy 1986, 303-307).⁴² Tiro encouraged the Acehnese to take over the struggle from *Pemerintah Revolusioner Republik Indonesia* (PRRI, the Revolutionary Government of the Republic of Indonesia) when it was at the brink of defeat, while in the same time he condemned the peace process between *Dewan Repolusi* and the government. Yet, this effort did not last long. The majority of the DI/TII forces and sympathizers supported the peace process, leaving only a small group who fought for RIA. Not even a year after PRRI surrendered on 21 May 1962, Daud Beureueh also returned to the RI (Saleh 1992, 370-372).

2.2.3 Rising Separatism: Making ethnicity as marker and history as reason

The cessation of resistance removed Tiro's idea of a federal republic for Indonesia and cut his last affinity with Indonesia. Only his Acehnese identity remained with

⁴¹ As the result of *Konferensi Jenewa* which attended by Prime Minister of *Negara Bagian Aceh* (NBA, the state of Aceh) Hasan Ali and Hasan Tiro, the *Republik Persatuan Indonesia* (RPI, United Republic of Indonesia) was declared on 8 February 1960. The NBA joined the RPI and changed its name to the *Republik Islam Aceh* (RIA, Islamic Republic of Aceh). In this new state, Tiro was Ambassador to the UN and the USA (Sjamsuddin 1985, 295).

⁴² On the ground PRRI's element of the RPI was becoming desperate against military pressure. Later, one after another the rebel leaderships were surrendered after Jakarta granted amnesty. Four days later, Sjafruddin Prawiranegara, the RPI's President surrendered in Padang Sidempuan, North Sumatera (El Ibrahimy 1986, 303-307).

him after the Islamic struggle also ended. Meanwhile, Sukarno who was subjected to Tiro's criticism was growing more powerful. It was therefore not surprising that Tiro's ideas in the 1960s began to characterize romanticism on Aceh history and his negation of Indonesian authority over Aceh. In this period, the embryo of separatism also came into his thoughts.

Tiro (1961) authored a new pamphlet in an attempt to expose Sukarno's anti-colonialism as the cause of negative impacts on the regions outside Java.⁴³ Sukarno's policy had drawn power to the centre and imposed uniformity. The regional demand to gain privileges was perceived as the effect of new colonialism from outside and was suppressed for the sake of the unity. The centralization of power caused local governments to be subjected to national policy. This was ironical because the unity echoed by Sukarno to fight the outside colonialism, in fact created a new colonialism for locals and regions.

Four years later, Tiro (1984b) wrote another pamphlet which explicitly used ethnic identity as the marker between Indonesia and the regions outside Java.⁴⁴ He used the term "Indonesia-Java" for the ruling government at that time and "Malay" for the regions outside Java (9-12).⁴⁵ He contrasted these two categories and put the Malay as the victim of Indonesia-Java's colonization. He depicted Indonesia-Java as "*kerajaan pencuri dan perampok*" (a hoodlum empire). The twenty years of

⁴³ In this pamphlet, Tiro's denunciation in his letter to Ali Sastroamidjojo that Jakarta's centralism was a "new model of colonialism," restated and expanded as Indonesia's "neo-colonialism." It was published in 1961 and had title "*Neo-colonialism in Indonesia: How a New Colonialism Has Been Established Under Cover of the Cry of 'Anti-colonialism.'*" This pamphlet was likely written as a response to Sukarno's speech "*Membangun Dunia Kembali*" (To Build the World Anew) before the 15th UN General Assembly session on 30 September 1960. Through this pamphlet, Tiro aspired to construct a political justification that if Sukarno wanted to liberate the nations of the world with his anti-colonialism which he greatly reiterated in his speech, then the same principle could also be applied by the locals and regionals to obtain independence from Indonesia's colonization.

⁴⁴ Without any reference to Islam as in his earlier publications, this pamphlet was written completely on 3 January 1965 while Indonesians entered years of living in danger. Based on his disquiet on the regional development outside Java, he gave this pamphlet the title "*The Political Future of the Malay Archipelago.*"

⁴⁵ Tiro used term 'Indonesia-Java' after observing that the big three of political parties (PNI, PKI, and NU) supporting Sukarno had the Javanese as their major supporters. Sukarno introduced the term NASAKOM to identify the three major parties that backed the consolidation of power at his hand. *Partai Nasional Indonesia* (PNI, Indonesian Nationalist Party) is a national party that is represented by NAS (abbreviation for *nasional*). *Nahdatul Ulama* (NU, Religious Scholars' Association) is an Islamic party represented by A (abbreviation for *agama* [religion]). *Partai Komunis Indonesia* (PKI, Indonesian Communist Party) that is represented by KOM (abbreviation for *komunis* [communist]).

independence (until 1965) was not the end of colonialism for “Acheh-sumatera, Kalimantan, Sulawesi, Maluku, Bali, Sunda,” but rather the transfer of colonialism from the Dutch to Indonesia-Java (2-3).⁴⁶

Tiro’s advice was becoming more provocative in this pamphlet. He emphasized that a limited uprising would no longer be effective to sort out this injustice. Those territories in Malay Archipelago must overtly declare their rebellion to gain independence from the colonial state of Indonesia-Java. Making the issue as the right of nations, not as the domestic power struggle of periphery against center, would enable the Malay Archipelago to exercise the rights for self-determination as stipulated in the UN Charter (21-24).⁴⁷

Having considered Indonesia-Java as a myth, Tiro moved forward to reinvent a new real nation for himself. He conceived of an ethnic-based nation derived on Acehese identity. Tiro exposed this self-ideation in his new pamphlet “*Atjeh Bak Mata Donya*” (Aceh in World History) published on 15 March 1968. In this, he deliberately positioned Aceh in world history to revive the national pride among the Acehese. Declaring Aceh once was a great kingdom with an advanced civilization, he invited the readers to reclaim this lost glory. As quoted by Sulaiman (2000, 15-16), he asserted in this pamphlet, “We Acehese are a nation like other nations in the world ... has its own state that is Aceh sultanate; has its own language that is Acehese ... has its own history, Aceh’s history that has been fought for by our ancestors.”

Tiro used history in rebuilding collective awareness among the Acehese because he had self-confidence that, as the direct descendants of the Aceh’s heroes, they would believe in what he conveyed as he uttered:

⁴⁶ According to Tiro, the name ‘Indonesia’ did not exist, instead it was the label invented by the Javanese to perpetuate their control over regions outside Java based on myth “*persamaan nasib*” (common destiny) as Dutch’s colonies (7-9). Tiro criticized ‘*pembangunan*’ (development) as a veil to cover Indonesia-Java’s colonization. He argued that having been occupied by their efforts quelling domestic uprisings and confronting other countries to build their empire, the Indonesia-Java would never be able to carry on a real development on the Malay Archipelago (14-17). Indonesia-Java was corrupt, with no respect to human rights, aggressive, and therefore harmful to peace domestically and internationally (18-19).

⁴⁷ Tiro criticism on Sukarno in his last two pamphlets seemed to represent the interest of his American comrades. He might be done this to please them. However, as Tiro used the same arguments in his subsequent writing pieces, his statement in these pamphlets undoubtedly indicated the increasing gap between his self-realization and the true reality of Indonesia.

The people always expecting [*sic*] and waiting [*sic*] to receive political direction from us. This traditional voluntary and grass roots relationship between my people and my family, and presently with myself, is an important reason for what I decided to do and why I think I can and must do it while I am still alive (Tiro 1984c, 2).

Tiro also understood that the Acehese were history lovers. Over generations, they eloquently bequeathed pieces of the past narrative through oral history. Tiro believed by retelling this, they would awaken, as he said, “I would recall to them our great historic past; I would describe to them our great future ... I found no Acehese that cannot be stirred up by such ideas” (Tiro 1984c, 114).

Did history cause or was it an instrument in Tiro’s separatism? It is likely that history was not the cause. He used it as a political narrative to reunite the Acehese and encourage them to fight any injustice by the government, the central theme of his resistance since the 1950’s.⁴⁸ Tiro admitted this as he uttered:

... [W]e are in the process of being swallowed by Javanese colonialists and being put to death as a nation, so that the Javanese can inherit our land. We shall not survive as a people much longer unless we resist and mobilize now. The way to our national salvation is the recreation of Acehese historic consciousness (Tiro 1984c, 10).

Tiro introduced his history based idea for separatism throughout the 1960s.⁴⁹ This separatism was an invitation for the greater regions outside Java which he called the Malay Archipelago to rise up against the Javanese colonialists. Yet, following the collapse of resistance in other regions, Tiro redirected his focus to Aceh, his own homeland, which had locked him in a long struggle against the central government’s injustices. Despite the fact that none was interested in his invitation during the 1960s, at this juncture, the separatism in Aceh seemed only a matter of time. Responses to Tiro’s ideas were just waiting for frustration among the Acehese to hit its zenith. For Tiro himself, he only required one necessary step,

⁴⁸ Based on this reasoning it can be understood that Tiro, who initially stuck to the idea of establishing a successor state based on the right of self-determination and refused any negotiation with the government, at the end was willing to join the dialogue with the government when he observed the regime change in Indonesia. This will be discussed in detail in chapter 4, section 4.3.2.

⁴⁹ Tiro (1984c, 37,132) referred Friedrich Nietzsche as his idol in a diary written in the 1970s. When constructing his ideas about the Aceh’s history, although quite strongly influenced by “*Thus Spoke Zarathustra*,” it seemed that Tiro thoroughly studied Nietzsche’s work on history. Nietzsche wrote another book entitled “*The Use and Abuse of History*” first published in 1873. Perhaps Tiro read its English version published in New York in 1957.

that was to test whether or not the New Order regime that came to power brought indeed a change for the Acehnese.

2.3 Constructing Rebellion and the Development of Separatist Ideas

“I cannot remember anymore how many thousand times I have had to repeat these explanations!” Tiro expressed this frustration when he found it was very difficult to convince the Acehnese to return to a new resistance beginning with “restor[ing] the national political consciousness” (Tiro 1984c, 48). However, Tiro unceasingly propagated this idea to his colleagues and relatives.⁵⁰ When Daud Beuereueh visited the US in mid-1971, he discussed this idea and gained support to carry it out. An opportunity to propagate it for the greater audience in his homeland came when his brother Teungku Zainal Abidin Tiro, former DI/TII’s Minister of Justice, visited him in 1972 and returned to Aceh circulating Tiro’s new rebellion plan among friends and family. Hence, it was unsurprising if the first response to resume the rebellion emanated from ex-DI/TII leaders, combatants, sympathizers, and their descendants who felt disregarded by the government (Saleh 1992, 369-370, 373, Pane 2001, 32-33).⁵¹

2.3.1 Returned and Established GAM

A breakthrough to shore up his ideas in his homeland came when Tiro had the opportunity to return to Aceh in 1974. Tiro travelled between the US and Aceh three times until September 1976. He used these trips to reawakening historical and political consciousness among the Acehnese (Sulaiman 2000, 18). Tiro’s efforts had been made easier because at the same time the Acehnese began to be

⁵⁰ To support these efforts Tiro established an organisation, Aceh Institute in America, which had a role in disseminating information about Aceh. On 23 April 1973, this institute organized an event “One Hundred Years Anniversary of Battle of Bandar Aceh, April 23, 1873-April 23, 1973” in the US. On this occasion, Tiro delivered a speech which repeated the same recall of the Acehnese’s past glories (Sulaiman 2000, 16-17).

⁵¹ However, while Tiro prepared his new uprising based on ethno-nationalism, some former DI/TII leaders in Aceh expected that it would be a continuation of Islamic last struggle in Aceh through the RIA which proclaimed on 15 August 1961. Later on, besides age factor, this reason caused some ex-DI/TII leaders and their followers remained aloof with Tiro’s movement, despite they supported his intent to rebel (Teungku Fauzi Hasbi Geudong, interview with *Tabloid Express*, 6-7 July 2000).

disappointed by the effect of the marginalization by the New Order's development. Teungku Fauzi Hasbi Geudong, who once joined the GAM, illustrated the mood among the Acehnese at that time:

The Acehnese were abandoned. At most they were asked to bring briefcase, carry rice. They were demeaned. Even, they are seen cynically. Later, we as a group visited Abu Beureueh to ask him "move" again. DI's sympathizers reconvened for consolidation.⁵²

Besides personal grievances among ex-DI/TII, in the early 1970s, many Acehnese were unhappy with the local political-economy conditions. The discovery of lucrative natural gas in North Aceh was more advantageous for the migrants than the Acehnese. Local labor participation in this extractive industry, which required skilled labor, was very little. This fact revealed another bigger issue of how Aceh was really underdeveloped educationally. The Acehnese were also alarmed with the social and cultural changes brought in by the migrants working in the industrial estates (Kell 1995, 13-60).⁵³

With all these deprivations, the door was opened for Tiro to transplant his nationalism project. At this juncture, the issue was how to convince the Acehnese that a new struggle was necessary. For this purpose, Tiro used his visits to anchor his idea among the Acehnese. His appeal was warmly welcomed by students, youth, and circles of former DI/TII leaders. For them, Tiro's history-based nationalism was the relevant answer to a bleak future for the Acehnese if they remained with Indonesia. Later, the embryonic seed of a separatist movement was established within these groups (Sulaiman 2000, 19-20).⁵⁴

⁵² Teungku Fauzi Hasbi Geudong, interview with *Majalah Tajuk*, 9 December 1999.

⁵³ Other things found by Kell was the government was more concerned to develop industry in Aceh and seemed to ignore the majority of the Acehnese who were poor and depended on agriculture. On political leadership, being old and some co-opted by the government, *ulama* were unreliable as they once were. The *zuama*, who ended the 1950s rebellion, became the technocrats and served the government's interests. Aceh special status was just on paper; though Jakarta issued Law No. 5 on the Principles of Regional Government Administration in 1974 in which Aceh's autonomy was admitted.

⁵⁴ Dr. Muchtar Hasbi who had a profound interest on Aceh's history and some of his colleagues in *Ikatan Pemuda Tanah Rencong* (IPTR, Youth association of *Tanah Rencong* – a nickname for Aceh) such as Dr. Zaini Abdullah, Dr. Husaini Hasan, Dr. Zubir Mahmud, Ir. Teuku Asnawi Ali, and Amir Ishak were the first recruits from the youth group. Some of them had close ties with DI/TII leaders, such as Dr. Muchtar Hasbi who was a son of Teungku Hasbi Geudong, a staunch supporter of Daud Beureueh (Putra 1999). Former DI/TII fighters who joined this movement were Teungku Ilyas Leubee, Teungku Muhammad Usman Lampoh Awe, and Daud Husin (Paneuk). All these people filled positions in the first GAM's cabinet: Dr. Muchtar Hasbi, Minister of Internal

For Tiro himself, his visit to Aceh marked his last personal attempt to test the willingness of the government cooperating with the Acehnese. When he realized that Jakarta had rejected his proposal to participate in managing lucrative natural gas in the Arun field, North Aceh, he lost all confidence in Indonesia (Reid 2004, 306).

According to his diary, Tiro returned secretly to Aceh for the last time on 30 October 1976 (Tiro 1984a, 8). As a Chairman of the National Liberation Front of Aceh Sumatra (NLFAS) and Head of State of Aceh Sumatra, he declared the independence of Aceh on 4 December 1976 (Tiro 1984c, 15-17). In the declaration, he wrote clearly that the purpose of Aceh's independence was reclaiming the past. It aimed at "protecting our [Aceh] historic right of eminent domain to our fatherland" considering "illegal transfer of sovereignty over our fatherland by the old, Dutch colonialists to the new, Javanese colonialists." This he considered illegal because the Dutch should have transferred the sovereignty to the Acehnese, not to Indonesia. Consequently, Indonesia had no right over Aceh as International Law principle stipulated, "*Ex injuria jure non oritur*. Right cannot originate from wrong." Yet, the main reason why the past must be reclaimed according to him was "Indonesia-Java" had carried out injustices and "perpetuate[d] colonialism which all the Western colonial powers had abandoned and all the world had condemned."

The declaration of independence was an attempt to exercise the right of self-determination based on three key arguments: history, international law, and decolonization principles. Tiro well understood these themes and these were felicitous in drawing the Acehnese support, but unfortunately not for the greater public beyond Aceh and Indonesia. These themes would have strongly attracted the world's attention had they been issued prior to the 1970s; when "the Western colonial powers" were not preoccupied by the Cold War or not been as friendly to Jakarta as seen in their support of the New Order since the late 1960s.

Affairs and Deputy Minister of Foreign Affairs; Dr. Husaini M. Hasan, Minister of Education and Information; Dr. Zaini Abdullah, Minister of Health; Dr. Zubir Mahmud, Minister of Social Affairs and Governor of Peureulak Province; Tengku Muhammad Usman Lamoih Awé, Minister of Finance; Ir. Teuku Asnawi Ali, Minister of Public Works and Industry; Mr. Amir Ishak, Minister of Communications; Teungku Ilyas Leubee, Minister of Justice; and Army Commander, Muhammad Daud Husin. This cabinet was sworn on 30 October 1977 (Tiro 1984, 108-110).

The declaration shows that Tiro put high expectation on the success of the struggle for independence through diplomacy and international support. In the last paragraph of the declaration he said, “We expect recognition from decent members of the community of nations. We extend the hands of friendship to all peoples and to all governments from the four corners of the earth.” In contrast, either Tiro estimated that it was unnecessary for the time being or he doubted the effectiveness of an armed struggle, in fact the declaration was far from an incitement to armed resistance.⁵⁵ However, this could be a signal that since its commencement, the struggle in Aceh was expected to be resolved by negotiation. Tiro may have expected that while GAM built political and historical consciousness among the Acehnese, the Western countries would force the government to negotiate a referendum with them. Based on this, Tiro stressed that the early and the last stage of resistance would not be an armed struggle as he pointed out:

Our first task, therefore, should be to restore the national consciousness, to revive national memory, then to organize and to mobilize ourselves. Now, all these are not military activities but political, cultural, and educational. They are absolutely necessary to prepare before we can engage in armed struggle. So the gun is neither the first nor the last thing! (Tiro 1984c, 48).

Tiro’s lack of enthusiasm for armed struggle is highly noticeable in refusing the request of his followers to be equipped with weapons. Tiro said:

Most of them think only about guns. “Where are the guns?!” ... I patiently explained to them ... Gun is only one of our problems that we must solve. But there are more important and more urgent ... the problem of Acehnese political consciousness, the problem of the crisis of national identity, ... (Tiro 1984c, 47).

Four months after the declaration, Tiro realized that the government was becoming irritated with GAM’s activities, but calculating his own strength, Tiro avoided any military confrontation. He was satisfied with GAM’s efforts to establish political awareness among the Acehnese and with the results obtained. He expected that political propaganda could linger as he said, “We want to keep the conflict political

⁵⁵ During the DI/TII’s uprising in the 1950s, the rebel’s leadership repeatedly sent money to Tiro for buying weapons. However, the weapons had never been delivered. Hence, a number of DI/TII’s figures and sympathizers considered Hasan Tiro as a liar and fraudster (Saleh 1992, 381).

as long as possible to prepare the people politically for the armed struggle. We need time to indoctrinate the people” (Tiro 1984c, 49-50).

Unfortunately, Tiro’s expectation would not last long. The blatant propaganda and especially GAM’s overt activities such as tax collecting and armed ambush, caused the government not to remain in silence and they conducted military operation to crush GAM (Sulaiman 2000, 31-33, 38).⁵⁶ Under military pressure causing Tiro and his ranks to be squeezed, Tiro reviewed GAM’s strategy. He considered using force under the pretext that the first phase of raising awareness and preparing the organization of the Acehnese struggle had been successfully carried out. In mid-1978, Tiro crossed the line he had made and said, “We have organized our military and civilian Government structures that are working effectively and obeyed by our people. The only thing we need to do now is arming our people, ...” (Tiro 1984c, 188).

In an increasingly desperate position, diplomacy to gain international support appeared to be the main theme of Tiro’s thinking in the latter part of 1978. Tiro sent Husaini Hasan and Zaini Abdullah to launch diplomatic missions abroad but they failed to escape a military blockade. Having considered the security situation dire following the military operations codenamed *Nanggala*, Tiro thought that it should be he who must struggle overseas. He handed over the domestic struggle to the cabinet members led by Muchtar Hasbi and escaped from Aceh on 28 March 1979 to continue the struggle in exile.

2.3.2 Injustices on the Ground and Growing Support

Tiro left Aceh without completely finishing his project. GAM had only about an estimated 70 loyal followers who joined him in the mountains before his departure (Schulze 2004, 14). With Tiro gone, GAM was in disarray due to a series of killings and the arrest of its leaders. However, separatism persisted and later grew stronger as armed separatism towards the end of 1980s.

⁵⁶ In dealing with this military operation, Tiro attempted to draw the U.S. concern by pressing Bechtel, the US based contractor that managed the Arun field, but it was ended in despair. The U.S., that supported anti-Sukarno New Order regime, preferred to align with Jakarta. Edward Lansdale, the CIA operative who associated with Tiro to support the resistance movements against Sukarno and expected to influence Washington, was also no longer reliable.

Hasan Tiro's presence in Aceh for more than three years perhaps had spread the quest for sovereignty among the Acehnese. Yet, the reason that attracted public for GAM's struggle and made it persist was the injustice they witnessed. The following statement is representative of the decisions made by the second generation leaders who joined GAM in the 1980s:

Why did I rebel for Aceh? I saw injustice. So when someone asks what is the root cause of conflict in Aceh? The root cause of conflict in Aceh is the question of sovereignty that has never been resolved. And injustice is the secondary.⁵⁷

Under intense military pressure in the late 1970s, GAM had been on the brink of collapse. However, the government failed to use GAM's fragmentation to immediately improve political, economy, and social conditions. Since the beginning, the government was aware that the problem in Aceh was "triggered by poor public welfare and incredible injustice."⁵⁸ Sadly, its target for high economic growth in accordance with the model of development adopted, overrode issues of distribution and justice. In fact, besides failing to resolve these issues, exploitation and centralization deteriorated even more in the 1980s (Sukma 2005, 10-15). Injustice that was experienced by the Acehnese along this period reversed the circumstance. The disappointment over the growing inequality, and no longer just a matter of history, drove people to join GAM as was said:

We observe that there is injustice over Aceh committed by the central government in Jakarta. The disappointment among Acehnese has accumulated ... In 1976, Teungku Hasan di Tiro established a movement to claim that Aceh was once an independent and sovereign country before Indonesian proclamation. However, this is not the message that we would like to convey. [But,] the Acehnese was really disappointed when Jakarta was unable to keep its promise.⁵⁹

GAM, of course, benefitted from this situation and drew more sympathy for its struggle. Injustices caused many Acehnese to turn to GAM, and some who remained hesitant to join nevertheless began to consider independence as an option.

⁵⁷ A negotiator of GAM for Helsinki Round (1), interview with author in Banda Aceh, 10 April 2013.

⁵⁸ Azwar Abubakar, interview with author in Jakarta, 6 March 2013.

⁵⁹ A negotiator of GAM for COHA (2), interview with author in Banda Aceh, 16 April 2013.

The government's failures had indirectly justified Tiro's ideas and made his appeal seem real. This enabled GAM to grow during the early and mid-1980s, though in fact, Tiro and other surviving leaders, were almost powerless to make any changes in Aceh.

During the 1980's, Tiro moved from thinking about 'why rebel' to 'how to manage the rebel.' He let his ideas develop and be disseminated by his loyal followers in Aceh and Malaysia, while from exile in Sweden, Tiro focused on three efforts: to reestablish communication between headquarters in Sweden and members in Aceh and Malaysia, draw international support, and build up armed units at the end of 1980s.

Tiro's efforts for reconsolidation began with rebuilding personal contact with relatives and friends in Aceh and Malaysia. After this, the GAM organization in exile managed its communication with people at ground level through the bulletin AGAM that was periodically smuggled from Malaysia to Aceh and other regions in Indonesia. GAM also reproduced Tiro's ideas in printed publications and cassette tapes which arrived in Aceh by the same channel (Missbach 2011, 100). Later, GAM established offices in Malaysia, Singapore, Australia, the United States and Europe. The office in Malaysia was "the brain of the movement" due to its geographic proximity and support from a wealthy Acehnese diaspora in this country.⁶⁰

Amidst this reconsolidation process, for internal purposes and international campaigning, Tiro returned to his pen. In his new pamphlet, Tiro (1980) wrote a more refined claim on the Aceh sovereignty.⁶¹ He emphasized that the Acehnese struggle was not a separatist struggle but that GAM was a liberation movement trying to reclaim territory illegally occupied by Indonesia. The ultimate goal of GAM was to establish a successor state over the sovereign territory of Aceh as in pre-colonial era.

⁶⁰ A negotiator of GAM for Helsinki Round (1), *op. cit.*

⁶¹ This pamphlet was entitled "*The legal Status of Aceh Sumatra under International Law.*" He also wrote the story of his struggle and the ideas behind it in a diary. This "*Unfinished Diary*" was completed in 1981 and published in 1984. In the same year he also published the pamphlet "*Indonesia as a Model New Colony*" which revolved around the same argument previously pointing out in his earlier publication in the 1960s.

To gain international support, Tiro and colleagues set out steps which were not directed to draw formal diplomatic recognition. These steps included attending multilateral fora,⁶² participating in scientific meetings,⁶³ personal lobbying, forging an alliance with other liberation movements,⁶⁴ establishing contacts with the international media and publishing opinion in mass media, and developing relationships with a numbers of international NGOs concerned with the rights of minorities (NLFAS 1985).⁶⁵ The latter proved to be very effective in overturning the government on mass human rights violations in the late 1990s and early 2000s.

Having realized that during the 1980s the Western countries had formed close ties with the government, while at domestic level there was “the containment of Islam political idealism and activism” (Effendy 2003, 44-52), Tiro aimed his diplomatic activities toward Islamic countries. For the struggle in Aceh, this was an effective strategy to regain support from ex-DI/TII sympathizers, after some *ulama* such as Teungku Hasbi and his son Teungku Fauzi Hasbi left GAM in 1984 because they considered Tiro’s ideas tended more to ethno-nationalism rather than Islam (*Media Indonesia*, 25 July 1999, Putra 2000). In the international arena, this strategy enabled GAM to gain more sympathy including an offer from Libya in mid-1980s for free military training (Kell 1995, 73). Although Tiro had never been confident of the effectiveness of armed struggle, he felt there was another great

⁶² GAM regularly attended Unrepresented Nations and Peoples Organization (UNPO) Conference based in The Hague, Netherland. This is a forum of minorities and indigenous people which are unrepresented by formal diplomatic representative.

⁶³ Mid-1985 was a hectic time for Tiro. On 31 July he attended Islamic World’s Seminar on the Impact of the Nationalism on the Muslim and presented a paper on “*Indonesian Nationalism: A Western Invention to Subvert Islam and to Prevent Decolonization of the Dutch East Indies.*” No longer than a month later, on 23 August 1985, Tiro presented his paper “*The Case and the Cause National Liberation Front of Aceh Sumatera*” before the Scandinavian Association of Southeast Asian Social Studies, Göteborg, Sweden.

⁶⁴ In the early 1980s, Tiro established a contact with pro-independence East-Timorese, such as Ramos Horta and Mari Alkatiri while he transited for a few months in Mozambique before departing for Sweden. During the 1980s, Tiro built relationship with the other liberation group, such as *Organisasi Papua Merdeka* (OPM, the Free Papua Movement) and *Republik Maluku Selatan* (RMS, South Moluccan Republic) (Missbach 2011, 96-97).

⁶⁵ This document compiles reports on GAM’s struggle by printed media in Canada, Turkey, Iran, and Sweden. It also includes articles, interviews, opinion, and pictures depict GAM’s relationships with various organisations including their participation in international seminars, connection with international NGO such as Tapol and Amnesty International, and association with other rebellion group in Indonesia (RMS). For purposes of attracting the Muslim world, GAM always uses the phrase “Jihad of Muslim Atjeh Sumatera” in any publications in Muslim countries or Muslim media.

opportunity for GAM in drawing the world's attention to the actions of these Libyan alumni.

2.3.3 Violence and Enduring Struggle

GAM recruited hundreds of youths in Aceh and Malaysia to attend military training in Libya from 1986 to 1990. This training covered military skills and ideology briefing by Hasan Tiro (Schulze 2003, 244). Upon completion, the graduates surged back to Aceh through Malaysia. They brought along publications and recordings of Tiro's ideas. Their return aimed to revive the movement and build the armed forces (Missbach 2011, 108-109). Support from some old fighters who remained in the forest and GAM's urban intellectuals facilitated this undertaking with not much difficulty. Recruitment and military training took place faster than expected because discontent among the Acehnese was rampant as the government's policies towards Aceh were becoming worse than ever. The high level of unemployment made their mission for recruiting new combatants even easier (Kell 1995, 66-69).

Having successfully rebuilt the organization, the armed units deployed in various locations in Aceh, especially in Aceh Besar, Aceh Tengah, Pidie, North Aceh and East Aceh, demonstrated their potential as a military force through mid-1989 to mid-1990. Most of their actions were well coordinated, such as the arms seizure from security authorities which often resulted in a death toll (Sulaiman 2000, 65-68). While some others, including terror against Javanese transmigrates, assassinations of civilian targets who opposed GAM, and the burning of schools, were independent actions initiated by the local commanders exploiting GAM's name (Putra 2001, 58).

The decision to build armed forces was apt to regain sympathy among the Acehnese who from the beginning had the fervent zeal to launch an armed struggle. This idea clearly dissociated Tiro from his original notion that relied more on a political solution.⁶⁶ However, this decision demonstrated to Tiro that he needed to

⁶⁶ This decision did not only claim casualties on the ground but also sacrificed those opposing it. The exclusion of Dr. Husaini Hasan from GAM since 1985 was deemed related to his criticism towards Tiro's strategy, besides his personal disputes with other GAM's leaders of Tiro's family such as Zaini Abdullah. Husaini Hasan always commented that this discord because he and some colleagues attempted to be loyal to the original ideology that was developed during the early days of the uprising in Aceh forest (Sulaiman 2000, 61; Missbach 2011, 129).

take into account the reality on the ground if he wanted to save the struggle he started, as one of GAM intellectual who became a negotiator said below:

... [W]hat Hasan di Tiro desired was a political struggle. Yet it was not well received by his followers in the field. They even encouraged him to prepare the military training ... The purpose he trained the military was not actually for war. [It was] for preparation if Aceh gained independence. However, at ground level, the Indonesian government ran a military operation ... At the end of the 1980s, what he had expected at the beginning, had shifted. From political and diplomatic struggle it shifted to the military, armaments, and so on.⁶⁷

Jakarta responded to GAM's reprisals by carrying out military operations codenamed *Jaring Merah* (Red Net), since 1989.⁶⁸ President Suharto launched the operation to secure the development program and the vital industrial estate on the request of the Governor of Aceh, Ibrahim Hasan. The operation was originally targeted to crush GAM in six months, but in fact it lasted until 1998 (Sukma 2004, 8). Though it succeeded in isolating GAM in 1992, the military never managed to destroy GAM and restore security. During this long military presence, in which Aceh become more familiar as *Daerah Operasi Militer* (DOM, Military Operation Zone), human rights violation was rampant (Sulistiyanto 2001, 442-443). Four years since Indonesian military commenced their "shock therapy" to destroy the GAM, "an estimated two thousand civilians have been unlawfully killed, one thousand people have been arbitrarily arrested on suspicion of related to GAM" (Amnesty International 1993, 1).

Despite suffering substantial losses due to military operations, massive human rights violations benefitted GAM's international campaign in the 1990s. Violence in his homeland paved the way for Tiro's internationalization strategy. Tiro viewed internationalization as the only way to achieve independence as he reiterated amidst his excitement over the UK Parliament's response to human rights violations in Aceh:

Now we have got one big power (the British Empire [sic: read the United Kingdom] to be a door-opener for us going directly to the

⁶⁷ A negotiator of GAM for Helsinki Round (2), interview with author in Banda Aceh, 18 April 2013.

⁶⁸ In this excessive counter-insurgency operation, it is estimated that 6,000 non-organic troops including from elite corps, *Komando Pasukan Khusus* (Kopassus, Army Special Forces Command) stationed in Aceh in July 1990.

United Nations Human Rights Commission Session. From here only one more step to make the UN intervene to dissolve Javanese colonialism in Aceh or Sumatera, for example by holding elections, under the UN supervision (Tiro 1991, 2).

GAM also succeeded in getting international human rights watchdogs⁶⁹ and to the media⁷⁰ to report on violence in Aceh. Not long after, Tiro gained the opportunity to lobby the UN⁷¹ (Sulaiman 2000, 70-71). Following these campaigns, international human rights organizations such as Amnesty International and the UN Human Rights Commission attempted to carry out first-hand investigations, but the government repeatedly refused to give them access (Amnesty International 1993, 16, 56). Although GAM was relatively successful in internationalizing the Aceh conflict using the military violence issue, these efforts had little impact for resolving Aceh's conflict through self-determination. There was no support obtained except concern for human rights violations.

Military violence, instead, provided the advantage for GAM's struggle at home. Violence and various human rights violations had left deep trauma among many Acehnese. For the generation living in the 1990s, especially youth, this tremendous human rights violation caused them to realize that there was no future except freeing Aceh from Indonesia. "At that time, we demanded independence from Indonesia, not just for the sake of historical and Acehnese identity. But [because] there was a military force here," said Taufik Abda, a student leader at the time (Hadiwinata et al. 2010, 41). In response to this situation, those rejecting violence against violence, were mostly from the urban establishment including *ulama*, lecturers, political party members, NGO activists, and students, preferring to work on campus and NGOs raising human rights issues.⁷² However, for those who were more radical or needed protection, in particular, those who lived in the

⁶⁹ Amnesty International, Human Rights Watch, Asia Watch, ICRC, Tapol

⁷⁰ The Washington Times, SBS Australia

⁷¹ Through submissions to the Forty-fourth Session of the UN Sub commission on Prevention of Discrimination and Protection of Minorities on August 23, 1991 and to the Forty-eighth Session of the Human Rights Commission on January 29, 1992.

⁷² Though many of them had no affiliation with GAM, the military perceived their campaign discrediting the government, but giving credit to the GAM. When the national political change eventually came in 1998, this establishment became the leading group issuing the right for self-determination for Aceh.

rural area, the military violence caused them to flock to join the GAM as revealed by one of GAM's negotiators below:

I was also involved in the field, here. When DOM was implemented, in 1988, many people were unlawfully arrested. There were lost people and their bodies never found, people tortured before the community ... The implementation of DOM made people fight ... In the past, people said there was a movement by Teungku Hasan di Tiro, but its reverberation was not so loud ... So that was why armed resistance ensued, because the Acehnese had to defend themselves
....⁷³

The increasing number of the Acehnese joining the GAM consequently made this movement sustaining amidst strong military pressure. Hence, finally it could be pronounced that “military violence makes the GAM stronger” as Otto Syamsuddin Ishak, a human rights activist, said (*Kontras*, 3-9 March 1999, 5).

This said, it appeared that the military operations gave more credit to GAM than to the government. The effect of its violence reinforced collective consciousness among the Acehnese (Aspinall 2006, 170). Though at first their participation in the struggle, either in GAM or in other pathways, was not to replay Tiro's calling, but the military violence had given deeper meaning for them to the importance of independence called for by Tiro through his historical-based narrative.

Amidst military repression at home, and in order to strengthen GAM's revival, Tiro attempted to expand the Aceh rebellion by inviting other regions in Sumatra to join the cause (Tiro 1991). He repeated his federation idea in the 1960s and proposed a Swiss like system for the “Confederation of Independent Sumatra.” Tiro expected that if other areas were willing to rise up with Aceh, this would draw greater world interest to suppress the government (Tiro 1994, 3, 9). Yet, this appeal did not get any response.

After 1994, there was no newer idea from Tiro. He persisted with his historical-based nationalism and never attempted to incorporate contemporary injustice and violence as part of it; except GAM utilized them for their propaganda. As if to defend his position, he simply mentioned that he had explained it decades ago and refused to discuss it in detail. He said, “What I say to you now I have said

⁷³ A negotiator of GAM for COHA (2), *op. cit.*

and written it clearly since 35 years ago. These are all truths are covered up by Javanese bandits for 46 years to allow their colonization” (Tiro 1991, 9).

Since GAM’s second rising in the late 1980s it was not only Tiro’s history-based nationalism causing people to dream of independence or join GAM, but included the worsening economic exploitation and state violence. Consequently, when the 1998 reformation came it was not only GAM expecting independence, but also the urban establishment that later transformed into civil society movements and had a different agenda and strategy. The latter attempted to gain the right for self-determination through a political process as the reformation led Indonesia became more democratic (Aspinall 2002, 18-22). Apart from this, there were also some Acehnese expecting to resolve the conflict without the independence option. Therefore, although GAM became the strongest player in Aceh after 1998, its interests were no longer the only one had to be taken into account. Hence, any conflict resolution became tedious without GAM participation but also in jeopardy if other stakeholders were overlooked. As discussed later in chapter 4, this complicated situation caused no easy panacea to resolve the conflict.

2.4 Conclusion

Hasan Tiro raised the notion of separatism in Aceh after his federalism project for Indonesia failed. Tiro created the idea a decade before the unilateral declaration of Aceh independence in 1976. He observed that the long injustices experienced by the Acehnese would never vanish if Aceh remained with Indonesia and suggested to establish a successor state over the sovereign territory of Aceh as in pre-colonial era. Tiro proposed historical argument, legal reasoning, and the principle of decolonization to substantiate this claim; including a political process to achieve independence through diplomacy to gain world support for the Acehnese exercising their right for self-determination.

Tiro and his sympathizers established GAM to achieve their goal, mobilize the masses, and gain international support. Initially, Tiro’s invitation to secede had not drawn much support. Yet, when the government’s politics of exploitation and centralisation caused the Acehnese to suffer injustices in the 1980s, his claim on “Indonesian colonization over Aceh” was justified and his appeal drew widespread

popular support. Later, GAM grew stronger when reinforced by the Acehnese who joined in following the government's politics of oppression in the 1990s.

Tiro's role and his circle were very crucial in building GAM to become a long lasting liberation movement. Their relentless campaigns using international norms, such as the right of self-determination and human rights, made the Acehnese separatism attractive to the world. Yet, at home, its domestic survival relied on support of elites in Aceh and Malaysia who developed and secured networks at ground level. GAM's progress did not only depend on their elites' efforts. The government elites, who perpetuated the politics exploitation and oppression, contributed to this.

Until the late 1990s, the idea of the unitary state that strongly preoccupied the New Order regime, and also the fervent military interest in Aceh, had steered the government away from GAM's demands. Though from its outset, GAM expected this conflict resolved by political means, but there was no effort towards it before the new government, after the 1998 reformation, eventually brought in alternative peace ideas. However, when this opportunity came, separatism had become more complex in terms of the players and issues, which caused the efforts to resolve it more grim than expected.

The next chapter discusses the origin of separatism in Patani. In Aceh, Hasan Tiro had raised the idea of separatism after his federalism project for Indonesia had failed, while in Patani the struggle for independence arose after the attempt for irredentism and gaining autonomy failed.

CHAPTER 3

PATANI: BRINGING SOVEREIGNTY AND IDENTITY BACK IN

“After the sovereignty of the Malay rajas of Patani was abolished through trickery by the Siamese Kingdom in 1902, the country of Patani was gradually absorbed as a part of the territory of the country of Siam-Thai and its Patani Malay subjects were changed to citizens of the state of Siam-Thai.”
Ibrahim Syukri, Patani nationalist writer, circa 1940s.¹

The separatist movement in the Thai province of Patani shares many elements with its Acehnese cousin, but perhaps the most fundamental shared legacy is a bitter and proud historical memory on which it has built its idea of separatism. The separatist historical narrative is presented in its essentials in the quotation that opens this chapter, wherein an advocate of Patani Malay nationalism from the 1950s, Ibrahim Syukri, outlined in powerful and deliberately divisive language the historical claims of Patani separatism. He pointed out the painful process of Patani’s incorporation into Siam (Thailand after 1939), as the cause of the Malays losing *hak pertuanan* (sovereignty) and identity.

Using less partisan language, the historical case for separation might be outlined as follows. Before Patani came under Siamese rule, it was known as the Malay Kingdom of Patani (Syukri 2005, 1) or Patani Darussalam (Teeuw and Wyatt 1970, 68). Its territory covered Thailand’s current provinces of Pattani, Yala, Narathiwat, along with the four major Malay-speaking districts in Songkhla (Chana, Natawee, Tiba, Sebayo) and a part of Sadao.² During its glory days in the

¹ “*Sejarah Kerajaan Melayu Patani*” (History of the Malay Kingdom of Patani) was written originally in *Jawi* script (using Arabic alphabet for local (Malay Patani) language). This book, along with “*Hikayat Patani*” (The Story of Patani), is the foundation of the Patani Malay narrative on their past and history. It was published in the late 1940s in Pasir Putih, Kelantan, Malaysia and was heavily influenced by the idea of Malay Nationalism. Syukri refrained from advocating rebellion. His aim was to instil ethnic pride of the Patani Malays and to contrast the conditions during the “golden age” with the conditions under Thai rule. See “Translator’s Introduction” by Conner Bailey and John N. Miksic in Syukri (2005, xiii-xix)

² In this chapter I use ‘Patani’ (with single ‘t’) for the historical region of Malay-Muslim in the deep south of Thailand and ‘Pattani’ (with double ‘tt’) for the name of a province in the region under Thailand’s administrative. A detailed explanation on the usage and the political implication of this term can be read in the “Preface” of “*Rethinking Thailand’s Southern Violence*” written by its editor Duncan McCargo (2007a, viii-ix).

16th and 17th centuries, Patani was a great commercial centre in Southeast Asia. Bandar (port) Patani was the only hub on the East coast of the Malay Peninsula and grew as the transit port for Arabian, Indian, Chinese, Japanese, and European traders in their business trips to and from East Asia (Denudom and Hoadley 2013, 2-5).³ As its commerce grew, Patani also developed as a center of Malay civilization and culture. Islam, which had been introduced by Arabian and Indian Muslim traders, grew rapidly after the official conversion of the Malay Kingdom in 1457 (Gilquin 2005, 11) and Patani became known as “the cradle of Islam” in Southeast Asia. Malay Patani identified themselves strongly with Islam and became very proud of their identity as Muslim Patani (Chik and Chik 2011). The “golden age” of the Malay-Muslim Patani Kingdom, however, came to a decisive end after it was conquered by Siam in 1786 (Mahmud 1999, 20).

This chapter discusses the idea of separatism in Patani. It traces the formation and the development of separatism as it began to emerge after the government of Thailand rejected *Tujuh Perkara* (The Seven Points of Proposal/Demand), put forward by the charismatic Muslim leader Haji Sulung bin Abdul Kadir (the President of the Islamic Religious Council) and his associates on 24 August 1948. The proposal was prepared upon the request of the investigatory commission assigned by the government to bring to an end a period of local turmoil (Aphornsuvan 2007, 40-43). Unlike Hasan Tiro – who instigated the idea of separatism in Aceh and then established a movement – Haji Sulung never called for secession from Thailand. *Tujuh Perkara* was, in fact, a demand for autonomy (Suhrke 1977, 242). Bangkok’s rejection to this demand, which was followed by the arrest of Haji Sulung, provoked the renewal of unrests. It was escalated further into resistances after his disappearance in 1954, when he was presumed to have been murdered at the hands of Thai police (Aphornsuvan 2007, 46-56). The disappearance of Haji Sulung and several other Patani leaders, together with Bangkok’s ongoing highhanded response to requests for autonomy, encouraged the development of the idea of independence among the Patani Malays and led to the birth of the separatist movements.

³ Patani grew to its greatest power in the 16th and 17th centuries after the Portuguese captured Malacca in 1511. Its position was ever more strategic following Portuguese’s extraction and extortion in Malacca made trade there increasingly unprofitable (Teeuw and Wyatt 1970, 7).

This chapter's discussion on the idea of Malay-Muslim separatism in Patani is divided into three sections. It begins with outlining the root of Thailand-Patani conflict that goes back to the era of the Siam conquest in the 18th century when the Patani Malays lost their sovereignty; and the Anglo-Siamese Treaty 1909 incorporated Great Patani Sultanate into Thailand. Subsequently, it explores the evolution of resistances that grew in the 1930s and 1940s when Bangkok enforced the policy of assimilation. The final section examines the transformation of this idea into the separatist movement from the 1950s to 1990s and the contemporary resurgence of violence, which started on 4 January 2004.

3.1 A Prelude to Separatism

The history of conflict between the government of Thailand and Patani originated from three important historical events: the conquest of Patani by the Siam in 1786, the incorporation of Patani into a province of Siam in 1902, and the Anglo-Siamese Treaty in 1909. The lingering resistance of the Patani Malays against Bangkok's rule emerged and grew along with these three events.

The long conflict began when Siam invaded Patani in 1785 (Joll 2011, 37). This invasion was part of King Yodfa Culaloke's (Rama I, r. 1782-1809) efforts to reconsolidate his *mandala*⁴ following the breakaway of several of his southern Malay vassals, including Patani, in the aftermath of Siam's war with Burma in 1767. The Malay kingdoms had previously been Siam's tributary vassals but they took advantage of Siam's weakness during the war to establish themselves as properly independent kingdoms (Haemindra 1976, 199). The newly independent Malay Kingdom of Patani did not only refuse Siam's requests in 1767 for financial assistance in its war against Burma, but during the war Patani also refused to send

⁴ *Mandala* is the key concept to understand states' territory during pre-colonial era. As Wolters (1999, 27-28) explained, it "represented a particular and often unstable political situation in a vaguely geographical area without fixed boundaries and where smaller centers tended to look in all directions for security." Another important concept to understand intra-regional relations in Southeast Asia was the tributary relationship between vassal and suzerain. To demonstrate its loyalty to the suzerain kingdom, the vassal kingdom had to send tributes. Under the Thai system of vassal-suzerain relationship, the southern Malay tributary kingdoms had to send "*bunga mas*" (gold flowers) or in Thai "*khruang ratchabannakan*." Apart from this, they had to show their support in the form of supplies of food, arms, or financial resources when Siam was in time of war. See Chulasiriwongs (1980, 4-7) for details.

its traditional tribute (Syukri 2005, 53-54). The Malay Kingdom of Patani had customarily sent *bunga mas* (gold flowers) as a sign of friendship and loyalty to Siam.

After months of siege Siam managed to conquer Patani in 1786, resulting in its total submission. The traditional tributary relations between Patani and Siam totally collapsed and Patani became Siam's colonial territory rather than merely a vassal state (Haemindra 1976, 198). The Patani rajas who ruled for hundreds of years lost their power and Bangkok put Patani under the supervision of Siam's raja in Ligor. The independence of the Malays also came to an end and they fell under Thai subjugation (Syukri 2005, 58).

After Siam's conquest, it placed Malay aristocrats in charge of the territory, but the sense of patani being a colonized people never disappeared. Tension and uprising led by local feudal elites continued to demonstrate their dissatisfaction of being under Siamese occupation. An abortive uprising led by Tengku Lamidin broke out in 1789-1791, followed by another in 1808, led by Dato Pengkalan (Haemindra 1976, 200). In response to the recurring resistances in Patani, in the early 19th century Siam put this territory under its direct control and appointed a Siamese as a ruler. The power of Malay aristocrats to rule was thus eliminated and the Malay Kingdom of Patani dissolved (Syukri 2005, 59-63).

In order to make Siamese control stronger, in 1816 King Rama II initiated a policy of divide and rule over Patani (Aphornsuvan 2007, 18-19). The territory of the Malay Kingdom of Patani was divided into seven small *mueang* (province): Patani, Teluban, Nongchik, Jalor, Jambu, Rangae, and Reman. Even though Bangkok returned the Malays aristocrat to lead the provinces, the fact that Patani now led by several governors had weakened the Patani Malays' resolve to reunite against Thai (Mahmud 1999, 20-21).

While the aim of the policy was to stop the upheavals, in fact, six major armed acts of resistance occurred in Patani from 1808 to 1902. In 1902, during the reign of King Chulalongkorn (Rama V, r. 1868-1910) the government incorporated Patani into Siam to bring the area under the direct control of Bangkok and to prevent any interference from foreign governments. Under King Chulalongkorn's national administrative reform, the seven small provinces of the former Malay Kingdom of

Patani's territory were consolidated into one *boriwen* (a single region) (Haemindra 1976, 201-202). From that time, as with other provinces in Thailand, Patani was placed under the direct rule of Bangkok. The local feudal elites were removed from their positions and replaced by bureaucrats from Bangkok. Though the new system abolished the obligation to pay tributes, the treasuries of Patani as other provinces became under the control of the central government (Aphornsuvan 2007, 22-24).

The Patani Malays regarded the year of 1902 as "the last and most unfortunate year in the history of the fall of the Malay Kingdom of Patani" (Syukri 2005, 81). With this incorporation, in less than two centuries Patani Darussalam and six other Malay sultanates in the south, having been initially autonomous, fell from glory and eventually came under Siamese total control. Under this new rule, the seven small provinces of Patani no longer had autonomy and the Malay rulers lost their power. This policy also sparked conflict between the rulers of provinces in Patani with the government and led to the detention of Tengku Abdul Kadir Kamaruddin, the ruler of Patani, who refused to sign the 1902 act of incorporation (Mahmud 1999, 24).

Siam sealed the incorporation of Patani through an international agreement. In the Anglo-Siamese Treaty signed on 10 March 1909, Siam ceded Kelantan, Terengganu, Perlis and parts of Kedah to the United Kingdom. In return, the British recognised Siamese authority over the regions situated further north (Wyatt 2003, 192, Marks 1997). After the agreement, issues of administrative, cultural, and linguistic autonomy in Patani became part of Siam's internal affairs (Gilquin 2005, 68). The firm guarantee of Siamese control over Patani encouraged Bangkok to be more adventurous in carrying out various measures aimed at weakening the Malay Muslims identity (Islam 1998, 443).

The 1786 conquest deprived Patani of its independence. Patani was no longer a self-governed territory. The 1902 incorporation made the Patani Malays part of the Kingdom. It no longer had the right to control its territory. Bangkok directly controlled Patani. The 1909 Anglo-Siamese Treaty further exacerbated the situation. After losing political status and power, Patani suffered a potentially loss of its identity as Bangkok's integration policy grew intensely following the signing of the Anglo-Siamese treaty. Nevertheless, at this stage, separatism had not

developed in Patani. The great dissatisfaction, which was overlapped with the sense of powerlessness, simply fostered the desire to change the situations and, sometimes, sporadic resistances followed it.

3.2 Inventing Separatism

Separatism in Patani was a post-war phenomenon; a creature of the 1940s. As an idea, it began to emerge after the Malays in Patani, in particular the aristocrats and the religious leaders, observed that Siam's policies from the beginning of the 20th century increasingly alienated them from power. The new system administration since 1902 marginalized local leaders and did nothing to improve local welfare. The severe underdevelopment made the Malays feel restless and dissatisfied. This discontent became fertile ground for the revival of Patani nationalism when the Thai government implemented a policy of forced assimilation. Later, when Bangkok responded repressively to their demands for autonomy, the discontent turned to secessionism.

3.2.1 Formative Years: Underdevelopment and the nationalism project

The first three decades of the 20th century were formative years when discontent became increasingly widespread in Patani. After being absorbed gradually into the Kingdom of Siam since 1902, the Malays witnessed that the incorporation did not bring progress for locals. Rather, Bangkok's exploitation became more obvious. Thailand's nation-building project also brought severe consequences for the Malays, directly leading to the widespread perception that Siam was attempting to eliminate the Malay and Islamic identity of the majority of the population.

In Ibrahim Syukri's book, he described the poor conditions of the Malays after Patani's incorporation into Thailand. His account suggested that the most basic services, such as health and education, barely changed from the previous period. In terms of education facilities, the only visible change was the increase of Siamese schools in urban areas. Malay schools, particularly those in rural areas, were almost isolated from the government's concern. The lack of infrastructure and public services reinforced suspicion among the Malays that tax and other revenues drawn

from Patani were used only for the benefit of the central government, not for local welfare. Consequently, the strong presumption grew among the Malays that Bangkok was exercising an economic exploitation in Patani (Syukri 2005, 84).

In the government realm, the Siamese officials increasingly dominated key positions. During the Chulalongkorn's reign, policies of modernization, centralization of power, territorial consolidation, and the bureaucratization of administration were pursued throughout Siam (Joll 2011, 38). Under this new system, Bangkok had total control over the official appointments. As a consequence, the Malays aristocrats who had ruled for centuries had less opportunity to participate in local government (Pitsuwan 1985, 62-63). This policy change further exacerbated the political condition in Patani when the officials assigned by Bangkok, in fact, were not proficient. Poor management of government and public services eventually led the Malays to assume that Bangkok was not sincere in developing Patani like other *monthon*.⁵ Rather, they perceived that Siam had effectively colonized Patani (Syukri 2005, 83).

Amidst the worsening conditions being experienced by Patani, the government continued its effort to integrate the Malays into the Siamese kingdom. Chulalongkorn's successor, King Vajiravudh (Rama VI) (1910–1925), formulated a nationalist ideology based on allegiance to nation (Siam), religion (Buddhism), and king, and insisted that anyone in Siam, including the Malays in Patani, must be compliant (Vella and Vella 1978). Along with this ideology, during his period, the government also issued the Compulsory Primary Education Act of 1921 that required children throughout the kingdom to attend a Siamese primary school for four years. Fortunately, a broad public reaction led to the implementation of this legislation being postponed (Joll 2011, 38).

Mistreatment, along with a number of insensitive policy initiatives on Bangkok's part, fostered new resistance in Patani. In 1910 and 1911, spontaneous

⁵ In 1906, King Chulalongkorn (Rama V) incorporated the seven Malay *huamueang* (frontier provinces) in Patani under one *monthon* that was administered through Nakhon Si Thammarat (Joll 2011, 35). *Monthon* was a country subdivision of Thailand at the beginning of the 20th century. These were created as a part of the Prince Damrong's *thesaphiban* (local administration) reforms throughout 1893-1915. Each *monthon* covered several *mueang* (province) and was led by *samuhathesaphiban* (a royal commissioner). See Vickery (1970) for further explanation.

uprisings over onerous taxes occurred in Yala and Narathiwat (Gilquin 2005, 70). The government easily crushed these unorganized uprisings, which were led by *pondok*'s (Islamic traditional boarding school) teachers. Just over a decade later, in January 1923, another uprising occurred in the district of Mayo demanding freedom and refusing to defer to the Compulsory Primary Education Act in 1921. Under the Act, Malay children must attend public schools and any schools, including *pondok*, must use the Thai language (Mahmud 1999, 47). The government, again, successfully halted the uprising before it spread. A number of the Malay leaders were arrested on charges of treason and imprisoned in Bangkok. Several leaders fled to Kelantan, Malaysia to avoid arrest including the charismatic leader Tengku Abdul Kadir Kamaruddin (the last ruler of Patani Province). He had previously been jailed in Bangkok for several years for his rejection to sign the act of incorporation of the seven provinces in Patani into one *boriwen* in 1902 (Syukri 2005, 84).

With regard to the dangers of tension in Patani for the national unity and to avoid foreign powers taking advantage of this situation, the government relaxed its policy in July 1923 (Mahmud 1999, 47-48). In his instruction to the Minister of Interior (No. 3/78), King Vajiravudh set guidelines to abolish practices and regulations that appeared to oppose Islam. The government also cut taxation in Patani to the level of the more southern Malay states (that were under British rule) so the Malays did not feel that they were exploited by the Siamese kingdom, and assigned honest, polite, and firm public officials (Pitsuwan 1985, 68). Later, the government granted cultural autonomy to the Malay-Muslims. The *pondok* that had been closed was reopened. The use of *Jawi* script – an Arabic alphabet for writing the Malay language – was tolerated (Gilquin 2005, 71).

The relaxation did not last long, however. Bangkok's insensitivity towards the Malay's interests re-emerged in 1929 when the government urged that the Islamic family and inheritance laws be translated and codified into Siamese on the basis of strengthening "unity" which, in fact, was misunderstood as "uniformity." The Muslim Patani rejected and considered this as an intervention into their religious authority and an effort to tamper with the sacred *Sharia* (Islamic law) (Joll 2011, 39). Anxiety aroused the Malay-Muslim Patani again. Yet, before their

concerns on this government policy turned into resistance, a significant political change unexpectedly occurred in Bangkok.

The political change took place following the economic downturn that hit the Kingdom in the 1930s. A number of military and civilian leaders under the People's Party carried out a revolution on 24 June 1932 having observed that King Prajadhipok (1925-1935) was no longer able to control the country. They seized power, overthrew absolute monarchy, and replaced it with constitutional monarchy (Suwannathat-Pian 2013, 71, Wyatt 2003, 230-231).⁶ The political change was quite promising for the Malays in Patani because among the leaders who seized power were four Muslims from around Bangkok.⁷ Their trust over the new regime later encouraged the Patani Malays to participate in the political process. In the first general election in 1933 the Malays successfully elected a Muslim representative from Satun Province. The result was even better in the 1937 election when three provinces: Pattani, Yala, and Narathiwat managed to elect Malay representatives to the Parliament (Pitsuwan 1985, 82). The existence of Members of Parliament from Patani was instrumental in alleviating people's grievances by bringing the matters directly to the government and the ministries concerned. Consequently, from 1933 to 1937 the government became less vigorous in its pursuit of assimilation policies, although the usual mistreatment of the local population by the government officials, especially the police, still persisted (Aphornsuvan 2004, 19-20). On the Patani side, the political elite expected that within the parliamentary system, and in the long term, they would obtain the opportunity to establish autonomy.

In fact, the only period when peace and order came to Patani was 1933-1937. Thereafter, the government repealed the little freedom and privileges that had been granted. Following the fall of Prime Minister Phraya Phahonphon Phayuhasena who ruled from 21 June, 1933 to 16 December, 1938, Field Marshal Plaek Phibunsongkhram became the new Prime Minister. Once Phibun was in

⁶ The new regime also abolished the *monthon* system and in the former *Monthon* Pattani the government established four *changwat* (province): Pattani, Yala, Narathiwat, and Setul, which referred to as 'the four Southern Border Provinces.' In this new administration, each province was under the direct supervision of the Ministry of Interior in Bangkok (Joll 2011, 36,39, Haemindra 1976, 204).

⁷ The four Muslims were Nai Banchong Sricharoon or Haji Abdulwahab, Nai Cham Phomyong or Haji Samsudin Mustafa, Nai Prasert Sricharoon, and Nai Karim Sricharoon (Aphornsuvan 2007, 34).

power, he changed the name of the country from Siam to Thailand in 1939 and began to implement the Thai nationalism policy as part of the campaign of nation-building aimed at integrating and assimilating the entire ethnicities into one Thai race or *chati* (Aphornsuvan 2006, 102-103).⁸

From 1939 to 1942, Phibun issued a series of twelve State Decrees known as *ratthaniyom* or Cultural Mandates “to motivate the country’s citizens to pursue national goals and to inculcate in them a sense of collective selfhood.” The decrees enshrined a number of practices to build national identity such as: the ban of using terms “Northern Thais,” “North-eastern Thais,” “Southern Thais,” and “Islamic Thais” in favour of “the Thais” (the 4th Mandate); loyalties towards national symbols such as flag, the national anthem, and the royal anthem (the 4th, 6th, and 8th Mandates); and economic self-reliance (the 5th Mandate). Other regulations covered by Mandates until early 1942 comprised an obligation to use Thai language and prescribed customs for Thai people which defined proper dress and decorum in public life (Reynolds 2002, 4-6).

As a consequence of this policy, the 1923 special legislation on cultural autonomy granted to the Patani Malays was overridden. Using a Malay name, wearing Malay clothes, and writing in *Jawi* were forbidden. Some Muslim festivals were banned and Friday was no longer a public holiday. The most sensitive issue was the abolition of Islamic family and inheritance law which had been allowed to function since 1902 (Gilquin 2005, 72-73, Aphornsuvan 2007, 36).

Phibun’s efforts to integrate Patani into his vision of Thailand were unsuccessful and resulted in severe and long-term consequences. The unrelenting enforcement of the nationalist policies after 1939 evoked the old resentments among the Malays and exacerbated tensions in Patani. His policy of forced assimilation provoked the revival of Patani nationalism. The nationalist revival would have become apparent immediately if not for the arrival of the Pacific War in Southeast Asia, but with the return of peace after the Japanese defeat, the struggle resumed with new vigour and new leaders.

⁸ For Phibun, the policy of cultural assimilation was strategic to stabilize his rule and to ensure his control over the Northeast and the Southern regions, which had high culturally self-consciousness and were also politically active (Aphornsuvan 2006, 103)

3.2.2 Haji Sulung and *Tujuh Perkara* (The Seven Points Demand)

During the Pacific War, Phibun backed Japan whereas the Patani elites supported the British in Malaya. As a consequence of Thailand's alliance with Japan, the traditional ruling elite (aristocrats) fled to British Malaya for their safety (Mahmud 1999, 54-55).⁹ The emigration of these leaders pushed the Patani leadership into the hands of *ulama* whose role grew significantly as Phibun's policy of forced assimilation increasingly repressed the Islamic identity of the Malay in Patani. Amidst the absence of the aristocrat leadership, key figure *ulama* such as Haji Sulung al-Fattani stepped forward.¹⁰

Aware that the religious identity and the culture of Patani was threatened by Phibun's policy of forced assimilation in 1938, Haji Sulung along with other *ulama* including Haji Mat Pauh, Tuan Guru Haji Berahim, Haji Hassan, and Haji Abdullah Masjid Embong founded a religious organization known as *He'et alNapadh alLahkan alShariat* (an organization to uphold *sharia*) in 1943.¹¹ Upon the insistence of this organization, after the Phibun Government fell, the new Prime Minister Khuang Aphaiwong issued the Patronage of Islam Act in 1945 (Mahmud 1999, 51-53). Under this Act, the Kingdom restored the rights and identity of the

⁹ In 1942, Tengku Mahmud Mahyidin, the youngest son of Tengku Abdul Kadir Kamaruddin (the last ruler of Patani Province) left Patani for Kelantan and joined the resistance movement there against Japan (Aphornsuvan 2007, 37). A year later, Tengku Abdul Jalal bin Tengku Abdul Mutalib, son of the late raja of Saiburi and a member of parliament from Narathiwat, also left Thailand for Kelantan to avoid arrest after Phibun governments scorned his petition in which he protested the mistreatment by Thai officials that had caused economic underdevelopment and religious discontent in Patani (Haemindra 1976, 206-207).

¹⁰ Haji Sulung studied Islam in Mecca during the period when two powerful ideologies, nationalism and Islamic revivalism, were growing in the Middle East with Mecca, Istanbul, and Cairo as the centre of the movement. He had a strong intellectual attachment to the teachings of Muhammad Abduh, Egypt's advocate of modern Islamic revivalism. After spending twenty years as a student in Mecca, Haji Sulung returned to Patani in 1927 (Ockey 2011, 103-104, 106-107). His return coincided with the formation of a group of Thai students in Paris who set about planning a revolution in Siam. While those students was exposed to the secular constitutional revolution, Haji Sulung was influenced by Arab nationalism which emphasized the importance of identity (Arab and Islam) (Aphornsuvan 2007, 47).

¹¹ Known as an Islamic reformer in Patani, Haji Sulung started his role as a religious teacher. In his efforts to advance Islam in Patani which he considered was in decline, he founded the modern Islamic school *Madrasah al-Maarif al-Wataniah Fattani* (Mahmud 1999, 51).¹¹ This *pondok* was inaugurated by the Prime Minister Phahon in 1933. Pridi Banomyong also visited the school while he was Minister of Interior (1934-1935). Through this school, Haji Sulung became recognized as a local leader of the Malay Muslims. The *pondok* did not last long. Fearing that it might become the centre of political activity – and also upon the insistence of traditional *pondok* leaders (old *ulama*) who were uncomfortable with Haji Sulung's teachings – the government closed it in 1935. Following this closure, he continued his efforts promoting Islamic revivalism by travelling around Patani, teaching in towns and villages (Ockey 2011, 107-108).

Patani Malays to pre-Phibun era. The government reinstalled *Chularajmontri*, who had acted on behalf of King in managing Muslim affairs, but was removed in the 1932 revolution (Aphornsuvan 2007, 38).

The appearance of Haji Sulung was very significant in shifting the narrative of resistance in Patani from one of Thai domination and subjugation of the Malays to one calling for political autonomy based on Islamic principles. After the failure of Tengku Mahmud Mahyidin and other exiled aristocrat leaders seeking support from the Allied Forces to free Patani, Haji Sulung and some Muslim leaders in Patani turned their attention to gain concessions from the government and maintain their Muslim identity by participating in the existing system. They considered that the international politics at the moment gave no room for Patani to achieve independence; in particular, after the United Kingdom and the United States acknowledged Thailand's integrity as stated in the peace treaty of 1 January 1946 (Man 1990, 65-66).

When Pridi Banomyong, who had a conciliatory agenda to retain Patani within Thailand, rose to be Prime Minister, Haji Sulung and *ulama* in Patani envisaged achieving autonomy for Patani (Pitsuwan 1985, 118-119). Pridi was a political figure with a great sympathy over the minority affairs in Patani and influenced the Khuang Government's policy to issue the Patronage of Islam Act in 1945. As the Chairman of *Majlis Ugama Islam* (Patani Provincial Islamic Council), Haji Sulung had close relations with *Chularajmontri* Haji Samsudin Chaem, whereas Chaem himself was a close friend of Pridi. With this political network, Haji Sulung and his associates held a great expectation that discussions about the status of Patani would not be tedious (Mahmud 1999, 61-62).

Another factor that encouraged Haji Sulung to seek change for Patani within the Thai political system was Pridi's ideas about a "Swiss-type federalism," "cultural autonomy for ethnic groups," and "decentralization of power" for Thailand (Pitsuwan 1985, 150-151). Noting these ideas, Haji Sulung and many *ulama* in Patani foresaw that autonomy was the best political option for Patani rather than independence or irredentism with the British Malay (Yegar 2002, 107). Unfortunately, all these ideals evaporated before any further steps were taken. Pridi was forced to leave his position following the death of King Ananda Mahidol in

June 1946. He was accused of being involved in a plot that led to the death of the King. Although forced from power, Pridi was replaced as Prime Minister by a close and like-minded ally, Luang Thawin Thamrongnawasawat (known as Prime Minister Thamrong) (Wyatt 2003, 253).

Amidst the power struggle in Bangkok, Patani reverted to turmoil. On 9 September 1946, an incident occurred in Patani when a police agent was shot and killed by bandits in Kampung Belukar Semak, Narathiwat (Man 1990, 66). The Thai police arrested the Malay youths of the village and tortured them in their efforts to find the perpetrators. They burned the village – seemingly inadvertently – and made twenty-five Malay families homeless (Syukri 2005, 91). This careless action ignited Malays dissatisfaction for Thai rule and rekindled nationalist sentiment.

After a delay of seven months, Prime Minister Thamrong sent a Commission of Inquiry on 3 April 1947 to investigate and to listen to the grievances of the Malays Muslim in Patani. Having heard that the government commission, which was composed of four government officials and *Chularajmontri* would come, the Muslim leaders held an emergency meeting at the Provincial Islamic Council of Patani on 1 April 1947. As the chairperson of the council since 1945 and the de facto leader of the Malay Muslims, Haji Sulung led the meeting. Despite having changed his approach to the struggle in June 1946 following the demise of Pridi – he decided that the liberation of Patani would come only through struggle and consequently with a number of his colleagues founded the Patani People’s Movement (PPM) – Haji Sulung approached the Commission’s visit as an opportunity to officially put forward his ideas about the political status of Patani. The meeting resulted in a proposal that expressed autonomy for Patani. About 100 participants of the meeting selected him to present “The Seven Points Proposal,” which became known as “*Tujuh Perkara*,” to the Commission (Ockey 2011, 113, Aphornsuvan 2007, 40, Yegar 2002, 103). The proposal, which covers political rule (point 1), economic rights (point 2), preservation of identity (point 3-5), and religious arrangement (point 6-7) for the Malays, are as follows:

1. The government of Siam should have a person of high rank possessing full power to govern the four provinces of Patani, Yala, Narathiwat, and Setun, and this person should be a Muslim

- born within one of the provinces and elected by the populace. The person in this position should be retained without being replaced.
2. All of the taxes obtained within the four provinces should be spent only within the provinces.
 3. The government should support education in the Malay medium up to the fourth grade in parish schools within the four provinces.
 4. Eighty percent of the government officials within the four provinces should be Muslims born within the provinces.
 5. The government should use the Malay language within government offices alongside the Siamese language.
 6. The government should allow the Islamic Council to establish laws pertaining to the customs and ceremonies of Islam with the agreement of the [above noted] high official.
 7. The government should separate the religious court from the civil court in the four provinces and permit [the former] full authority to conduct cases (Syukri 2005, 94, Aphornsuvan 2007, 41).¹²

The Commission brought the proposal to Bangkok, but Prime Minister Thamrong did not take significant measures to meet any single demand. The government considered if it accepted Patani's proposal, the minority groups in other areas would make a similar move (Haemindra 1976, 209). The demands were also incompatible with the existing structure of power and to comply with it meant to change the political system (Pitsuwan 1985, 155). His government's instability due to political pressure in parliament made Thamrong reluctant to negotiate the proposal (Mahmud 1999, 64). In order to ease the situation, Bangkok set up a commission to deal with matters relating to the provinces and later gave some concessions. The government allowed Malay as the language of instruction in primary schools, planned to provide Malay teachers, gave financial grants to support mosque

¹² The English translation of this proposal has a different order (except for point one) in other versions, such as in Haemindra (1976, 208) and Pitsuwan (1985, 152). The last sentence of point 1 in this text, "The person in this position should be retained without being replaced," was omitted in others. This sentence is very important as Patani aspired to reinstitute the Malay aristocrat leader in managing local governmental affairs (Yegar 2002, 104). The phrase, "all of the taxes," in point two did not mean "all revenue" as stated in other texts. In point three, the demand was only "up to the fourth grade." It was not as stated in others for "primary schools." The demand for eighty percent of government officials in point four was for "Muslims born within the provinces." Hence, it was extended to other Thai Muslims as long as they were born in the four provinces. It was not only for the "Malay Muslims" as stated in other translations. In point six, the demand regarding Islamic Council authority had been just "to establish laws pertaining to the customs and ceremonies of Islam." It was more limited than "full authority over Islamic legislation on all Muslim affairs and Malay culture" as stated in other texts. The demand in point seven was to "separate the religious court from the civil court in the four provinces." It did not ask for "Muslim law shall be applied in the region" as in other versions. The comparison is delivered here because the refusal of Bangkok for any single demand of this proposal, in addition to other factors, might be due to misinterpretation.

construction, observed Friday as the day of rest in schools, and relocated incompetent governmental officials. Still, as the major demands were unanswered, the Malays considered all these concessions were cosmetic (Yegar 2002, 105).

The opportunity to meet the Patani demands vanished when Phibun resumed effective power following the military coup on 8 November 1947. He did not resume the Prime Ministership directly but became the power behind the throne. Under his influence, the military installed Khuang Aphaiwong as Prime Minister (Wyatt 2003, 254-255). Responding to this political change, the Malay leaders took steps to defend their demands for autonomy, such as asking Britain not to recognize the new government and urged Bangkok to remain respectful of the Patronage of Islam Act (Yegar 2002, 104). These political pressures and Haji Sulung's opposition toward the government appointment of Dato Yuttitham as an Islamic Judge (Aphornsuvan 2007, 39)¹³ along with the news of the Malays' plan in Patani to boycott the election on 29 January 1948 and the Patani leaders holding several seditious meetings, provoked harsh reactions from Khuang's government. The government reacted swiftly arresting Haji Sulung and a number of Malay leaders on 16 January 1948 (Haemindra 1976, 209-210).

On 22 January 1948, three hundred Muslim leaders in Patani rallied, demanding an explanation for Haji Sulung arrest. Bangkok ignored their demand and instead arrested more of Haji Sulung's associates. This action caused many political and religious leaders to flee to Malaysia. Having been overwhelmed by the arrests and upset by the slow pace of change, the Malays in Patani began rioting at the end of January 1948. The riots continued through February and were becoming more widespread (Yegar 2002, 105).

Until the arrest of Haji Sulung, there were two concepts that evolved from the Patani Malay elites: autonomy and irredentism. The majority of Muslim leaders in Patani, such as Haji Sulung, wanted autonomy within Thailand whereas a greater part of political leaders in exile, in particular the aristocratic elites, wished to join the new Federation of Malaya, created in January 1948 as a British colony

¹³ Haji Sulung rejected the appointment based on the reason that the government officials, as nonbelievers (*kafir*), were not qualified to appoint a Muslim judge. The government decision putting a judge to deal with Muslim affairs under the Thai civil courts was also against longstanding practice in the past in which the Islamic courts functioned separately from civil courts.

(Haemindra 1976, 211).¹⁴ The arrest of Haji Sulung and his associates caused the idea of autonomy dimmed. In contrast, the religious and political leaders who fled from Patani to Malaya to avoid arrest reinforced the ranks of the exiled leaders seeking to secede from Thailand. Yet, at this stage, the winds of separatism from across the border had not been strong enough to blow into Patani before the Dusun Nyiur tragedy and the disappearance of Haji Sulung occurred.

3.3.3 Dusun Nyiur Tragedy and the Disappearance of Haji Sulung

While the situation in Patani continued to deteriorate, another political change occurred in Bangkok. On 8 April 1948, Phibun who had initially stayed behind the scenes, finally replaced Khuang as a Prime Minister (Wyatt 2003, 256). As he returned to power, the Malays in Patani who had a deep mistrust for him after his repressive policies prior to and during the Second World War, felt that their political objective to gain autonomy in the region had been closed (Pitsuwan 1985, 161). His return soon stirred up the turmoil in Patani. Clashes between locals and security authorities were becoming more frequent in several districts of Pattani, Yala, and Narathiwat (Man 1990, 67). It was during this period the most serious clash that shifted the narrative of resistance from a call for autonomy to independence occurred.

On 26 April 1948, a religious teacher Haji Abdul Rahman led approximately 1,000 Malays against the police in Dusun Nyiur, Narathiwat. The violent clash lasted for two days and claimed hundreds of lives – mostly Malays (Pitsuwan 1985, 161). The cause of the incident was unclear. The Malay's source and the government explained it differently (Satha-anand 2007, 19). The Malay's source included Nik Anuar Nik Mahmud (1999, 77) described the incidence as *kebangkitan* (an uprising), but they claimed it was not an organized movement. The deadly clash was a spontaneous reaction of people from adjacent areas against

¹⁴ In the process, the demand for autonomy mingled with the demand for irredentism and it was not clear which factions supported which view (Suhrke 1975, 196). On 12 December 1947, for instance, Haji Sulung held a meeting with Tengku Mahmud Mahyidin, the leader of the Malay exiles, at Pantai Semut Api, Kota Bharu, Kelantan to examine the new strategy to relinquish Patani from Thailand's subjugation in an atmosphere of political changes in Bangkok at that time (Mahmud 1999, 66).

police shooting villagers in Dusun Nyiur.¹⁵ The government viewed the incident not as a spontaneous riot, but a rebellion organized by a Haji Abdul Rahman with the support of leaders – Haji Mat Karang, Che Senik Wan Mat Seng, and Zakaria Lalo – who fled from Kampung Belukar Semak after a violent incident on 9 September 1946 (Man 1990, 67, Aphornsuvan 2007, 53). As proof that the resistance was a premeditated action, the government put forward the fact that approximately 1,000 Malays were involved in an attack on the local police station (Satha-anand 2007, 17).

Since the Dusun Nyiur incident was the fiercest fighting between the government forces and the Malays post-World War II and post-Haji Sulung's arrest, the Patani Malays construed it as a symbol of uprising against Bangkok (Satha-anand 2007, 22). Following this violent clash, the spirit to fight among the Malays flared. The number of casualties in this incident added to the long line of Malays' grievances and reinforced the desire to secede. The separatism that was fanned from across the border, at this stage began to claim support in Patani, whereas the demand for autonomy gradually lost its appeal. The struggle was no longer reliant on the political track alone. Violent resistance became an alternative when political struggle was at deadlock.

Before the political situation worsened, the Patani leader in exile Tengku Mahyidin – who established the organization *Gabungan Melayu Patani Raya* (GAMPAR, Greater Malay Patani Freedom Movement) in February 1948 in his attempt to incorporate Patani into British Malaya on 28 April 1948 (Mahmud 1999, 71) – called his supporters in Patani to avoid actions that caused disorder and disturbed peace. Upon his insistence, the political tension in Patani declined for the time being and later, the situation in Patani gradually improved after Phibun's government also carried out a number of appeasement measures. Worried that international pressure following GAMPAR's campaigns and the Communist

¹⁵ On 20 April 1948, the police opened fire to disperse the crowd gathering in a sacred bathing ritual to make people's bodies impervious to weapons. The villagers resisted and forced the police to retreat to Tanjung Mas. In their report, the police claimed that about a thousand of the Malays had prepared for the insurgency. Based on this report, on 25 April 1948 sixty additional policemen were sent as reinforcement. The villagers perceived that the incoming reinforcement aimed at crushing the Malays. This reinforcement was then attacked and forced to retreat. The government sent additional forces and in their efforts to seize Dusun Nyiur a shootout that claimed the death toll on both sides was unavoidable (Mahmud 1999, 77).

incursions in southern Thai regions would take advantage of the dire situation, the government allowed Malay as the language of instruction, ensured religious freedom, opened a Central Islamic Institute for high school education of Muslim students (Yegar 2002, 112-113). In Haji Sulung's case, the government finally put him on trial in June 1948. Yet, the demand of the four provinces to obtain wider administration rights was rejected on grounds that the Malays had enjoyed the same rights as the Thais in other provinces (Haemindra 1976, 217-218).

Meanwhile, Mahyidin and GAMPAR attempts for irredentism with British Malaya totally collapsed in January 1949 when British Malaya and Thailand signed the Anglo-Thai agreement for a joint control over borders. Taking advantage of this agreement, Bangkok conducted military operations to secure Thai's southern border with the British Malaya. Under the pretext of quelling the communist insurgency, these operations assisted the military in curbing the Malay resistance in Patani (Suhrke 1975, 197).¹⁶ After the joint border operations, Bangkok seemed to be able to control the security in Patani, but the peace only lasted for a couple years. The offensive behaviour of the security authorities leading to the Haji Sulung disappearance in 1954 reignited the spirit of resistance. This time the Malays inclination to separatism from autonomy was inevitable.

Haji Sulung had returned to Patani for two years before his disappearance. After a long trial from June 1948, his case ended in a fairly mild sentence on 24 February 1949. The courts dismissed the charges of sedition, but he was given a seven-years prison sentence for libelling the government in pamphlets distributed to the locals. He served his sentence for only three years and six months before the government released him to return to Patani in 1952 (Haemindra 1976, 234-235). On 13 August 1954, he and several his close associates along with his eldest son Wan Othman Ahmad disappeared mysteriously after they reported to the police in Songkhla. As no bodies were ever found, popular belief was they had been drowned by the police (Ockey 2011, 117, Aphornsuvan 2007, 56).

Haji Sulung's death gave a significant impact to the narratives of struggle. Before his death, there were two schools of thought on how to protect religious and

¹⁶ The signs of this failure, actually, had already evident two months earlier when in November 1948 the British officials denounced GAMPAR and raided its headquarters in Singapore (Suhrke 1975, 197).

communal values of the Malays in Patani. Both schools shared the notion that it was only under self-rule, but they suggested different means to achieve it. While some leaders, such as Haji Sulung, were long time advocates of autonomy, others put forward secession as a solution (Suhrke 1977, 242). With the death of Haji Sulung, the campaign for autonomy withered. His disappearance proved that Bangkok was as equally opposed to autonomy as it was to separatism. Consequently, the Malay leaders in Patani observed that the only way to achieve political change was through independence.

3.3 Constructing Rebellion and the Development of Separatist Ideas

Besides exposing a decisive change in Patani's demand – from the call for autonomy to one for independence – Haji Sulung's death was also a sign of the end of *ulama* leadership in Patani's struggle. Under *ulama* leadership, in particular at the hand of Haji Sulung, the narrative of resistance in Patani changed from returning the aristocrat elites to power to a political autonomy based on Islamic principles. Being Islam as the basis and the charisma owned by *ulama* such as Haji Sulung, the movement found it easy to gain spontaneous mass supports.

Following the death of the charismatic leader Haji Sulung, it was not only the ideals of Patani's struggle that changed from autonomy to independence, but also the movement's organization, leadership, and public support. After losing key leaders (Haji Sulung in Patani, 1954 and Tengku Mahyiddin in Malaysia, 1952), the movement split into several groups with their leaders having only limited public influence. Consequently, the movements were no longer able to rely on leaders' charisma to mobilize the masses spontaneously. This limitation led the struggle into a new stage; from spontaneous mass movements pursuing autonomy under the charismatic leadership to organized movements and armed revolt achieving independence.

At their core, the early generations of armed separatist groups – which were established in the 1950s and reached their peak in the 1970s – were Malay ethno-nationalism movements. Throughout the 1980s, both the splinter groups and the new separatist groups grew as the ethno-religious movement with 'Islam' as its

banner. At the advent of the resurgence of violence in the 2000s, the separatists expanded further by riding 'Jihad' as the narrative of struggle, although their core ideological indoctrination remained on historical discrimination, suppression and dispossession and the necessity to reclaim Patani Muslim land.

3.3.1 Rising Organizations and the Call for Independence

Under martial law applied since mid-1948, Bangkok had been able to maintain security in Patani. Though tension continued, it was still at a level of control, even after Haji Sulung's death. Throughout the 1950s, there were no more movements on the scale of the bloody clashes in April 1948 (Haemindra 1977, 85). Yet, in silence, the separatists had used the end of 1950s to build independence movements and stirred Malay sentiment against the Thai government. The resistance in Patani from the end of 1960s, often occurring with violence, were the result of these efforts.

Three principal groups were at the forefront of calling independence for Patani: *Barisan Nasional Pembebasan Patani* (BNPP, the National Liberation Front of Patani), *Barisan Revolusi Nasional Melayu Patani* (BRN, Patani Malay National Revolutionary Front), and *Pertubuhan Perpaduan Pembebasan Patani* (PULO, Patani United Liberation Organization). The earliest organization BNPP was developed from GAMPAR and officially established in 1959 under the leadership of Tengku Abdul Jalal. Dominated by the remnants of Patani's ruling elite, this front had a strong network among conservatives who clung to the idea of reinstating the sultanate. The political wing of this organization campaigned at those in the South, the Malay Peninsula, and Arab countries in an attempt to win sympathy and support for Patani independence. BNPP established a good relationship with *Parti Islam Se-Malaysia* (PAS, Islamic Party of Malaysia). It had links with the PLO (Palestinian Liberation Organisation), the OIC (Organisation of the Islamic Conference), and the Arab League. The most prominent activity of this movement was the recruitment of Patani's youth from *pondok* to study in universities in the Middle Eastern countries of Egypt and Saudi Arabia on condition that they returned to work for the group. BNPP had a military wing called *Tentara Nasional Pembebasan Rakyat Patani* (TNPRP, National Liberation Army of the

Patani People).¹⁷ Located along the border region of Pattani, Yala, and Narathiwat the TNPRP employed guerrilla activities such as extortion, kidnapping for ransom, and closing rubber plantation to collect funds for the organization, while occasionally ambushing and attacking security authorities to obtain weapons (Haemindra 1977, 87, Rahimmula 2005, 9-10, ICG 2005b, 6-7).

The second separatist organization, which became the largest in the 2000s, was BRN. Ustaz Haji Abdul Karim Hassan, a teacher at a *pondok* in Rusoh District, Narathiwat Province established this organization on 13 March 1960 in response to a government education-reform program that forced *pondok* to take on a secular curriculum in addition to their Islamic studies. He started the organization as an underground movement spreading three principles: anti-colonialism and anti-capitalism, Islamic socialism, and Malay nationalism. Since its inception, this movement had been in favour of socialism and had not proscribed the use of violence if necessary. Later on, having realizing that spreading ideas underground only provided limited results, Karim reorganized the movement and expanded its objectives with the strong objective to establish an independent republic of Patani. In the early stages of its struggle, BRN was more concerned about political organization rather than guerrilla activities, though it committed to the armed struggle. As Karim was once a *pondok* teacher, he understood the strategic value of *pondok*. BRN used *pondok* as its operational bases and the school teachers became its unofficial active leaders. As a result, within a short period of time (1966-1971) the BRN exerted its influence over a number of *pondok* in the provinces of Yala, Narathiwat, and later in Pattani Province. In the 1960s and 1970s, BRN established relationships with the communist parties of Malaysia and Thailand to destabilize the border region they shared. Unfortunately, this connection dampened support from Muslim conservatives in Malaysia and the Middle East (Rahimmula 2005, 10-11, 2004, 107, Chalk 2008, 5, ICG 2005b, 8).

The third armed group was PULO. It emerged as the largest and the major separatist movement in the 1970s and 1980s. Tengku Bira Kotanila, who just

¹⁷ TNPRP recruited thugs and bandits as guerrilla leaders. Further recruitment was through religious teachers who nominated ex-students for military training. The guerrilla leaders carried out local military training and sent some recruits for military training to Libya, Syria and Afghanistan (ICG 2005b, 6-7).

completed Political Science studies in India, established the organization in that country on 22 January 1968. Of the existing separatist movements in the 1960s, PULO was the most organized. It had clearly defined organizational structure, a written constitution, and a political ideology mentioned in a policy statement based on the principles “*Ugama, Bangsa, Tanah Air, Perikemanusiaan*” (UBANGTAPEKEMA, Religion, Nation, Homeland, Humanitarianism). PULO gained support from those who were not strongly associated with either conservative Islam and former elites or socialism.¹⁸ Though its aim was to establish an independent Islamic state, this movement was more accurately characterized as ethno-nationalist than Islamist. PULO had an extensive network. It gained political support from organizations and countries in the Middle East such as from PLO (1974), Syria (1976), and Libya (1977). Its leaders’ effective campaigns also enabled PULO to gain financial and military support from the Middle East.¹⁹ Having gained training and the capacity to purchase good military equipment using obtained funds, PULO’s fighters were able to be active in all four majority Muslim provinces as well as parts of Songkhla. They carried out several prominent attacks against symbols of Thai oppression in Patani such as schools, teachers, local government officials, administrators, and Buddhist settlers (ICG 2005b, 8, Rahimmula 2005, 13-15, Chalk 2008, 6).²⁰

Though the separatist groups had different ideological, organizational, and operational outlooks (Forbes 1982, 1064), by the end of the 1960s they shared violent actions, such as conducting ambushes, kidnappings, assassinations, extortion, sabotage, and bomb attacks. Knowing that they could never match the Thai army, such actions were aimed at destabilizing the region and creating an impression that the area was ungovernable, spreading fear among Thais living there,

¹⁸ Its commitment to raising education levels and political consciousness in the south, instead of just armed struggle, attracted younger activists, in particular those who studied abroad (Farouk 1984, 242).

¹⁹ Many of its fighters underwent foreign training. The PLO ran the training in PULO’s training camp in Syria, along the border with Lebanon (ICG 2005b, 8).

²⁰ Between the 1960s and 1970s, the three aforementioned main separatist movements along with the smaller groups, namely *Parti Revolusi Rakyat Selatan Thai* (PARANAS, Revolution for Southern Thai People Party, established in 1963), *Pertubuhan Islam Republik Patani* (PATRIOT, Republic of Islamic Patani Organization, established in 1970), and *Dewan Gerakan Pembebasan Patani* (DEWAN, Assembly of Free Patani Movement, established in 1973) altogether operated in Patani (Rahimmula 2005, 15-16).

and compelling Bangkok to acced to their political demands (Chalk 2008, 5). Another purpose was to provoke a violent crackdown by the Thai military with the expectation it would attract new recruits to join the movement and encourage sympathetic Muslim countries to pressure Bangkok (ICG 2005b, 7).

The first generation of the armed separatist movements reached its peak in 1970s and declined thereafter. BNPP was weakened significantly after the 1972 military campaign. It collapsed completely after its leader Tengku Abdul Jalal died in 1977 and its main sponsors *Partai Islam* lost power in Kelantan in 1978 (ICG 2005b, 10). BRN still persisted as a threat to Bangkok at the beginning of the 1980s. Yet, its left-wing platform caused the group never to attain great support from the Muslim conservatives in Patani, instead it lost even more appeal during the latter years of the Cold War. Its leaders' attempts to span the movement's ideology only caused factional splits throughout the 1990s (Chalk 2008, 6). PULO suffered a setback throughout the 1980s after launching armed struggles from 3 April 1976 and culminated in a series of bomb attacks in 1980-1981. In 1984, Bangkok announced a general amnesty that also offered non-prosecution. Many PULO's leaders and supporters took this opportunity to surrender. This setback caused the organization to go underground for a period of time before it eventually split in 1992 (Gunaratna, Acharya, and Chua 2005, 171-172).

3.3.2 Drawing on Islam as a Marker

After almost two decades of intense armed separatist movements, from the mid-1980s tensions eased in Patani. In addition to splits within separatist organizations which weakened the movements, the situation improved as the government under Prime Minister Prem Tinsulanonda also changed its approach toward Patani at the time (Abuza 2009, 24). As a southerner who came from Songkhla and who had a much better understanding of the identity politics and local grievances, Prem realised that the battle against the separatists must be a political as well as military one. His principal adjutant Harn Leenanond, who was appointed as the Fourth Army Commander, introduced a policy known as "*Tai rom yen*" (South in the cool shade). Based on this, the government launched a new strategy emphasizing public participation, economic development, and a broad amnesty. As part of this new

strategy, in 1981 Bangkok also restructured security and governance institutions in Patani. In order to coordinate security operations and to ensure that extra-judicial killings and disappearances ceased, the government established Civil-Police-Military joint headquarters (CPM 43). On 20 January 1981, by the Prime Minister's Office Order 8/1981 the government also established the Southern Border Provinces Administrative Centre (SBPAC) whose board included many locals. SBPAC functioned to manage political matters, coordinate all economic development, and resolve major governance problems: poor coordination among agencies, corruption, and prejudice among officials. The SBPAC had an important role as a forum for raising local grievances and more importantly had a significant influence in the cabinet (ICG 2005b, 11, McCargo 2007b, 39-41, Poocharoen 2010, 187-188).

Along with internal discord within the armed movements, the government's new strategy seemed to be effective in reducing violence. Hundreds of separatists accepted the Prime Minister Order No. 65/2525 in 1984 granting amnesty for the Malay separatists and later decided to participate in Thai politics. As a result, over the 1980s and early 1990s, violence dropped significantly. The new approach which was expected to encourage political integration also showed some success in a sense that the Malays began to prefer speaking Thai rather than Malay and identified themselves as Thai Muslim rather than Malay Muslim (ICG 2005b, 11). Yet, as the Malays were becoming more Thai, the separatists began to put emphasis on Islam in their attempt to draw a stronger distinction between the Thais and the Malays (Harish 2006a, 58). Hence, despite internal discord and the government's development program weakening the armed movements throughout the 1980s, the separatist organizations did not fade away. Instead, either the splinter groups or the new groups silently grew more radical with Islam as their banner.

During the 1980s, almost every movement used Islam or its associated terms in their names. In their attempt to promote the differences between the Thais and the Malays, the separatist groups developed a more Islamist character following the so-called global 'Islamic revival' that had taken place in the 1970s, marked with the 1979 Islamic revolution in Iran and the Mujahidin resistance in Afghanistan against the Soviet-backed communist government (Jory 2007, 15). In BNPP, after

the death of Tengku Jalal, former leaders regrouped as religious-educated leaders became more dominating and moved closer to current global Islamist radicalism. Some militant leaders separated in 1985 to establish *Barisan Bersatu Mujahidin Patani* (BBMP, the United Patani Mujahidin Front). The rest attempted to revive the BNPP, changing its name in 1986 to *Barisan Islam Pembebasan Patani* (BIPP, the Patani Islamic Liberation Front) to emphasize its own commitment to Islamism rather than nationalism (Gunaratna, Acharya, and Chua 2005, 6).

BRN emerged as more Islamic when its leaders Ustadz Abdul Karim Hassan and “Haji M” dropped “Islamic socialism” in favour of pure Islam. As a consequence of this change their leadership was challenged in 1984 and they lost to younger leaders. The new generation of leaders, who strongly supported a military operation established a faction called BRN Congress under the leadership of Jehku Peng. Those *ulama*, who renounced violence and focused on religious activities, joined BRN-*Ulama* (also known as *Gerakan Ulama Pattani* or *Pattani Ulama Movement*) led by Ustadz Abdul Karim Hassan, whereas leaders who committed to a long-term political strategy of expanding support in Islamic schools with only limited guerrilla activity joined BRN Coordinate (BRN-C) led by “Haji M” (ICG 2005b, 12).

PULO had never demonstrated its commitment to Islamism as other groups had done. Yet, when a more militant faction led by Hayihadi Mindosali gained greater control in PULO, they preferred to maximise harassment of the Thai state and attack symbols representing Buddhism to show that they struggled against the enemies of Islam. This strategy change was one among a number of reasons causing PULO to suffer a split by 1992. A faction led by Arong Mooreng and Haji Abdul Rohman Bazo opposed the dramatic violent approach and established the New PULO. This splinter group pursued a strategy of constant low-level attacks with a selected target of only government installations (ICG 2005b, 13).

Several other groups, established in the 1980s and 1990s also used Islam in their names: *Parti Islam Patani* (PARTIP, Islamic Patani Party) established in 1981; *Gerakan Jihad Islam Patani* (GJIP, Jihad for Islamic Patani) active in 1993-1994; and *Tentara Jihad Islam* (TJI, Armed Force for Islam) that operated from 1993-1994 (Rahimmula 2005, 16). The largest new player was *Gerakan Mujahidin*

Islam Patani (GMIP, the Islamic Mujahidin Movement of Patani) founded in 1995 by Nasoree Saesang who trained in Libya and fought with the Afghan mujahidin in the early 1990s. This movement had a goal to establish an independent Islamic Patani state, but unlike the other separatist movements, GMIP was most influenced by the global jihad phenomenon (ICG 2005b, 13, Gunaratna, Acharya, and Chua 2005, 185).

These different groups of separatists shared Islamic ideology, but they differed on the idea of establishing a state in Patani. The using of Islam was more tactical to maintain awareness among the Malays and to draw support from Muslim conservatives, those unhappy with the success of or disappointed with the government's amnesty program, and those marginalized by political and economic processes. Yet, amidst their differences, in July 1995 the leaders of seven separatist groups (BRN-Congress, BRN-Coordinate, BRN-*Ulama*, BIPP, GMIP, PULO, and New PULO) attempted to construct a common platform. Learning from the failure of the struggle in the 1980s during which armed separatist movements were fighting on their own, these groups agreed to form a tactical alliance to reclaim national and regional attention for Patani's struggle. Under the banner of *Bersatu* (united) which was founded in 1989 and led by Wan Abdul Kadir Che Man, in August 1997, they carried out a coordinated operation code-named "Falling Leaves" and conducted bombing, arson, and shooting attacks. These orchestrated strikes were the most serious upsurge in separatist activity since the early 1980s (Chalk 2008, 8, Gunaratna, Acharya, and Chua 2005, 122-123).

The separatists endured double the consequences of this concerted action. Though it was successful in drawing national, regional, and global attention to the Muslim quest in Patani, the separatist movements suffered severely as a result of the attack. While the attacks were possible because the separatist leaders controlled the action remotely from a safe haven in Kelantan, there was increased regional pressure on Malaysia to shore up cross-border cooperation with Thailand. Malaysia cracked down on the PULO and New PULO activists in Kelantan. They were arrested and several high profiles figures were deported. The change in Malaysia's policy had a significant role in the demise of PULO, New PULO, and was instrumental in reducing BRN campaigns. As the separatist movements were in

disarray, the scale of the unrest in Patani dropped significantly in the late of 1990s (Chalk 2008, 8).

3.3.3 Riding Jihad and Reigniting the Separatist Fire

As in the past, the decline of violence was only temporary. Amidst the improving situation, economically, Bangkok failed to capitalize on the insurgents' disarray by quickly winning over the local population through an acceleration of economic development. The development programs did not have much impact in alleviating poverty and a sense of injustice remained large (Chalk 2008, 9). Politically, the decision of the newly elected Prime Minister Thaksin Shinawatra to dissolve SBPAC and CPM 43 by Prime Ministerial Order on 1 May 2002, in an attempt to remove his political opponents, was a catastrophe (McCargo 2007b, 45-49). Both institutions formed a vital intelligence network that had good links to community leaders and had a role as a channel for people to express grievances. SBPAC and CPM 43 also helped to maintain a delicate balance between the security and intelligence agencies operating in the south. Thaksin's decision to transfer internal security responsibilities in the south to the police, an institution generally regarded as being more heavy-handed than the army, led to human rights deterioration (ICG 2005b, 32-36). These policy failures created changes in an "enabling environment" that allowed the separatists to grow (Croissant 2005, 27, 31). The widespread sense of injustice and a loss of faith in the rule of law caused by these failures became a fertile ground for armed separatist groups to propagate their ideas.²¹ At this time the separatists that continued working underground to reconsolidate the struggle, advanced further by propagating the sacred fighting in Islam; "*jihad*" became the narrative of struggle.²²

The separatists called for "*jihad*" against the *kafir* (infidel) Thai government as it was considered to be deliberately undermining the Muslim identity of the Patani people (ICG 2009a, 1-5). Yet, in this case it is worth remembering that the commitment to jihad was not the same as "global jihadism." It was more an effort

²¹ A Major General (former Deputy Commander of the Region 4 ISOC), interview with author in Bangkok, 7 November 2013.

²² A General (former Commander of the Fourth Army Region and adviser to the Defence Minister), interview with author in Bangkok, 8 October 2013.

to mobilize traditional forms of resistance opposing external threats that was generally expressed by Muslim communities (Askew 2010a, 126). The separatists used “*jihad*” more akin to an attractive package to draw young people into separatist movements in greater numbers than in the 1980s and to foster the militancy in reclaiming Patani as Muslim land (Heldbart 2011, 93-97; ICG 2009a, 10-17). As called for in booklet entitled “*Berjihad Di Patani*” (The Fight for Liberation of Patani), the emphasis on an ideological indoctrination remained the grand narrative of ‘the glorious Patani Sultanate,’ which was contrasted with ‘the oppression by the Thai state’:

Wira Shuhada [Martyrs]... We should be ashamed of ourselves for sitting idly and doing nothing while the colonialists trampled our brothers and sisters. The wealth that belongs to us has been seized. Our rights and freedom have been curbed, and our religion and culture have been sullied. Where is our commitment to peace and security for our people?²³

The propagation of ‘*jihad*,’ in particular post 9/11 2001, was effective in gaining support from *pemuda* (youths). With this popular religious idiom, the task of recruiting militant youths in a clandestine fashion became easier for the BRN-C – the group that appeared to be the most responsible for radicalization and violence in the early 2000s – which had strongly influenced *pondok* since the 1980s.²⁴ According to the documents found by police when they raided important figures of the group, the separatists indeed had been successful in reaching out to the younger generation creating new groups of smaller cells working at the community level (Gunaratna, Acharya, and Chua 2005, 53-59, Abuza 2009, 110-120).²⁵ Hence, it was not surprising that in a short time the return of separatists with more organized

²³ The booklet was found on the bodies of some insurgents killed. It was written in *Jawi* (Malay Patani language written in Arabic script). The English version was translated at the International Centre for Political Violence and Terrorism Research, Institute of Defence and Strategic Studies and can be found in Gunaratna, Acharya, Chua (Gunaratna, Acharya, and Chua 2005, 118-145).

²⁴ A General (former Commander of the Fourth Army Region and adviser to the Defence Minister), *op. cit.*

²⁵ As described by the International Crisis Group (2009a, 5-10), in the recruitment process the separatists work closely with influential teachers of *pondok* to observe and identify “promising students” using extracurricular activities as a cover. The recruits are sworn in before receiving further indoctrination. Then, in a series of irregular boot camps, their part-time training intensifies. Beginning with religious guidance from familiar teachers, they are then passed to anonymous drill instructors to be physically prepared and taught military skills ahead of assignment to a small unit.

violence surfaced. At the end of 2001, the year when Thaksin rose to power and ironically declared that separatism was resolved, a well-coordinated series of attacks targeting police posts began to take place in Pattani, Yala, and Narathiwat. The scale of violence escalated in 2002 and 2003 and had a dramatically upsurge from 2004 with a series of highly audacious and well-planned operations (Chalk 2008, 9).

In 2004, the militants displayed more sophisticated attacks than the sporadic actions seen in the past with three major incidences. This marked 2004 as the resurgence of violent separatism in Patani. In the first incidence on 4 January 2004, militants conducted carefully coordinated attacks in nine districts in three provinces, Narathiwat, Yala, and Patani without being detected by security authorities. A group of roughly one hundred militants in total simultaneously raided a military camp and an armoury in Narathiwat, torched schools (16 in Narathiwat and 2 in Yala), attacked police posts in Yala, and set off bombs in Patani. While the government was still preoccupied with efforts to address the impact of the first attack and the sporadic actions throughout late January to mid-April, the second set of synchronised attacks occurred on 28 April 2004; on the same date of the climax of Dusun Nyiur Revolt in 1948 led by Haji Abdul Rahman. The militants launched simultaneous pre-dawn raids on eleven police posts and army checkpoints across Pattani, Yala, and Songkhla. In Pattani, the incident ended in a bloody showdown at the Krue Se Mosque when the Thai army gunned down 32 militants inside. In this incident, the militants bore the trademark of jihad and wanted to die as martyrs on the ground to draw more local, regional, and international sympathy for Patani. The third incident occurred on 25 October 2004. It began with presumably a well-planned demonstration of 2,000 strong crowded outside Tak Bai district police station in Narathiwat demanding the release of six defence volunteers in custody. The security forces forcibly dispersed the demonstration and arrested around 1,300 people. All were laid with face down, hands tied with rope, and then packed tightly into trucks for a five hour journey to an army base in Patani for questioning. The journey ended with the deaths of at least 85 Muslim men and boys, most from suffocation (Gunaratna, Acharya, and Chua 2005, 22-31, Abuza 2009, 56-74).

The government issued an Executive Decree on Public Administration in Emergency Situations in Narathiwat, Pattani and Yala that took effect on 19 July 2005 to control security. Far from helping to restore the situation, the decree had further eroded it. Its implementation deepened public mistrust of the security forces, worsened public discontent with the government's approach to insurgency, and heightened the risk of human rights abuses. Significantly the decree failed to reduce violence; instead it became worse (ICG 2005c).

The upwards spiral of violence in Patani continued throughout the 2000s. As violent separatism escalated to unprecedented levels, various parties, not only limited to government, began to reflect upon its causes and proposed a number of new ideas to bring about peace. Unfortunately, the nature of separatism had changed from the hierarchical and structured struggles of the past, mostly led by ethnic Malay political and religious elites, to the new generation of separatists who held less negotiable political goals. Rather than a monolithic movement, the separatists themselves had many separate factions, each directly serving their own interests with methods and means they deemed most appropriate (Liow and Pathan 2010). Consequently, as disclosed in Chapter 5, there have been abundant ideas for peace, however the attempts to resolve conflicts through a genuine peace process was winding and arduous.

3.4 Conclusion

History has played a powerful role in the idea of separatism in Patani. The painful process of Patani's incorporation into Thailand that caused the Malays to lose *hak pertuanan* (sovereignty) and identity became an historical narrative connecting the struggle from the era of Siam's conquest in 1786 to the present. Before the 20th century, amidst the great dissatisfaction of losing status as a self-governed territory and potentially losing its identity, the sense of powerlessness was simply fostering the Malay desire to change the situation and which occasionally was followed by sporadic resistance. Yet, in the first three decades of the 20th century, more organized resistance became increasingly widespread when the Malays, in particular, the aristocrats and the religious leaders, realized that a series of

Thailand's policies were never in their favour. Rather, Bangkok's exploitation of Patani became more obvious.

The struggle for independence rose in Patani after an attempt for irredentism and gaining autonomy failed. Soon after the World War II the exiled aristocrat leaders' endeavoured to free Patani by seeking support from the Allied Forces and to accede to the British Malay. When these efforts collapsed, Haji Sulung and some Muslim leaders in Patani contrived to gain autonomy. Yet, a series of events, ranging from the Bangkok rejection to their Seven Point Demands – outlining the proposal for autonomy, the arrest of Haji Sulung and his associates, fierce fighting between government forces and the Malay-Muslim villagers in Dusun Nyiur, when Haji Sulung disappeared, caused the idea of autonomy to be turned down. The Malay leaders observed that Bangkok was opposed equally to autonomy and separatism. For this reason, they considered the only alternative to achieve political change was through armed revolt for independence.

Since the 1950s, several armed separatist groups had emerged to fight for Patani's independence. While many of them vanished, some still survive to the present day. Despite the separatists' ability to pull off audacious and complex operations expanding in the 2000s, internal splits along with a lack of clear organizational coherence and a concerted strategic agenda caused the separatist groups to be far from successful in achieving their objectives. In order to draw widespread support and sympathy for their struggle, the separatist groups propagated the Malay nationalism from 1950 to 1970, took advantage of the Islamic revival in 1980, and instrumentalized Jihad since 2000. Yet, beyond those ideological packages, their core demand remains to reclaim self-rule for Patani in which the Malays regain sovereignty, and preserve their identity as they had in the past.

Until 2000, the idea of the unitary state that strongly preoccupied the Thai government had steered any possible solution away from core separatist demands for self-rule. Neither significant policy change, nor negotiation towards it has been employed; to date only a combined policy of repressive (emergency decree or martial law) and persuasive (policy relaxation, political appeasement, or development programs) to simply defuse the resistance have been instigated. When

an opportunity for peace talk came after the resurgence of violence in 2004, separatism had been growing more complex in terms the players and the issues. Its root causes were no longer the only critical factor and efforts to resolve the conflict became more problematic.

After discussing the origin of separatism in the last two chapters, the next part will discuss the ideas matter among elites to resolve the separatism in both Aceh and Patani, and how those ideas contribute to a peace process.

PART 2

NON-VIOLENT ALTERNATIVES TO RESOLVE CONFLICT

CHAPTER 4

ACEH: TALKING PEACE WHILE WAGING WAR

“So the gun is neither the first nor the last thing!”
*Hasan Tiro (1984c, 48), Founder and Leader of GAM,
in The Price of Freedom: The Unfinished Diary of Tengku Hasan di Tiro,
diary entry of 13 February 1977.*

“The rebellion was not separated from the things before. Peace as well. This is a process.”
*(Pemberontakan itu tidak lepas dari hal-hal sebelumnya. Perdamaian juga begitu. Ini proses.)
Azwar Abubakar, former deputy governor of Aceh (2000-2004)
and acting governor (2004-2005).*

Since its foundation in 1976, GAM had always expected its separatist demands to be resolved through political processes. Hasan Tiro made this clear in his diary entry of 13 February 1977 quoted above (Tiro 1984c, 48). Despite being engaged in an armed struggle on the ground, at the core of Tiro’s idea was the use political process through diplomacy to exercise Aceh’s claim for self-determination. Yet, for the first two decades after he unilaterally declared the independence of Aceh in 1976, there appeared to be no prospect of a non-military solution to this conflict. The non-military alternatives only emerged as serious possibilities after the 1998 reformation hit Indonesia and put to an end to the decades long New Order era under Suharto. From this critical moment, while the battle on the ground resumed, non-violent ideas to resolve the Aceh conflict began to flourish in public and elites’ discourses.

This chapter discusses the collection of non-violent ideas proposed by elites in the government of Indonesia, the GAM, and in the Civil Society Organizations (CSOs). It focuses specifically on the role of these ideas in leading warring parties to a peace process. While the local government elite mentioned above expressed that peace was a process,¹ I argue that the warring parties in the Aceh conflict agreed to engage in the peace process and at the end reached a peace agreement because their elites kept alive the non-violent ideas while the conflict was still raging.

¹ Azwar Abubakar, interview with author in Jakarta, 6 March 2013.

During the conflict in Aceh from 1998 to 2005, four groups of ideas evolved. These included a change to the situation, a change to the nature of the relationship between Jakarta and Aceh, encouragement of dialogue, and endorsement of negotiation. This chapter suggests that each idea, whether it was continued or was short-lived, made a contribution to the peace process. Together, they gradually shaped each party's disposition towards the peace process and in resolving the Aceh conflict through a non-military solution.

The chapter begins by discussing the ideas to change the situation early in the post-reform era. The various ideas sparked among the CSOs and the government at the time were instrumental in raising awareness of the impact of military actions in the past and on the need for peaceful alternatives in managing conflict. Then, it moves to the ideas which supported changing the nature of the relationship between Jakarta and Aceh. The referendum and autonomy debate at this juncture raised the interest of the government and the CSOs, including GAM, although not overtly, on the need for a peaceful solution. Next, the ideas of dialogue which became a major breakthrough in the government and GAM approach to the Aceh conflict. Before, both had refused to talk directly. Though the dialogue failed, it raised an awareness among the parties with lessons learned that it was possible to resolve conflict by peaceful means. Lastly, it discusses the idea of negotiation after the dialogue collapsed. This idea raised willingness of GAM's leaders, not just to resume the dialogue, but, further, to negotiate a power sharing between Jakarta and Aceh as a lasting solution for the Aceh conflict.

4.1 Ideas to Change the Situation

Following the May 1998 political drama, Suharto stepped down and transferred the power to the Vice President Habibie. The Habibie era was best remembered for its contribution to the expansion of public freedom of expression (Aspinall and Fealy 2010, 7). He ended press-censorship in the late May 1998 which later caused the cases of human rights violation and the military power abuse during Suharto's era to come to light. In these circumstances, what happened in Aceh from 1989 to 1998 gained extensive exposure (Sukma 2004, 12). Hence, the early non-violent alternative ideas to resolve conflict in Aceh did not move far from issues of military

oppression and human rights violation. It was more focused on resolving the conflict's excesses rather than an attempt to resolve the separatism. Discussions with separatists had not been part of any non-violent discourse at this stage.

4.1.1 Seeking Immediate Therapy

Soon after the reformation, changing the situation became the main theme of ideas regarding the conflict in Aceh. This situational approach was salient in any proposals at least until the end of 1998. One of the purposes of this approach was to provide an immediate therapy for the excesses of the military's lingering 'shock therapy' since 1989. There were two ideas proposed for this purpose: desecuritization and justice for the victims. The CSOs' elites, in particular, the student movement and NGOs elites were at the forefront of the campaign supporting these ideas. For them, the fulfillment of these two ideas would be a critical sign of the government's sincerity to resolve conflict in Aceh.

The main issue under the desecuritization was the revocation of DOM. This issue, which was put forward by the student movements, became prominent after May 1998. "After Suharto collapsed, we began to discuss local agenda regarding the military role in Aceh. We demanded the government revoke DOM and pull out TNI [*Tentara Nasional Indonesia*, Indonesian National Military] from Aceh," stated one of the student leaders at that time.² The student movement elites organized demonstrations against the military presence from May to July 1998 for their cause. Following the disclosure of military human rights violations by some local NGOs and extensive media publicity, the military could no longer deny that human rights violations had occurred during DOM. Later, on behalf of the government, *Menteri Pertahanan dan Keamanan/Panglima Angkatan Bersenjata* (Menhankam/Pangab, Minister of Defense and Security/Chief Commander of the Armed Forces), Wiranto announced the revocation of the DOM and officially apologized for the military failures of the past. He also promised an immediate withdrawal of non-organic military units from the province.³ However, Wiranto

² Juanda Djamal, interview with author in Banda Aceh, 30 April 2013.

³ He announced this in a meeting with *Musyawarah Pimpinan Daerah* (Muspida, Regional Leadership Assembly) of North Aceh in Lhokseumawe on 7 August 1998 (Wiranto 2003, 84-85).

downplayed this decision as a response to the Acehese request and said that the revocation was due to “security considerations that Aceh had been relatively safe and controlled” (*Media Indonesia*, 8 August 1998). It was unsurprising that not long after, Wiranto reused this ‘security consideration’ to roll out a new military operation when the situation deteriorated.

The success to revoke DOM raised the second idea – justice for the victims. Under this notion three issues were put forward: investigation and prosecution of the perpetrators of human rights violation; compensation for the victims; and the release of political prisoners. There was a growing expectation among the Acehese, as voiced by their leaders, that the government should soon investigate and prosecute the perpetrators of human rights violations after revoking DOM.⁴ NGOs and students demanded even more. The joint statement of a number of NGOs in Aceh demanded that “in addition to apologizing, ABRI must provide compensation for the victims who had suffered due to the inappropriate acts of its soldiers” (*Republika*, 10 August 1998).⁵ The student movement “urged the government to immediately release *narapidana politik/tahanan politik* (Napol/Tapol, political prisoners/political detainees) unconditionally and rehabilitate their personal and family reputation” (Widjanarko and Samboja 1999, 388-393).⁶

With the strong demand for desecuritization and justice for the victims occurring in the early weeks after the DOM revocation, Jakarta adopted several promising measures to appease Aceh. The military began withdrawing troops on 20 August and planned to pull out at least 1000 soldiers up to 8 September. On the same day, *Komisi Nasional Hak-hak Asasi Manusia* (Komnas HAM, National Human Rights Commission) started its official investigation (*Kompas*, 21 August

⁴ “After the DOM was revoked, the perpetrators [of human rights violation] should be investigated,” said by Ismail Hasan Metareum, an older politician from Aceh (*Republika*, 10 August 1998).

⁵ This statement released by LBH Banda Aceh, FP HAM Aceh, YAB, CDI Aceh, Kontras Aceh, LP2SM, Cordova, Walhi Aceh, PKBI Banda Aceh, and YAPD Aceh.

⁶ One of the student movements *Komite Aksi Reformasi Mahasiswa Aceh* (KARMA, Aceh Students Committee for Reform Action) proposed the release of political prisoners. They considered the victims in the Aceh conflict were not only the common people who experienced the military cruelty, but also the political prisoners who had lost their freedom because of their opposition to the government.

1998).⁷ In their official statement, Komnas HAM disclosed gross violations including summary executions, torture, enforced disappearances, arbitrary arrests and detention, rape and sexual assault, and property destruction. They recommended the government prosecute those responsible, pay compensation to the victims, restore civilian institutions, end the culture of impunity within the military, and reallocate resources between the central and provincial governments (Komnas HAM 1998).

The increasing number of new cases found after the Komnas HAM investigation drew a resolute demand from NGOs, politician, intellectuals, and students to prosecute the military persons involved.⁸ This pressure irritated the military and caused their initial half measures to resolve conflict in Aceh immediately faded. In a matter of weeks, military resistance began to rise as Menhankam/Pangab Wiranto questioned the validity of Komnas HAM findings and disagreed with prosecuting the military in a human rights court.⁹ The growing military resistance was the turning point of the prospect of resolution which had soared in early August. The Acehnese demand for desecuritization simply ended with DOM revocation and the government's apology. Meanwhile, justice for the victims achieved only a very slow government response.¹⁰

⁷ Soon after the field investigation, on 24 August the Chairman of Aceh Team Baharuddin Loppa announced the shocking early findings. The DOM in 1989-1998 had claimed gross violations of human rights. They found 781 dead people due to violence, lost 163, molested 368, rape 102, estimation of widows whose husbands had been killed or lost 3000, estimation of orphanage to be established caused by the conflict 15,000-20,000, and the number of burned building 102 (*Kompas*, 25 August 1998).

⁸ "We need to know who is responsible for all these killings ... People want justice done," said Otto Syamsudin Ishak, an intellectual and human rights activist (Thoenes 1998).

⁹ "If every military operations in the past should be held accountable, this would make the soldiers feel wryly and dismayed," he said in hearing with the Commission I in Parliament on 13 September (*Ummat*, 28 September 1998). This growing resistance followed Wiranto's decision on 2 September to suspend the Armed Forces withdrawal after the riots in Lhokseumawe on 31 August (*Kompas*, 2 September 1998). In this incident, the action of local security authority to exclude crowds in order to protect the military withdrawal had caused mass outrage and encouraged them to attack military associated objects (*Kompas*, 1 September 1998).

¹⁰ The release of political prisoners took place in March and November 1999 (*Indopubs.com*, 23 March 1999; 16 November 1999), while the prosecution of the perpetrators of human rights violation could only be held in mid-April 2000 amidst the strong opposition from the military (*Indopubs.com*, 16 April 2000).¹⁰ The only demand that quite quickly gained response was the compensation for the family and the relatives of DOM victims. Regarding this, in the late August 1998, the Aceh Governor Syamsuddin Mahmud established a fact finding team to collect and validate data about the victims (*Serambi Indonesia*, 28 Agustus 1998).

4.1.2 Reconciliation

The disclosure of human rights violation after the DOM revocation and the growing military resistance had left the Acehnese in emotional turmoil. Amidst this looming situation, governor of Aceh, Syamsuddin Mahmud, broached the idea of reconciliation through internal dialogue (*Kontras*, 3-9 March 1999, 8-9).¹¹ This appeared to be inspired by the growing nationwide discussion on reconciliation. From August 1998, intellectuals and activists encouraged the Habibie's government to establish *Komisi Rekonsiliasi Nasional* (KRN, National Reconciliation Commission) (*Kompas*, 1 September 1998).¹²

In Aceh, reconciliation was considered important due to the rift among the Acehnese considering the various factors in favour or against the government's policy, especially in dealing with the excesses of DOM. The demand for justice loudly voiced by NGOs and students had them being labelled as anti-government. Whereas those, who were less concerned about the inordinacy of DOM, were accused as pro-government. The local government, perceptive of the danger of this fragmentation, felt that reconciliation through dialogue known as *Musyawarah Kerukunan Rakyat Aceh* (MKRA, the Acehnese Dialogue for Harmony) would likely solve this problem (*Kontras*, 11-17 September 1998, 4-5). It was expected that all the Acehnese community leaders, both within and external to the region, even those abroad, would participate. It would have approximately the same impacts as MKRA operating at the end 1962 in which the fragmented Acehnese could sit together to discuss their expectations and demands, and later be reunited (*Kontras*, 24 February-2 March 1999, 4-5).

The dialogue was never implemented. Controversy began as soon as the idea was introduced regarding the participants and processes – whether GAM would be invited and agreed to attend – the agenda, timing, the mechanisms, and a number

¹¹ His idea was welcomed by local government officials and also by *ulama*, politicians, activists, and intellectuals who joined *Taman Iskandar Muda* and *Komite Solidaritas Hak Azasi Manusia Daerah Istimewa Aceh* (Koshamda, the Commission for Human Rights Solidarity in the Special Region Aceh).

¹² This was to respond the public demand that required justice for the New Order political violence. The reconciliation was based on the principle of mutual forgiveness in which there would be a disclosure of all parties involved, yet without compromising legal liability. Reconciliation was considered the only best way for Indonesia to advance into the future without interruption of the past.

of other related issues (*Kontras*, 3-9 March 1999, 8-9). As the dialogue was initiated by local government, local student groups and NGOs considered it as the pro-integration project to weaken the demand for independence that began to develop (Ishak 2000, 104-107). The dialogue was also unpopular because it was a replication of DI/TII solution. There was a concern that the dialogue would culminate into something similar to the Blangpadang Pledge and lead to providing support for *Negara Kesatuan Republik Indonesia* (NKRI, the unitary state of the Republic of Indonesia).¹³ The dialogue was also considered misdirected as it was supposed to be between the Acehnese and the central government. The horizontal fragmentation among the Acehnese was the surplus of conflict between the Acehnese and the central government.

4.1.3 Isolating GAM

The reconciliation project ended as a failure, yet elements of elites in both Aceh and Jakarta kept proposing non-violent alternatives to change the situation. While local student groups, NGOs, and some politicians sought immediate healing by campaigning against military presence, another group of elites took a different approach by attempting to isolate GAM. This group consisted of the Acehnese elites in Aceh and Jakarta who were more conservative and less radical than the first group (Ishak 2000, 113-114).¹⁴ They paid little attention to the excessive lingering military presence and were more concerned with two other problems causing upheaval in Aceh, namely: GAM's propaganda and peoples' grievances. They proposed two ways to manage this problem: *ulama* participation and winning heart and mind.

GAM's propaganda as the source of the problem could be offset if the traditional power holders, *ulama*, had an opportunity of returning to their role. Through *dakwah* (Islamic preaching), *ulama* could participate in close proximity

¹³ "For young people like me, it has been just the statement of allegiance, not the expected conflict resolution. Then, we rejected it. Civil society movements refused it," said Otto Syamsuddin Ishak, an intellectual and human right activist. Otto Syamsuddin Ishak (1), interview with author in Jakarta, 20 February 2013.

¹⁴ Ishak calls this group as status quo group and put them as an opposition to the reformation group consisting the students and NGOs.

with the military to neutralize GAM's propaganda and peoples' grievances.¹⁵ Actually, this was not a new idea. In 1997, *ulama* and the former Aceh governor Ali Hasjmi had already raised this issue. Based on his experience when resolving DI/TII conflict, he proposed *dakwah terpadu* (an integrated *dakwah*) using a personal approach.¹⁶

Debate on the importance of *ulama*'s role to resolve the conflict dominated amidst the military effort to persist in Aceh. Yet, until the end of 1998, it was unclear to what extent *ulama* were involved in easing the tension in Aceh. Their role to offset GAM's propaganda was also vague except when the military launched operation *Cinta Meunasah* in June 2000 in which the religious approach was proffered.¹⁷ What became clearly visible was that *ulama* used the issue of their former strategic role to restore their status after being co-opted by the government during the New Order era. For this purpose, they raised concerns about Islam in Aceh and identify Islam as the key factor to manage conflict in Aceh.¹⁸

In fact, Aceh's conflict did not relate much to political Islam. Later, the offer of the elements of *sharia* and *ulama* in Law No 44 of 1999 on the Implementation of the Special Region Status for Aceh by the Habibie government on 4 October 1999 had little impact in changing the situation on the ground.¹⁹ For the Acehnese who had long craved the implementation of *sharia*, this decision was welcome. Yet, for conflict resolution, this decision was a misjudgement and had no effect on the violence (Bertrand 2009, 52-57). *Sharia* was the Acehnese demand proposed by

¹⁵ "It is necessary to engage *ulama* to calm the Acehnese. The [government] officials are no longer appropriate to allay the situation," said by H. Ibrahim Alfian, a Historian from Aceh. Prof. H. Ibrahim Alfian, interview with *Republika*, 9 August 1998.

¹⁶ "If it is only an army operation, it will not succeed. Hence, it is important there is *dakwah terpadu*. This integrated program includes home visitation. The compensation is paid although not much. The important thing this visit could touch hearts', he said. Prof. A. Hasjmi, interview with *Forum Keadilan*, 21 April 1997.

¹⁷ Syarifuddin Tippe, interview with author in Jakarta, 22 March 2013.

¹⁸ "Those *Teungku* [the Acehnese *ulama*] are willing the Acehnese' privilege, in which Islam plays a central role, is recognized. This is the demand that they passed on to President Habibie at that time. Because this is their request, then it is granted. Jakarta perceives Islam is something crucial for them," said one of Habibie's closest aides. Dewi Fortuna Anwar, interview with author in Jakarta, 27 February 2013.

¹⁹ The law confirms the Acehnese's privilege to implement *sharia* for its adherents in Aceh. In chapter nine, the law also acknowledges the role of *ulama* in local policy formulation. Aceh has a privilege to establish an agency whose members consisted of *ulama*. This independent agency serves to give consideration for local policies, including areas of governance, development, society and Islamic economic.

local *ulama*, but the problem was that those *ulama* had long since lost control of the situation on the ground (Bertrand 2012, 213).

Another idea to deter GAM's propaganda and overcome peoples' grievances was to accelerate development. Conceived to allay Acehese's grievance, it was an ad hoc program and proposed simply to winning heart and mind of the Acehese. Many local elites and Jakarta elites, such as the chief of *Tim Pencari Fakta Dewan Perwakilan Rakyat untuk Aceh* (TPF Aceh, House of Representatives' Fact Finding Team for Aceh) Hari Sabarno, considered the Acehese's "strong desire to secede was less visible." The factors that made the Acehese feel unfairly treated was their underdevelopment compared with other regions.²⁰ Hence, the TPF asked President Habibie to visit Aceh to demonstrate the government's willingness and to bring *Instruksi Presiden (Inpres, Special Presidential Directive)* providing grants to the redevelopment of Aceh (*Kompas*, 8 September 1998).²¹

It took several months before Habibie implemented this recommendation after it was issued in September 1998. Habibie eventually visited Banda Aceh on 26 March 1999. Before the Acehese who were gathered at *Masjid Raya* (Grand Mosque), he officially apologized for the military offenses during the DOM. After having a brief dialogue with the participants, he announced nine initiatives designed to win over the Acehese. It contained the government's decisions to release political prisoners; facilitate the burial of DOM's victims; provide economic and social rehabilitation of the DOM's survivors; and redevelop villages destroyed by the military operation. The private *madrasah* (Islamic schools) became the state educational institutions with a government agreement to provide teachers and the establishment of an excellent *Madrasah Aliyah Negeri* (MAN, State Islamic High School) in coordination with the Department of Religions and *Badan Pengkajian dan Penerapan Teknologi* (BPPT, Agency for the Assessment and Application of

²⁰ Sabarno said, "If the people had been relatively prosperous, it will reduce the power of such ideology [GAM's influence]." Hari Sabarno, interview with *Tempo*, 8 August 1998.

²¹ Another recommendation suggested by the TPF was the possibility of reviving *Komando Daerah Militer* (Kodam, the Regional Military Command) Iskandar Muda of Aceh. They also suggested freeing political prisoners or prisoners who were victims of slander. As for the GPK members who voluntarily surrendered, they were accepted by decency and forgiveness, without the threat of punishment. It was also suggested that the government immediately revise legislation governing the financial balance between the center and regions.

Technology). An improved infrastructure and facilities of the Iskandar Muda Airport to support the Haj Pilgrimage in 2000; development of Sabang district as the leading area of fisheries, industry, and tourism; the rebuilding rail roads to return rail transport completed the list of initiatives (*Kontras*, 31 March-2 April 1999). His apology and the first initiative in the package seemed to appease the critical groups (local student movements and NGO's). The second to the fifth was to win the heart of DOM's victims. The rest was to maintain the loyalty of the greater Acehnese population.

In support of his concern over Aceh prior to his visit, Habibie established the Presidential Advisory Team in March 1999 (*Kontras*, 24-30 March 1999, 14-15). One important proposal submitted by this team was an amnesty for key figures of *Gerakan Pengacau Keamanan* (GPK, Security Disturbance Movement).²² The government agreed to this proposal but GAM refused by simply stating that they did not need it as they had not committed any violations (*Indopubs.com*, 16 August 1999). Another proposal was the enactment of *sharia* for Aceh. Reflecting *ulama*'s demands, the team officially proposed *sharia* as a means of resolving conflict in the province, which later was embodied in Law No 44 of 1999 on the Implementation of the Special Region Status for Aceh by the Habibie government on 4 October 1999. It was expected that this benevolence would help to heal the wounds caused by the conflict (Feener 2013, 189-190).

Habibie's visits and promises calmed public discontent slightly, but it did not have much impact in building local trust towards the government. While Habibie attempted to change the situation, violence on the ground continued to be rampant following the military operation codenamed *Operasi Wibawa* (Operation Authority) throughout 1999. This demonstrated that Habibie did not have enough power to intervene with the TNI which according to local civil society movements was the main source of the problem (*Indopubs.com*, 12 January 1999).²³ Amongst these local movements, the Habibie trip to Aceh was even considered a failure. Since there was no real measure of prosecutions of the perpetrators involved in

²² The government did not recognize GAM. The Indonesian military named them as GPK.

²³ Security authorities held back operation following an increase attacks by GAM in late 1998. This time the military mobilized their troops but put them under the regional police command. According to the TNI's internal reform, the domestic security responsibilities were at the hand of the police.

alleged rights violations, he failed to convince the Acehnese that the government was sincere (*Jakarta Post*, 25 June 1999). In this sense of diminished trust, Habibie's package to winning the hearts and minds of the Acehnese was seen just 'another government promise' and 'outdated.'²⁴

4.2 Ideas to Change the Relationship between Jakarta and Aceh

In the months leading up to 1999, a number of more radical ideas for resolving the conflict emerged among the Acehnese student groups, local NGOs, and political elites in Aceh. Their demands shifted from calls to change the situation to a call to effectively change the relationship between Aceh and Jakarta. In short, they sought a political solution and brought to surface new political themes and ideas: independence through referendum for self-determination with two power sharing alternatives, namely federation and extensive autonomy. These ideas were tremendously far away from the government position that was only beginning to consider more limited ideas of power sharing for Aceh.

4.2.1 Federation

The earliest concept that focused on changing the nature of the relationship between Indonesia and Aceh was that of federation. This idea emerged at the end of August 1998 when human rights violations by the military were uncovered. Amidst this emotional situation a number of prominent local figures proposed federation as a solution for Aceh. Among them were Sayed Mudhahar Ahmad and Sulaiman Daudi.²⁵

²⁴ "All Indonesian government's promises are only lip service and caused lingering the suffering of the Acehnese. In our opinion, a comprehensive settlement of the Aceh case is none other than the referendum," said a student leader Fuadri at the meeting (*Republika*, 26 March 1999). Habibie's proposal was also considered. "What the President delivered is too late ... because people already filled with their profound desires," said Nurdin Abdul Rahman, one of NGO leaders at that time. Nurdin Abdul Rahman, interview with *Kontras*, 31 March-6 April 1999.

²⁵ Sayed Mudhahar Ahmad was former regent of South Aceh District who also the regional chairman of *Partai Amanat Nasional* (PAN, National Mandate Party) and Sulaiman Daudi was the chairman of *Fraksi Persatuan Pembangunan* (F-PP, United Development Faction) in local parliament. "Federation is not separatism, but it is a national union that affirms the existence of the regions," said Daudi (*Kontras*, 28 October-3 November 1998, 5-6).

This idea did not originate from Aceh. Mudhamar, who first proposed it, forwarded the idea of a federation from a national proposal of the Chairman of *Partai Amanat Nasional* (PAN, National Mandate Party) Amien Rais as an alternative to the unitary state that had undermined local demands during the New Order. Some of the old Acehnese establishment, such as M. Nur El-Ibrahimi, also supported the idea. Concerned on the growing demand for independence among the Acehnese, including 400 *ulama* from *Himpunan Ulama Dayah Aceh* (HUDA, the Association of Islamic Traditional Boarding School Scholars) who declared their support for independence, El-Ibrahimi observed that “with federalism, the Acehnese will feel like already independent. Indonesia does not need to lose Aceh. Aceh can manage itself except for three areas: defense, foreign affairs, and finance.”²⁶

Although the youth and students warmly welcomed the idea of federation, it did not last long. It gradually waned along with the reluctance of its initiator to discuss it further.²⁷ Having almost disappeared, the idea of federation drew widespread attention in February 1999. Seemed to neutralize the growing student’s demand for referendum at that time, the Aceh Governor Syamsuddin Mahmud asked the Acehnese to maximize their struggle by demanding federation. According to him, this was the best solution “for a better [Acehnese] future and [to] maintain the unity of Indonesia” (*Kontras*, 10-16 February 1999, 4-5).²⁸ Under immense criticism from Jakarta and objections from a number of local key political figures, there was no further elaboration of this idea (*Kontras*, 17-23 February 1999, 12).

Though the idea of federation was later abandoned, it had a role in stimulating discussion on a more structural basis that changed the relationship between the central government and Aceh. It marked an early discussion of power sharing as a comprehensive long-term solution instead of just a situational approach focusing on the excesses of conflict.

²⁶ M. Nur El-Ibrahimi, interview with *Tempo*, 26 Desember 1999.

²⁷ The most prominent drawback of this idea is it requires the change of the constitution. To secure this political process, it meant that the initiator must win the election first and secure majority in parliament. It is a long process with a lot of uncertainty.

²⁸ He added, “The federation is not only modern and democratic, but more progressive than autonomy.” The idea met “the Acehnese expectation for self-government” while maintaining “*silaturahmi nusantara*” (good relationship among other regions in Indonesian archipelago).

4.2.2 Referendum

Four months after the DOM revocation and the state apology in August 1998, there was still no sign that Jakarta would meet the demands of the Acehese student leaders and local NGO's elites for desecuritization and justice for victims. While student protests were growing intensely, demanding prosecution of military personnel involved in alleged human rights violations, the military tightened its grip in Aceh.²⁹ It returned with a new operation codenamed *Wibawa* (Authority) 1999. Though the Acehese had sent several teams to Jakarta to voice local demands, there was no judicial process for the perpetrators. This discontent led to the rising call for a referendum.³⁰

The idea of a referendum emerged in February 1999 after *Kongres Mahasiswa dan Pemuda Aceh Serantau* (KOMPAS, the All Acehese Students and Youth Congress)³¹ issued their final recommendation demanding a referendum as the political solution for Aceh.³² The Congress asked for a referendum based on self-determination under the auspices of the UN or independent international

²⁹ The violence even continued after DOM ended and the military again held the new security operation by sending in to Aceh the non-organic forces *Pasukan Penindak Rusuh Massa* (PPRM, Mass Riot Prevention Force) placed under the command of the Aceh Regional Police. This new operation codenamed *Wibawa* (Prestige) 1999 officially started in January 1999 but it had actually been going on since the Lhokseumawe incident at the end of August 1998.

³⁰ Saifuddin Bantasyam, Executive Director of Forum Peduli HAM said, "We want violations to be taken to court and that social and economic injustices be ended. But Acehese have been made to wait and wait. The psychological atmosphere now has reached the point of [them] wanting to see instant action ... Since February [1999], there have been calls for a referendum and the ulema [*sic*] have also joined in, not just the students. Saifuddin Bantasyam, interview with *Jakarta Post*, 4 November 1999.

³¹ KOMPAS was held by *Komite Aksi Reformasi Mahasiswa Aceh* (KARMA, Aceh Students Committee for Reform Action) dan *Komite Mahasiswa dan Pemuda Aceh Se-Nusantara* (KMPAN, All-Archipelago Aceh Students and Youth Committee) on 31 January-4 February 1999 in Banda Aceh. Approximately 106 groups of youth, students, *santri* (Islamic boarding school students) joined the congress.

³² In the recommendation, they argued that the government's policies in three eras: the Old Order, the New Order, and the Reformation Era, obviously were "the practice of neo-colonialism." In the Old Order, with disregard to the Acehese aspirations, the government merged Aceh into North Sumatra which resulted in DI/TII rebellion. During the New Order, Aceh's status as a "special region" was only an empty promise. What happened was "the large-scale economic exploitation" without a balanced sharing between Aceh and Jakarta. Jakarta responded to the resistance against this "injustice" by making Aceh as DOM which resulted in widespread human rights violations. In the Reformation Era, the Acehese demand for resolving "the excesses of DOM" still had not been responded properly by the government. This "ongoing betrayal" was unacceptable and thus any unilateral solution offered by the government, including: "extensive autonomy, federation, and the re-establishment of *Komando Daerah Militer* (KODAM, the Military Regional Command)," did not represent the Acehese demand (Kongres Mahasiswa dan Pemuda Aceh Serantau 1999).

institutions appointed (Kongres Mahasiswa dan Pemuda Aceh Serantau 1999). Along with their bitter disappointment of the government's reluctance to respond to their initial demands, the Acehnese student and youth leaders proposed a referendum as the recommendation due to the so called East Timor effect.³³ The demand for a referendum was inspired by the government's offer to East Timor right before the Congress was held.³⁴

The East Timor effect emerged concurrently with the attempt of pro-democracy movements, in which the students and NGOs were forefront, in seeking a new issue to preserve their non-violent struggle. After Jakarta abandoned their demand for securitization and justice for the victims these movements were required to transform issue, from the legal and prosperity approach to a more political one. Referendum met the criteria. It was a standard idea in the democratic society and it would meet the expectation of the Acehnese for the more progressive change in their relationship with the central government.³⁵

Though the majority of referendum proponents were expecting the independence, in fact, this idea was a compromise. It was a means to resolve the division among the students who supported pro-autonomy or pro-independence, which also represented the Acehnese position in general.³⁶ Among the big three of students' groupings at the time, the *Front Aksi Reformasi Mahasiswa Islam Daerah Istimewa Aceh* (FARMIDIA, Student Action Front for Reform in Special Region Aceh) and *Komite Aksi Reformasi Mahasiswa Aceh* (KARMA, Aceh Students Committee for Reform Action) agreed to a referendum. The *Solidaritas Mahasiswa untuk Rakyat* (SMUR, Student Solidarity for the People Movement), suspecting this referendum was an attempt to weaken the demand for independence, initially did not support this decision.³⁷ However, they joined once they saw East Timor gain

³³ Four days before the congress, on 27 January 1999 Foreign Affairs Minister Ali Alatas announced that the government proposed its new option to release East Timor (*Indopubs.com*, 27 January 1999).

³⁴ "We demand a dignified solution. One among the dignified solution is a referendum for Aceh. If the government offers it to East Timor why Aceh cannot," a former student leader said. A former student leader, interview with author in Banda Aceh, 1 May 2013.

³⁵ Otto Syamsuddin Ishak (1), *op. cit.*

³⁶ "There were two ideas at that time, pro-independence and pro-autonomy students. The solution for this dynamic was a referendum," said one of the student leaders. Juanda Djamal, *op. cit.*

³⁷ The pro-autonomy groups such as KARMA accepted this recommendation as they observed that a referendum would let the Acehnese to decide. It was not a unilateral invitation for independence. A former student leader, *op. cit.*

independence.³⁸

Besides declaring a referendum as a solution for Aceh, KOMPAS also announced the establishment of *Sentra Informasi Referendum Aceh* (SIRA, Information Centre for Aceh Referendum) to educate people and campaign for a referendum.³⁹ To govern SIRA, a presidium of 26 persons was led by Muhammad Nazar, elected from the participants.⁴⁰ Based on the congressional mandate, SIRA campaigned for a referendum with two options: independence and autonomy.

Despite gaining widespread popular support since it was first mooted in February 1999, the government's response to the referendum was standard. Jakarta was confident with its position that as long as international support for Aceh was weak, there was no need to have any deep concerns for the referendum demand.⁴¹ Therefore, to gain more support, in particular widespread international concern, SIRA challenged the government by organizing a mass rally for the proposed referendum in Banda Aceh on 8 November 1999.⁴² The multitude, mostly youths, students and *ulama*, assembled in the Baiturrahman Grand Mosque.⁴³ At the end of the rally, a petition demanding a referendum was issued (*Kompas*, 12 November 1999).⁴⁴ The rally for the referendum was fully supported by GAM even though from the beginning they officially refused the idea of a referendum, as the GAM spokesman clearly said, "We remain only with the offer of independence."⁴⁵ The success of gathering a multitude in Banda Aceh from various parts of Aceh was

³⁸ Juanda Djamil, *op. cit.*

³⁹ "Another congress decision was how to educate people on referendum in order to avoid misunderstanding. Here, knowledge and information became important. Then, SIRA established. It was expected that SIRA campaigned for a referendum," said another student leader. *Ibid.*

⁴⁰ A former student leader, *op. cit.*

⁴¹ An adviser to Habibie stated, "Aceh was completely different to East Timor. International support for Aceh was not as in East Timor. International NGOs paid less attention. Its international network was not strong." Dewi Fortuna Anwar, *op. cit.*

⁴² Before this rally SIRA also organized a gathering on 28 October 1999 at the Aceh Regional House of Representative. This event attended by approximately one hundred thousand participants who at the end of the gathering declaring *Sumpah Bangsa Aceh* (the Acehnese Pledge).

⁴³ More than one million people took part in this rally to show the Acehnese demand for a referendum on self-determination for the province. SIRA called the gathering as *Sidang Umum Masyarakat Pejuang Referendum Aceh* (the General Session of People struggling for Referendum in Aceh), which had the Indonesian abbreviation SU MPR, the same initials as the General Session of the People's Consultative Assembly held in Jakarta a month before (*Jakarta Post*, 9 November 1999).

⁴⁴ This document, accompanied with a statement of support signed on 11 November 1999 by the Interim Chairman of Aceh Regional House of Representative M. Nasir Djamil and Aceh Governor Syamsuddin Mahmud, were sent to Jakarta and the UN.

⁴⁵ M. Djamil (GAM Spokesman in Stockholm), interview with *Kontras*, 3-9 March 1999.

because of GAM.⁴⁶ The reason for their “unofficial support” to this rally was the expectation that this event would have a great international impact; thus, align with GAM’s strategy to internationalize the issue.⁴⁷

Sadly, the struggle for the referendum culminated in this event. The rally for a referendum successfully brought the issue to the fore, but that proved to be the full extent of its achievement. Although as an issue it still persisted until 2000, the support for the idea slowly receded. People, who were ready and wished for independence after this event, could only be disappointed because it was ended just as a demand and a show of people power to challenge Jakarta. The cause of this failure, as one of student leaders said, was that SIRA had an “enormous idea” at hand but they had a “poor agenda,” “lack of strategy,” and then lost the greatest momentum ever to challenge Jakarta.⁴⁸

This decline had been apparent since its outset. Not long after proclaiming referendum in early 1998, the student movement had suffered a split. Whereas the radical groups such as SMUR campaigned for a referendum and eyed independence, the other student groups more concerned with autonomy attempted to restrain the demand for independence. Unfortunately, this effort had indirect consequences because it also undermined the campaign for referendum.⁴⁹

Despite the Acehese being divided on the referendum and there was no international pressure as in the case of East Timor, the government alarmed by this

⁴⁶ An NGO leader revealed, “Actually, the referendum committee was not the civil society. The committee was GAM. They provided trucks, found cars in *gampong* [the Acehese’s village]. They mobilized people.” Otto Syamsuddin Ishak (2), interview with author in Banda Aceh, 14 April 2013.

⁴⁷ “There was a hope at that time that the international community was concerned to mediate the Acehese’s demand and Indonesian government,” said one of GAM members who later became a negotiator. A negotiator of GAM for COHA (1), interview with author in Banda Aceh, 8 April 2013.

⁴⁸ “If we looked around, in fact, the army had already been silent ... But there was none who dared enough to speak out loud on independence ... Actually, if the gathering put the independence in their political agenda, it could send a stronger message [to Jakarta],” he said. Juanda Djamal, *op. cit.*

⁴⁹ A month after KOMPAS, on 7 March 1999, the students from the latter group held *Forum Silaturahmi Mahasiswa V* (Forsima V, the Fifth Student’s Gathering Forum) in Lhokseumawe. The forum raised the theme *Menuju Masyarakat Indonesia Baru yang Madani* (Towards a New Indonesia Civil Society) (*Kontras*, 3-9 March 1999, 15). It was a nationalistic theme that apparently an effort to neutralize the demand for independence. It reinforced the dualism among the students and the Acehese in general and at the end undermined the referendum from the inside.

issue.⁵⁰ The newly elected President Abdurrahman Wahid, who once supported the referendum, reiterated his position as a pro-referendum, but put forward two conditions: the decision was in the hands of the Acehnese and his support depended on how the referendum would be held (*Jakarta Post*, 9 November 1999). Not long after, having been opposed by the Chairman of *Dewan Perwakilan Rakyat* (DPR, House of Representatives) Akbar Tanjung and Armed Forces Chief Commander Wiranto (*Indopubs.com*, 19 November 1999), his administration announced that the government would allow a plebiscite, but the Acehnese could only choose between the status quo and greater autonomy within Indonesia (*Indopubs.com*, 17 November 1999).

4.2.3 Power Sharing

While the Acehnese seemed to moving fast to achieve their goals, Jakarta apparently was slow in considering them. Amidst the rising demand to change the relationship through a political process, the government instead emphasized the change of relationship through policy instruments. Those instruments were laws to grant the local governments at district level, including those in Aceh, a greater autonomy. These autonomy laws aimed to prevent national disintegration by sharing more political, administrative and economic powers to district governments, were Law No. 22 of 1999 on Regional Government and Law No. 25 of 1999 on Fiscal Balance between the Central and Regional Government.⁵¹

The autonomy package was snubbed by the Acehnese, apart from state officials. Although the new fiscal balance would deliver a huge shared revenue to

⁵⁰ The MPR Chairman Amien Rais said that the rising demand for a referendum on self-determination in Aceh could no longer be resisted (*Indopubs.com*, 14 November 1999). It sounded as if the parliament would discuss it further. Yet, in fact it faded immediately.

⁵¹ These regional autonomy laws were passed by DPR during Habibie's government on 23 April 1999. However, they were formally implemented on 1 January 2001. Those laws regulated the autonomy for all districts in Indonesia. It was expected that the new laws would meet the local demands and put an end to some provincial inclination to secede, such as raised by Riau, East Kalimantan, and in particular Aceh and Papua. The government realized that for the latter two provinces the autonomy should be on the province level and with a special autonomous law. However, due to the short duration of the Habibie government, the attempts to meet these demands could only be achieved on a general level. A Habibie close aide said, "Under the Habibie's government it was autonomy in general. Special autonomy for Aceh and Papua at the provincial level was in the post Habibie era. But the way of thinking was the same as why we needed to give the general autonomy. The expectation was that through this autonomy locals' dissatisfaction would be managed well." Dewi Fortuna Anwar, *op. cit.*

districts in Aceh, especially in oil and gas producing areas, this policy was considered obsolete and no longer attractive to Aceh, even when considered alongside the government's plan to grant extensive autonomy. The problem with autonomy was not in its content, but in Acehnese mistrust of Jakarta.⁵² The Acehnese no longer trusted the word 'autonomy', which had been touted since Sukarno's era in the 1950s. For that reason, any offer of autonomy, as long as it came unilaterally from the government, would not be accepted in Aceh.

Despite this being the case, the government after Habibie retained autonomy as a solution while at the same time sought out a different approach. However, in order to avoid giving the impression that special autonomy was Jakarta's unilateral initiative, the new government under President Abdurrahman Wahid encouraged a bottom-up process and asked the local government and the Acehnese to initiate the special autonomy law for Aceh.

The local government and the local parliament of Aceh were the first party to submit the initiative for this special autonomy Law. The draft emerged from discussions among Acehnese legislators, civil servants, academics and businesspeople, however, with little consultation with ordinary Acehnese (ICG 2001a, 7). After a discussion at the provincial level, Aceh Governor Syamsuddin Mahmud – who also once proposed the idea of federalism for Aceh – filed a draft Bill of Nanggroe Aceh Darussalam (NAD) to Parliament (*Kompas*, 22 March 2000).⁵³ Yet, even then, it took more than a year before becoming an official initiative in the DPR. The submission through the Parliament was the second after the earlier initiative through *Departemen Dalam Negeri* (Depdagri, Department of Home Affairs) gained a slow response.⁵⁴ This was an indication Jakarta remained reluctant to the idea of giving more power to Aceh.

⁵² Seeming to represent the Acehnese at that time, Syech Marhaban Kruengkale expressed the rejection for the autonomy and said, "When Bung Karno was in Aceh a long time ago, he had talked about autonomy. Yet he did not add the word "as extensive as possible." Therefore, the Acehnese no longer trust the word autonomy now-which has been discussed since the half-century ago." Syech Marhaban Kruengkale, interview with *Tempo*, 28 November 1999.

⁵³ Syamsuddin filed the Draft Bill to the Commission II of House of Representatives in March 2000. Syamsuddin believed the Law of NAD was an answer for the Aceh quest. "If the Central Government does not make it happen, we believe Aceh will continue to be turbulent," he said (*Kompas*, 22 March 2000).

⁵⁴ Having stalled for quite a long time, Depdagri returned a version of Bill of NAD proposed by the Special Committee of Aceh Local Parliament with four others and asked the Local Parliament making it into one before resubmitting (McGibbon 2004 16). Besides the various versions, Depdagri

The Acehese struggle for the special autonomy was successful through DPR after an intense debate. The most concerning issue was whether the Acehese would use the Law as a stepping-stone for independence. The concern became stronger when the Committee had a plenary session with the government (*Kontras*, 25-31 July 2001, 7).⁵⁵ After going through all these hurdles DPR eventually approved the Bill and it became the Law on 19 July 2001.⁵⁶ For autonomy supporters, the Law of NAD was considered as a panacea for conflict in Aceh. However, before it was decided, the GAM had rejected the Law of NAD. For GAM, besides considering it outdated,⁵⁷ the issuing of Law of NAD was rejected because the government's policy was inconsistent with their action on the ground.⁵⁸ GAM also reiterated that the Law was irrelevant as the problem that engulfed Aceh and Indonesia was not the question of autonomy, economy, or religious but the question of self-determination, freedom, and justice.⁵⁹ The Law of NAD was also

also raised objection to a number of proposed articles adopting the idea of federalism, such as the restrictions of the central government authority only on external defense, monetary, and foreign policy. The initiative through Depdagri eventually stalled despite the Special Committee of Aceh Local Parliament for Bill of NAD had made a refinement (*Kontras*, 27 September-3 October 2000, 6).

⁵⁵ Due to the excessive concern, it took a long time before 86 members of parliament encouraged by *Forum Bersama* (Forbes, the joint forum of the members of parliament from Aceh) eventually filed the Bill of NAD proposed by the Aceh Local Parliament. Through the Special Committee, the Bill of NAD finally managed to become DPR's Initiative on 2 July 2001 (*Kompas*, 4 July 2001). The issues set forth in the Bill encompassed the central government authority and Nanggroe Aceh Darussalam authority, the executive and legislative institutions, *Wali Nanggroe*, finance, *sharia* courts, police, the coat of arms, and the bylaws called *Qanun*.

⁵⁶ It was just four days before the MPR unanimously voted to impeach Abdurrahman Wahid on 23 July and replace him with Megawati. This approval seemed to be closure for the government under Wahid's leadership in navigating the conflict in Aceh. The Law regulates the composition and position of the province of *Nanggroe Aceh Darussalam*, authority, finances, the coat of arm, the legislature, the *Wali Nanggroe* and *Tuha Nanggroe*, executive bodies, local election, voters, local police, prosecutors, and *sharia* court.

⁵⁷ "The content of the NAD, for the conditions in Aceh now, is like giving toy cars to adults. Such gifts will only be suitable given when the person requesting it was in childhood," said GAM negotiator leader Sofyan Ibrahim Tiba (*Kontras*, 2-8 May 2001, 5).

⁵⁸ The security authority arrested GAM negotiators on 20 July and 3 August. On the day Megawati signed the Law No.18/2001 on Special Autonomy for Province Daerah Istimewa Aceh as Province of Nanggroe Aceh Darussalam on 9 August, TNI/POLRI held an operation which claimed lives in Julok, East Aceh. The old rhetoric then re-emerged saying that the Law of NAD was a product of Indonesia-Java. The local government and local lawmakers who drafted the Law were Jakarta's collaborators (*Indopubs.com*, 1 September 2001).

⁵⁹ In his speech in International Forum for Aceh Conference at American University, Washington, 5-8 October 2001, Minister of Health State of Aceh Dr. Zaini Abdullah said:

NAD (Nanggroe Atjeh Darussalam) is a sheer desperate, hollow political move by Indonesia. It was nothing appealing but an outdated 1950s style of political manouvre of the Indonesian neo-colonialist regime. The underlining problem between Aceh and Indonesia is not the question of autonomy, economy, religion

indifferently welcomed amongst the Acehese civil society leaders with distrust being the main reason of this reluctance.⁶⁰

4.3 Ideas of Dialogue

Wahid inherited the jarring ideas of autonomy and the referendum from Habibie. For Abdurrahman Wahid, the idea of referendum that surfaced at the beginning of his government needed to be navigated before evolving uncontrolled. Hence, Wahid attempted to divert the Acehese question for referendum. Wahid's first solution was to pacify them from inside using a cultural approach and capitalizing on his background as *ulama* as well as his long term experiences in CSO.⁶¹ He understood that the Acehese's elites expected discussion around their demands and he organized it accordingly. The idea of dialogue began within this context.

4.3.1 Personal and Informal Talk

Wahid started to placate the Acehese through personal and informal talks. On 30 November 1999, a closed meeting was held at President Wahid's residence in Ciganjur and was attended by 60 leaders of Aceh (*Tempo*, 12 December 1999, 22).⁶² In this meeting, the Aceh leaders requested that the referendum include the option of independence. Wahid did not reject their demand but emphasized that he should

or the integrity of Indonesia as a whole but solely about colonialism and independence. The main question is about self-determination, freedom and justice which is the hallmark of Acehese aspirations of the 2000 millennium (*Indopubs.com*, 12 October 2001).

⁶⁰ After he talked to some Acehese leaders, Usman Hasan (former Habibie's Chief of Presidential Advisory Team on Aceh) observed that the enactment of Law of NAD could not necessarily resolve the Aceh problems. Having lived under pressure and violence, the Acehese suspected NAD. "We may be deceived again," he said expressing the Acehese responses (*Waspada*, 22 August 2001).

⁶¹ According to Gus Dur, there were five groups that had interests in Aceh: the bureaucrats, security authorities, students, NGOs and *ulama*. "I focus my attention to the last two groups, NGOs and leaders of Islamic boarding schools, because they mingle with the community and [live] in remote areas," he said (*Kompas*, 27 November 1999).

⁶² It consisted of key figures from HUDA, *Thaliban* (represented by its *Rais Am* [the highest leader] Tengku Bulqani Tanjonggan), students, and NGOs. As personal and informal meeting, the president was not accompanied by a minister. "Here you meet with Abdurrahman Wahid. If it is in the [state's] palace, you meet with the president," said Gus Dur as quoted by *Tempo* to show the informality of the meeting (*Tempo*, 12 December 1999, 22).

first ask the opinion of DPR and MPR (*Majelis Permusyawaratan Rakyat*, People's Consultative Assembly).

Yet, there was an impression that Wahid was successful in moderating their demands during the discussion. After the meeting, according to its chairman Tengku Haji Ibrahim Bardan, HUDA was still demanding a referendum but expecting that Aceh remained in Indonesia. Earlier, before leaving for his first official visit to the United States, President Wahid also received a similar assurance from HUDA's advisor Tengku Marhaban Kruengkale. With this assurance Wahid had hit the target in pacifying the Acehnese, at least their *ulama*.

Wahid's move to talk with a number of community leaders in Aceh was inseparable from his increasing awareness for dialogue. Not long after Wahid's election, the Henry Dunant Centre for Humanitarian Dialogue (HDC) began a consultation with Wahid and his administration attempting to convince the government that dialogue could help break the deadlock in resolving the Aceh question.⁶³ Later, Wahid welcomed the HDC's offer to facilitate an unofficial dialogue with GAM and personally endorsed HDC's involvement in Aceh after a meeting with its Director, Martin Griffiths, in November 1999 (HDC 2003, 6).⁶⁴

⁶³ The Henry Dunant Centre for Humanitarian Dialogue (HD Centre) is best known as HDC. The term HDC will be used to refer to the HD Centre. The HDC was established in early 1999 by former humanitarian activists associated with the International Committee of the Red Cross (ICRC) and various UN agencies. Wahid drew HDC attention upon his role as the CSO figure that helped to solve domestic sectarian conflicts through dialogue (Huber 2004, 20). His step to put forward a cultural approach in seeking a solution for Aceh was not contradictory but rather in line with the principles of dialogue. The HDC promoted an approach to the armed conflict known as 'New Prevention,' in which the warring parties were encouraged to participate in humanitarian dialogue to prevent more casualties, trauma, and displacement or to minimize civilian sufferings. The New Prevention is guided by four principles: (i) the importance of partnership and concerted action of all those who may have a direct or indirect effect upon the outbreak of conflict, its conduct, and its consequences; (ii) the concern with transformation and change of a society afflicted by conflict as an effective method of prevention rather than framing action as a response; (iii) the emphasis on a common understanding of a conflict among protagonists to create a partnership for preventive action; and (iv) the belief that dialogue is more likely than not to lead to the discovery and acceptance of a peaceful means of resolving disputes (HDC 2003, 4).

⁶⁴ The HDC's success to participate in Aceh conflict resolution was a chance event (Leary 2004, 315-317). Their focus on Aceh was not premeditated. Having realized that they would not contribute much in East Timor which was their initial target, they diverted their focus to Aceh. For this purpose their consultant was then deployed to Indonesia in September-October to carry out an in-depth assessment. This team made contact with numerous high ranking government officials, senior parliamentarians, key figures from the major parties and religious organizations, and the circles of the president (Huber 2004, 20-21). They also brought together a numerous Acehnese groups to discuss the worsening humanitarian situation in Aceh, to facilitate exchanges between them, and to create a moderate leadership and agenda for a dialogue with possible solutions (HDC 2003, 6). This new organization was able to deal with the president and some ministers after one of

4.3.2 The First Bilateral Dialogue: A circuit breaker to peace process

Although Wahid made a major breakthrough by accepting a dialogue with the GAM for humanitarian purposes, bringing GAM to participate was not an easy task. Hence, soon after Wahid approved the dialogue, the HDC approached the GAM's leadership in Sweden and a splinter group in Malaysia known as *Majelis Pemerintahan-GAM* (MP-GAM, Governing Assembly of GAM) to explore their willingness and prepare them for a face to face talk with the government (HDC 2003, 7).⁶⁵ GAM requested two conditions be met for the dialogue: the government delegates must be led by a minister and include TNI's General. Hassan Wirajuda, Indonesian Head of Permanent Representatives for the UN at Geneva who was assigned by Jakarta to discuss preparation for the dialogue with the HDC, rejected the requirements and said to HDC that "with such conditions, this dialogue would never happen." Then he proposed "a preliminary meeting without any conditions and a detailed agenda. Even if it failed, no one would lose face."⁶⁶

Hasan Tiro eventually agreed to meet informally after the HDC convinced him that the Indonesian Ambassador Hassan Wirajuda had experience as a mediator between the Philippine government and the separatist Moro National Liberation Front (MNLF) in mid-1990s. Based on GAM's readiness, Ambassador Hassan Wirajuda and Counselor I Gusti Wesaka Puja then undertook a secret mission to approach the GAM leadership in Sweden. Puja emphasized the confidentiality of their journey,⁶⁷ Wirajuda's personal approach, and his willingness to listen to GAM

their consultants was successfully met Gus Dur personally in early October 1999 and then organized a meeting between President Wahid and HDC's director, Martin Griffiths, in November 1999. At this meeting, Griffith explained the HDC objective was to reduce the humanitarian consequences of the conflict and to prevent it from escalating, and expressed their interest to work in Aceh as a facilitator. In order to achieve this humanitarian objective, the HDC suggested the parties pursue a political solution to their differences which certainly required a dialogue process.

⁶⁵ In order to convince the GAM, HDC sent its most senior officer, Martin Griffiths. Martin had a long career in the UN. He was an assistant of the UN secretary-general for humanitarian affairs before joining the HDC. In December 1999 and January 2000, HDC met with Hasan di Tiro and Malik Mahmud. With Martin's impressive profile and the humanitarian experts HDC had, GAM agreed to HDC's role in facilitating a 'limited dialogue' on humanitarian issues with the government (Huber 2004, 22-23).

⁶⁶ Hassan Wirajuda, interview with *Tempo*, 28 January 2001.

⁶⁷ Confidentiality was paramount. At the end of 1999, Abdurrahman Wahid made a contact with Hasan Tiro through his personal envoy. Unfortunately, Wahid revealed this meeting to media. As a consequence Hasan Tiro discontinued the process. *Ibid.*

grievances were the keys for confidence building that eventually toned down the GAM's long held determination not to negotiate with Jakarta.⁶⁸

The process towards dialogue became more amenable because at the same time as the government and HDC approached, GAM was undergoing an internal struggle to formulate a new strategy with respect to some new developments. GAM needed to reexamine their strategy for independence after realizing their political miscalculation. They previously considered the 1998 political upheaval would bring Indonesia to collapse.⁶⁹ In fact, Indonesia experienced a political consolidation and began to prepare for more regional autonomy.⁷⁰ GAM also needed to reassess the depth of support from foreign countries. Initially, GAM projected that they would gain considerable international sympathy after

⁶⁸ Wesaka Puja said:

The official process was yet to begin ... Because I was in Geneva to help as a counselor, I was asked by Mr. Hasan ... The mission was really kept confidential ... A real effort for confidence building ... Earlier, the GAM had absolutely refused to meet with any government representatives. Their acceptance was a breakthrough ... It was very difficult at that time to make some sort of ice breaker for diluting the situation, because at the beginning of the meeting the situation was very uncomfortable. But I admire the patience of Mr. Hasan ... I remembered on the first day of meeting with GAM, Mr. Hasan and I were called by Hasan Tiro ... He immediately played a cassette at the time. We listened to his speech that denounced Indonesia and very anti Java. We listened for a half hour of his speech as an attempt to dilute the situation, to show that we wanted to listen their grievances ... After that the whole scene really changed. We could have a chat with Hasan Tiro, Malik Mahmud, Zaini Abdullah (Wesaka Puja, interview with author in Jakarta, 18 March 2013).

⁶⁹ "Independence will be achieved in the near future. RI will soon collapse as the Soviet Union once did. Because it has no historical roots," said GAM's Armed Commander on 15 July 1999. Abdullah Syafi'ie, interview with *Kompas*, 16 July 1999.

⁷⁰ One of GAM negotiator described this 'misperception' and its consequence in raising the sense of 'uncertainty' among GAM's leaders as follows:

We were aware that we could not win the war of independence in Aceh by military force. Why did we fight then? ... We thought [Indonesia] once would fall apart... We were waiting for this moment. While waiting we were doing attrition ... hit here and there so that Indonesia was in disarray. Investors fear ... so [Indonesia] finally collapse ... Something extraordinary happened that we did not expect. So, our theory was dispersed ... Suharto fell, [then there was] the democratization, [but] decentralization was the most important. This decentralization made some regions say, 'With this [decentralization] has already been good. Why should we be at war such as those in Aceh? [They will] all die. We have had enough.' Other regions were likewise, so it was only in Aceh and Papua. Papua was zero possibility, so Aceh was alone. In this situation we thought that we might not achieve independence (A negotiator of GAM for Helsinki Round (1), interview with author in Banda Aceh, 10 April 2013).

unofficially endorsing the issue of a referendum (Schulze 2004, 51). Foreign countries would coax Indonesia to enter into a symmetric dialogue with GAM and at the end Aceh would follow East Timor's success. Unfortunately, support from other countries was not as sizeable as expected.⁷¹ In the meantime, GAM also faced a strong pressure from local CSOs in Aceh. Following the bitter armed conflict throughout 1999, there had been a massive displacement in Aceh. GAM was urged by local CSOs to show empathy towards them by providing a secure corridor for the influx of aid. This effort could only be achieved if GAM was ready for humanitarian dialogue with the government.⁷²

Based on the considerations outlined above, GAM welcomed the HDC offer for humanitarian dialogue. Finally, on 27 January 2000, the HDC had the first-ever face-to-face contact to explore a possible dialogue between Jakarta and GAM in Geneva.⁷³ Under Wahid's presidency the HDC facilitation managed to present some clear progresses. After subsequent meetings in March, April,⁷⁴ and the fourth meeting on 12 May 2000 in Bavois, Ambassador Hassan Wirajuda of the government of Indonesia and Dr. Zaini Abdullah of GAM signed an agreement called the Joint Understanding on Humanitarian Pause for Aceh (JoU).⁷⁵

⁷¹ One of the other GAM negotiators said:

As I recall the US was very upset toward GAM because our movement was unpredictable. Suddenly, our friends had got into the Mobil Oil in Lhokseumawe and they should pay for a couple of billion [rupiah]. In a meeting in the United States where the GAM leaders were invited, indeed there was nothing. The problem in Aceh was considered unimportant. I also observed there was disappointment [among GAM leaders] of the difficulty to create a symmetric dialogue between the Republic and the GAM. In GAM, there was also disappointment regarding the world's opinion on how the Aceh problem resolved ... They [GAM leaders] believed that the Aceh must be resolved similar to East Timor in case of engaging foreign countries (A negotiator of GAM for COHA (3), interview with author in Banda Aceh, 27 April 2013).

⁷² Otto Syamsuddin Ishak (1), *op. cit.*

⁷³ Wesaka Puja called this meeting 'Hasan Summit' to represent the names of the delegates leader. Wesaka Puja, *op. cit.* On this occasion, Hassan Wirajuda met with the GAM founder Hasan Tiro and also met MP-GAM representatives led by Husaini Hasan separately. However, based on his observation, Hassan Wirajuda then advised the HDC that the government would focus on the dialogue with the Swedish-based GAM that had real control over the combatants on the ground (Huber 2004, 23).

⁷⁴ In this meeting, military officers, representatives from the Ministry of Home Affairs, the Ministry of Human Rights Affairs, and Acehnese NGOs and civil society, were invited to participate in a four days workshop to draft an agreement on an appropriate solution to the conflict.

⁷⁵ The agreement called for a three-month pause in fighting which was named as 'Humanitarian Pause' to allow the delivery of humanitarian assistance to Aceh; the provision of

Eleven and a half hours before the implementation of JoU on 2 June 2000, the secretary general of MP-GAM (a splinter group in Malaysia) Teuku Don Zulfahri was murdered in Kuala Lumpur, Malaysia (*Kontras*, 7-13 June 2002, 4). Neither the perpetrator nor the motive for this murder is very clear, even now, but regardless of such questions, the death of Zulfahri paralysed MP-GAM and left the GAM as the only effective resistance group. This simplified the peace process somewhat by consolidating the separatist leadership in subsequent dialogues.

In September 2000, both the government and GAM agreed to extend the Humanitarian Pause. Both also agreed to work beyond the humanitarian issue towards a lasting political solution to the conflict as provided in the preamble of the JoU. The meeting on political issues was held from 6 January to 9 January 2001 at the HDC's office in Geneva when the parties declared a one-month moratorium on violence and signed an understanding in which they agreed on political talks and to focus on new security arrangements (HDC 2003, 7-10).⁷⁶

The first year of dialogue seemed to produce breakthroughs. Unfortunately, the implementation of the dialogue's outcomes faced many drawbacks on the ground (ICG 2003a, 3). "All were up and down. After peace went up, suddenly trust diminished and down again," said Wesaka Puja. Distrust among warring parties on the ground was the key to this failure. When the situation began to calm, distrust caused the two sides to carry out mobilization. "GAM used this as an opportunity to collect weapons, gathering people, persuading the Acehnese, and providing misinformation that the dialogue became a means to achieve independence. The security authorities also did the same thing, built strength and conducted intelligence activities."⁷⁷

Both parties at ground level blamed poor coordination from their leaders as a source of growing distrust. A high ranked military official at that time complained about "the government's desecuritization policy by establishing a moratorium [of violence] without any coordination with the military. It was endorsed by Wahid and

security modalities for humanitarian assistance and to reduce violence and tension; and the promotion of confidence building measures towards a peaceful solution to the conflict in Aceh.

⁷⁶ They were also successful in listing some substantive elements required, including political participation, social and economic development, human rights and security

⁷⁷ Wesaka Puja, *op. cit.*

TNI was required to.”⁷⁸ For TNI, it was risky should they lose their tactical and strategic positions in Aceh due to this agreement.⁷⁹ On GAM side, as one of the negotiators explained, the reason for “the policy decided on the ground could not one hundred percent be in accordance with what Sweden decided was that while Sweden received information from Aceh, sat down for meeting, and made decisions, the situation in Aceh had changed and GAM in the field had taken their stance.”⁸⁰ Yet, whatever the reasons for this failure, it was clear that the dialogue was halfheartedly accepted by the warring parties (Aspinall and Crouch 2003, 20-24).

At the end of Wahid’s period in power, a severe blow toward dialogue emerged from Wahid himself. On 11 April 2001, the government issued a Special Presidential Directive No. 4 dubbed as a “comprehensive approach” and included a “limited military operation”.⁸¹ This policy led to a military crackdown and political uncertainty in Aceh throughout April-December 2001 (HDC 2003, 11).⁸²

4.3.3 Interpersonal Dialogue

Signs of reluctance by the government to accept the dialogue facilitated by the international profile such as the HDC had been seen since its outset. Appearing doubtful about the ongoing dialogue process, Wahid’s circles in the government undertook different version of dialogue with GAM. Amidst the HDC efforts, Acting State Secretary Bondan Gunawan made a breakthrough as the first state’s high-ranked official to meet with the GAM Armed Forces Commander Teungku Abdullah Syafi’ie (*Tempo*, 26 March 2000, 29).⁸³

⁷⁸ Kiky Syahnakri, interview with author in Jakarta, 26 Maret 2013.

⁷⁹ Bambang Darmono, interview with author in Jakarta, 16 March 2013.

⁸⁰ A negotiator of GAM for Helsinki Round (2), interview with author in Banda Aceh, 18 April 2013.

⁸¹ The decree laid out initiatives in six issue areas: political, social, legal, public order, security, and information and communication measures to regain political control of the province, reactivate the functions of government, and reinvigorate economic development (ICG 2001b, 5).

⁸² The resumption of military operation and hostilities claimed the lives of hundreds of civilians and the number of displacement people rose again after decreasing during the Humanitarian Pause.

⁸³ The half an hour meeting, which was covered widely by the media, took place in Glumpangtiga, Pidie, Aceh on 16 March 2000. Bondan managed to enter GAM military base by support from the NGOs activists in Aceh. On the day of visit, it was the Eid al-Adha and Syafi’ie was scheduled to meet with the NGOs activists to discuss GAM presence in *Kongres Masyarakat*

Bondan admitted that the visit was on his own initiative after he disagreed with Wahid who started a dialogue with GAM involving foreign organizations. Though they were on the same platform about the importance of the cultural approach in resolving the conflict, Bondan expected its implementation to use the “traditional approach *silaturahmi*” (based on a family like relationship) without any foreign intervention and to be held informally.⁸⁴ According to Bondan, Wahid was unhappy when he reported this plan, but later endorsed it.

Bondan initially expected that by using an interpersonal and informal approach the GAM commander would stop their armed struggle. Once they were willingly to do this, GAM leadership in Sweden would lose power on the ground.⁸⁵ However, once he talked to Abdullah Syafi’ie he received confirmation that they were loyal to Hasan Tiro. Later, Bondan used this opportunity to convince Abdullah Syafi’ie that the current government policy toward Aceh was not the same as in the previous regime. According to Bondan, during the dialogue Abdullah Syafi’ie expressed frustration that Jakarta still ruled the Acehnese like a new colonial settlement. However, Bondan argued that if the government approached them as a family, which was then followed by tangible support, the bloody conflict in Aceh would end, although it would still take time (*Kompas*, 17 March 2000).

Interpersonal dialogue between Bondan and Abdullah Syafi’ie did not change the situation. Bondan’s expectations for building trust fell short. A day after his visit, the combined security operation ransacked four villages of Glumpang Tiga subdistrict to search for the GAM Armed Chief Commander Teungku Abdullah Syafi’ie (*Kompas*, 18 March 2000). However, his visit at least redressed the Government understanding of the GAM’s combatant position. In return, it offered a new insight for GAM about Wahid’s government position in resolving the Aceh

Aceh (KMA, the Acehnese Society Congress) in Medan on 27-31 March and in *Kongres Rakyat Aceh* (KRA, the Acehnese People Congress) on 7 April in Aceh.

⁸⁴ “My discussion with Abdurrahman Wahid that we must carry out the cultural and informal approach,” he said and continued, “Actually, I disagreed to invite foreigners to talk with Aceh and Indonesian government. Internal problem must be solved internally.” Bondan Gunawan’s address before Deep South Groups of Thailand in Jakarta, 28 February 2013.

⁸⁵ He described it as follows. “My expectations at the time if we could talk to figures like Abdullah Syafi’ie and other commanders, then with some of their first circle including families, and they were ready to be relocated to other places, granted 20 or 30 acres of land, Hasan Tiro would never be able to give the command. That was actually what I expected.” Bondan Gunawan, interview with author in Jakarta, 12 February 2013.

conflict.⁸⁶ When he reported the result of the dialogue before the cabinet meeting, he observed the strong sense of rejection from other cabinet members responsible for security affairs. It may have signalled the reason for failure of the entire dialogue process initiated by Wahid.⁸⁷ For some other cabinet members, Bondan's mission was less acceptable because it was personal effort while the expected settlement was institutional.⁸⁸

4.3.4 Internal Dialogue

Amidst the dialogue between the government and GAM facilitated by the HDC in Geneva, another type of dialogue was initiated at home. Ismail Hasan Metareum, the key figure in *Forum Kepedulian untuk Aceh* (Forka, Concern for Aceh Forum), proposed an 'equal internal dialogue' between the government and the Acehese leaders (*Kompas*, 25 January 2000).⁸⁹ The first step to embody this idea was reuniting the Acehese through an internal and inclusive dialogue among their leaders. For this purpose, *Aceh Sepakat* (Aceh Unite; a group of Acehese businessperson) and Forka prepared *Kongres Rakyat Aceh* (KRA, the Aceh People Congress) to be held in February 2000. The congress would be a forum for dialogue among the Acehese leaders to formulate their demands regarding a new relationship between Jakarta and Aceh.

The students, NGO leaders, and GAM were suspicious of the purpose of this congress. According to them, the congress was Jakarta's ploy to remove the

⁸⁶ "I did not come in the capacity as a negotiator and I never consider that the GAM as an opponent, but they are our brother. I was just exploring what exactly they wanted," said Bondan (*Kompas*, 18 March 2000). However, he believed that there was a result of his visit. "There was indirectly. It meant that the Acehese assumed that Jakarta was no longer as fierce as at the time of Soeharto," he said. Bondan Gunawan, *op. cit.*

⁸⁷ "When I reported to the cabinet, I have already started to feel that Wiranto and others were not happy. I was considered interfering in their business," he said. *Ibid.*

⁸⁸ Susilo Bambang Yudhoyono, who was the Minister of Mining and Energy at that time but later in charge of dialogue with GAM when moved to the position of Coordinating Minister for Politics and Security Affairs in August 2000, rejected Bondan's interpersonal approach. He said, "Do not let us solve the problem of Aceh personally. It must be institutionally, officially, transparently. There may be personal approach. But everything has to be in the context of a comprehensive dialogue" (*Tempo*, 17 December 2000, 38).

⁸⁹ He argued that "The Government can resolve the conflict as long as it has a right approach. Resolve the problem internally like fellow brothers, of course with a good approach and in an equivalent position." However, he criticized Gus Dur's initiative to meet some Acehese key figures in late November 1999 as they "had not represented the Acehese, because only certain groups were invited, and what happened was a function, not a dialogue."

referendum as an alternative solution for Aceh and to give the impression that the Aceh issue was a conflict among the Acehnese alone. However, as the referendum supporters increasingly lost ground because of the key requirement of the referendum to have international support remained weak, SIRA later relented and arranged to sit in the meeting for congress preparation (*Tempo*, 30 January 2000, 29).⁹⁰

It was interesting that during the preparation for KRA, a similar dialogue, though with a weaker echo, was also being prepared. This event called *Kongres Masyarakat, Pemuda, Pelajar, dan Mahasiswa Aceh* (KMPPMA, the Congress of the Aceh People, Youth, Students, and College Students) was scheduled to take place in Medan, 27-31 March 2000 (*Indopubs.com*, 22 March 2000).⁹¹ The organizing committee of both congresses claimed to have the support of the Government and the security authorities though they would invite GAM. However, GAM under Hasan Tiro's leadership officially refused to attend KRA while denouncing KMPPMA II. The MP-GAM Secretary General Teuku Don Zulfahri conveyed support for KRA as it was initiated by HUDA, *Thaliban* and SIRA that struggled for Acehnese demands. However, he warned that "MP-GAM would only accept the congress results if they were in line with what the Acehnese fought for" (*Indopubs.com*, 27 March 2000).

Both congresses had been delayed before eventually being cancelled.⁹² Student organizations firmly refused to support the congresses based on their observations that dialogue would weaken the Acehnese bargaining position toward Jakarta. If carried out, it would be exactly the same as MKRA that gave rise to the Lamteh Declaration after the Daud Beureueh rebellion (*Indopubs.com*, 12 April

⁹⁰ This internal dialogue was best an idea but found many difficulties in its implementation. Long and heated debate had emerged early in its preparation for selecting the Committee, determining the agenda of the talks, and listing the participants. In its original plan, the number of invitations would be approximately 1350-1500. That number encompassed four representatives from each of the 140 sub districts and the representatives of 17 existing community organizations in Aceh. GAM was also included in the list (*Indopubs.com*, 23 March 2000).

⁹¹ In this KMPPMA II, after the same 1956 Congress in Medan, 600 participants would discuss various inputs from the community to find the best solution for solving the Aceh problem. The congress results would be presented to the Government and other state high institutions.

⁹² KMPPMA II was postponed until 27 May 2000 after receiving pressure from GAM (*Indopubs.com*, 27 April 2000). KRA was also postponed for a time to be determined after an earlier delay from February to 22-26 April. Having considered many of the Acehnese had not understood the KRA and its goals, HUDA requested a delay. Yet, this delay could not be separated from the GAM's rejection to participate.

2000). Following KMPPMA II that failed first, KRA was also cancelled. Its initiators considered that KRA was no longer required as the situation in Aceh had improved somewhat after May 2000. The JoU signed by the government and GAM on 12 May 2000 sent a clear signal that the Jakarta would only support dialogue with GAM for the time being. Moreover, the JoU implementation had helped to reduce the tension at ground level (*Kompas*, 13 June 2000).

4.3.5 The Second Bilateral Dialogue: Peace deferred

The government leadership change from Wahid to Megawati and the resumption of fighting on the ground hampered the political talks that had commenced in January 2001. In June 2001, the HDC managed to get both parties to talk but it was clear that the government's Chief Negotiator Hassan Wirajuda had been instructed to hinder any progress (Martin 2006, 80). The HDC strived to return the parties to the negotiating table. This effort eventually succeeded in January 2002. Jakarta announced its new chief negotiator Wiryono Sastrohandoyo and declared its readiness to roll out a new round of dialogue.

Despite the government considering the dialogue important – in particular to address the reputational damage caused by military abuses in Aceh, included the last military crackdown in the first half of 2001 – signs of reluctance and disunity among the government towards the dialogue had been seen from the start. According to Wiryono, Jakarta also did not have a thorough plan at that time.⁹³ While the government accepted the new dialogue as a way to improve its reputation, for its part, GAM was reluctant to participate and only agreed in order to protect its international legitimacy as a dialogue partner in negotiations.⁹⁴ GAM's distrust of the government had in fact reached a new peak because a military raid at the end of

⁹³ He then wrote up a two pages paper describing the sequence to be accomplished, including the cease-fire, the destruction of the weapons, audience talk for the Acehnese (including GAM), and the election. He sent it to Coordinating Minister for Political and Security Affairs Susilo Bambang Yudhoyono and received a reply through Sudi Silalahi that the government supported his plan without further detailed instructions. Wiryono Sastrohandoyo, interview with author in Jakarta, 19 February 2013.

⁹⁴ Engagement in dialogue was the only opportunity for GAM to gain international support. Hurst Hannum, Professor of International Law at the Fletcher School of Tufts University – who was sympathetic to the minority concern and invited by the HDC to the workshop during January 2001 meeting – convinced them, that the existing statutes did not permit the Acehnese a legal right to independence and the rest of the world was not currently on their side (Leary 2004, 319).

January 2002 had killed one of its key commanders, Armed Chief Commander Teungku Abdullah Syafi'ie (*Kontras*, 30 January-5 February 2002, 13).

The second bilateral dialogue held meetings in Geneva in February and May 2002. The 2-3 February meeting resulted in a document prepared by HDC on "Points for Further Consultation," including GAM's acceptance of the NAD Law as a "starting point." The 10 May talks produced a joint statement on two major points. First, a democratic all-inclusive dialogue involving all elements of Acehnese society to review changes necessary for the NAD Law that would lead to the election of a democratic government in Aceh. Second, the need for an agreement on cessation of hostilities with an adequate mechanism for accountability of the parties to provide the opportunity for much needed socio-economic and humanitarian assistance.⁹⁵

After this road map was agreed, the remaining concerns was the security arrangements for a cease-fire, including the timetable and the process for reverting to defensive positions, establishing demilitarized peace zones, and decommissioning GAM weapons – all of which were to be done in exchange for the TNI's shift to a defensive posture. The deliberation for the majority of these issues took place in a proximity negotiation, not in a face-to-face meeting but through the HDC as intermediary. The HDC and its international advisers engaged in an intensive shuttling diplomacy, meetings with one side or the other, in Jakarta, Banda Aceh, and Sweden. Based on the experience of the commander-to-commander talks during the humanitarian pause, in order to monitor the cease fire then the HDC developed arrangements for a tripartite mechanism involving a neutral third party namely the Joint Security Committee (JSC) (Huber 2004, 26-29).

Initially, both parties agreed to sign the Cessation of Hostilities Framework Agreement (COHA) around 2-4 November 2002. However, GAM requested a delay at the last minutes. After more than a month's delay, under military threat to crush GAM's fighters being under siege in a swamp area at Cot Trieng and the deadline warning from the government, GAM eventually was ready to sign the

⁹⁵ See Appendix 6 about Joint Statement of the Government of Indonesia and GAM signed by Ambassador Mr. S. Wiryono and Dr. Zaini Abdullah in Switzerland on 10 May 2002.

COHA on 9 December 2002. Not long after the signing, the clause “accepting autonomy as the starting point of further dialogue” in the agreement became the controversial issue. The different interpretations of this clause stirred distrust among parties and other points failed to be implemented.⁹⁶ Despite accepting the autonomy, GAM perceived it not the only solution. GAM accepted autonomy just as a concession to continue the dialogue. As GAM’s negotiator explained, “GAM was only softening its demand by proposing all inclusive dialogue with an expectation the dialogue lead to a referendum.”⁹⁷ “If all inclusive dialogue was actually executed, Aceh would gain independence.”⁹⁸

The unresolved differences and mutual distrust among warring parties obstructed the efforts to create peace on the ground (ICG 2003b, 1). The formation of the JSC, the presence of a foreign monitoring team, the decommissioning process, and the establishment of peaceful zones as designated in COHA, were all wound up (*Kontras*, 5-11 March 2003, 4-5). The military on both sides “did not attempt to create a conducive condition to keep or maintain COHA.”⁹⁹ The reason for why this happened was the government and GAM elites had no real interest in the content of COHA (Aspinall and Crouch 2003, 45-47). Megawati distanced herself from it and always transferred responsibility to Susilo Bambang Yudhoyono (SBY) as if to indicate that the government had never wanted COHA. It was just the desire of a few people like SBY who adamantly supported the peace process (Martin 2006, 92). One of negotiators explained that GAM did not join the dialogue “for peace talks. It was a war of diplomacy. What could not be accomplished on the ground with guns, it was attempted to achieve at the negotiating table.”¹⁰⁰

As this was the case, in only a matter of months COHA collapsed. An attempt to rescue it through a new round of dialogue in Tokyo on 17-18 May 2003 suffered a deadlock. GAM refused to meet after the government continued to impose on them to accept NKRI, the NAD Law, and to lay down their weapons (*Kontras*, 21-27 May 2003, 4-5). The Tokyo Round was indeed destined to fail by

⁹⁶ Wiryono Sastrohandoyo, *op. cit.*

⁹⁷ A negotiator of GAM for COHA (3), *op. cit.*

⁹⁸ A negotiator of GAM for Helsinki Round (1), *op. cit.*

⁹⁹ Wesaka Puja, *op. cit.*

¹⁰⁰ A negotiator of GAM for Helsinki Round (1), *op. cit.*

“certain parties” in Jakarta. Besides forcing GAM to accept three preconditions to sustain the dialogue, GAM’s negotiators were also deliberately held up by the security authorities in Aceh on their way to Tokyo. These two factors were demeaning to GAM and very effective at destroying the COHA.¹⁰¹ Several countries such as the European Union, the United States, and Japan used their influence to press the Indonesian government to release the detained GAM negotiators. Sadly, the Indonesian government remained firm in its decision not to release. Jakarta’s decision led GAM to decide not to continue the negotiations, despite Indonesia chief negotiator Wirjono had given a stern warning of the lethal consequences of the deadlock.¹⁰² Among the GAM leadership, fears that they would be accused by the Acehnese of betraying their own goals – if they accepted the prerequisites of the Indonesian government and continued to participate in the negotiations – was much stronger than the threat of military attack if the COHA failed.¹⁰³

Though COHA collapsed, there was a positive consequence of the dialogue towards the COHA and all previous dialogues. Through this process, the government and GAM began to realize there was a chance of resolving the conflict peacefully through dialogue. Expressed long before the failure of COHA, Wiryono had declared that “dialogue will remain the only conflict resolution for Aceh. [The government] only requires patience. Because it is deeply rooted, the Aceh issue is not easy to resolve. So the government of Indonesia has to wait.”¹⁰⁴ It was not just the government elites that began to consider that dialogue remained the best solution. Malik Mahmud also fervently believed the Aceh conflict “cannot be solved militarily.” Therefore, he said that GAM would “always have good intentions to solve the Aceh case through dialogue.”¹⁰⁵

¹⁰¹ Wiryono Sastrohandoyo, *op. cit.*

¹⁰² Wesaka Puja, *op. cit.*

¹⁰³ A negotiator of GAM for COHA (1), *op. cit.*

¹⁰⁴ Wiryono Sastrohandoyo, interview with *Kontras*, 23-29 October 2002.

¹⁰⁵ Malik Mahmud, interview with *Tempo*, 16 November 2003.

4.4 Ideas of Negotiation

After COHA failed, Jakarta implemented martial law in Aceh, beginning 19 May 2003. The security operation aimed to crush GAM in six months, but this did not occur (Sukma 2004, 36-37). Despite having been criticized for its failure, martial law had two positive consequences. The government's lack of success in overwhelming GAM demonstrated the ineffectiveness of military solutions and derailed the path of violence, returning it to the idea of resolving the Aceh conflict through peaceful means.¹⁰⁶ While the government's military operations during the year had not fully succeeded in destroying GAM's power, it had reduced their strength drastically.¹⁰⁷ For a long period thereafter, the GAM leadership believed that GAM would never regain the armed strength it enjoyed before martial law (Kingsbury 2007, 102). This lost momentum also forced GAM to reconsider peaceful means to achieve its goal. The idea of negotiation emerged from within this complex set of outcomes.

4.4.1 A Peaceful Solution with Dignity for All

The opportunity to return the government and GAM to the negotiating table arose because the nationalist stronghold in the government of Indonesia folded with Megawati's defeat in the 2004 presidential election. SBY, who had supported peaceful solutions for Aceh since the Wahid era (Yudhoyono 2001), paired with Jusuf Kalla who was well known for his success in brokering peace deals for inter-religious conflict in Ambon and Poso. Kalla had prior experience in dealing with the Aceh conflict. After COHA collapsed and while in his position as Coordinating Minister of People's Welfare, Kalla had started to re-establish communication with GAM.¹⁰⁸

¹⁰⁶ "Our experience shows that we could never solve the problem in Aceh through military operation," said one of Armed Forces Commander. Endriartono Sutarto, interview with author in Jakarta, 21 March 2013.

¹⁰⁷ One of the GAM negotiator said, "With fifty thousand soldiers [sic] fully armed we could not breathe anymore. Logistics from the people could not reach us, even the communication between units was disconnected ... So, logistically, we were already overstretched." A negotiator of GAM for Helsinki Round (1), *op. cit.*

¹⁰⁸ See the explanation for this lobby in chapter 6, section 6.2.7.

Kalla and SBY held a similar vision to resolve the Aceh conflict by peaceful means and promised in their campaign to “resolve the Aceh conflict with dignity.” The presidential election result put SBY and Kalla as President and Vice President. In a power sharing arrangement, SBY delegated leadership of the process of resolving conflict in Aceh to Kalla.¹⁰⁹ This enhanced Kalla’s power and made it easy for him to reactivate the peace process.

4.4.2 New Government; New Approaches

Kalla started his initiative to return GAM to the negotiating table even before the presidential inauguration. He began with an attempt to approach GAM’s commanders in Aceh and Malaysia while at the same time allowing Farid Husain to keep trying to open communication with GAM’s leadership in Sweden. While the initiative of co-opting GAM’s commanders failed at home in October 2004,¹¹⁰ in the same month Farid’s fellow, Juha Christensen, succeeded in convincing GAM’s leaders in Sweden that the government was serious in rolling out a new peace talks (Husain 2007, 72).

Juha’s approach coincided with the change in GAM’s perception towards Indonesia. GAM was scrutinizing the new political development in Indonesia including “the persistence of Kalla through the efforts of Farid Husin and a few others to regain trust from them.”¹¹¹ GAM observed a distinction in Kalla’s approach compared with that of the previous government. His personal approach to build trust and the government’s resolve to negotiate with dignity, allowed GAM to have confidence in the initiative. The process would also be more secure because it was under the control of the President and Vice President who were directly and democratically elected and no longer under the influence of the military (Husain 2007, 92).¹¹²

¹⁰⁹ Sofyan Djalil, interview with author in Jakarta, 16 March 2013.

¹¹⁰ See detail about this initiative in chapter 6, section 6.2.7.

¹¹¹ A negotiator of GAM for Helsinki Round (2), *op. cit.*

¹¹² GAM eventually showed its initial interest to return to a peace process. However, to ‘test the water’ whether Jakarta was sincere and Juha was entrusted by the government, then they asked Juha to travel to Indonesia to visit GAM’s negotiators imprisoned in Sukamiskin, Bandung. His success to talk with the negotiators sent clear message to GAM’s leadership in Sweden that Kalla and his team were earnest and also able to control the government, especially the security authorities (Husain 2007, 73).

GAM showed its initial readiness but imposed three preconditions: Jakarta had to release GAM's detained members; the peace talk had to be held in a neutral country; and the mediator had to be a former, non-active state official.¹¹³ There was no further discussion of these preconditions, but Kalla's understanding of the process was very close to these requirements. Kalla emphasized "trust" as a foundation for the peace process, so he wanted the "trust" to be maintained during the process. Based on this premise, and to ensure GAM felt secure and that their trust could be maintained, he raised no objection to the process being held in a neutral country outside of Indonesia (and so the negotiations eventually took place in Finland). Kalla promoted the concept of "bridging the trust," agreeing with the need for a mediator to keep the process neutral in order to maintain the confidence of GAM. Kalla's plan to appoint Martti Ahtisaari, former President of Finland and prominent figure in the European Union, as mediator would greatly assist the process. Ahtisaari's political reputation in the past made him trustworthy not just for Kalla but for GAM's leadership who lived in Sweden.¹¹⁴

Kalla had a clear picture of how the peace process between GAM and the government would take place. This ensured the preparation of the meeting with the GAM and further processes progressed smoothly despite the government facing a crisis in dealing with the aftermath of the tsunami. Kalla simply understood the principle of seeking a "dignified solution" for Aceh with "none losing face." Therefore, any solution had to be based on "compromise that was mutually beneficial." The Government set a limit for this compromise that "Aceh remain in the unitary state of Indonesia." The rest was open for discussion. The process to achieve it was through "a deliberative discussion directly on the substance." It meant the parties had a very large space to negotiate its position.

Learning from the failure of the previous dialogue in which the parties did not meet face to face but either met directly with the intermediaries or communicated with each other through them, Kalla planned the parties to engage in "face-to-face interaction." Direct communication would "increase the possibility of parties reached a shared understanding." Therefore, the process was not just

¹¹³ A negotiator of GAM for Helsinki Round (1), *op. cit.*

¹¹⁴ Jusuf Kalla, interview with author in Jakarta, 22 March 2013.

mediated talk or dialogue but a real negotiation where the parties had an opportunity to bargain, exchange concessions, before reaching a compromise. Any agreement had to be “the result of compromise and therefore not a precondition before the meeting.” In order to avoid the parties losing face following any failure and to exclude outsiders disrupting the process, from the outset Kalla navigated it in “secret.” Confidentiality was also important to “ensure the peace process resulted in a comprehensive and permanent settlement.”¹¹⁵ With such an approach, any peace process could potentially succeed and outcomes determined by the speed of the parties in their negotiations.

4.4.3 Tsunami: Negotiating peace not independence

On Sunday morning, 26 December 2004, an undersea tectonic earthquake in the Indian Ocean produced a tsunami that caused the biggest natural disaster in human history. The waves of tsunami devastated parts of the shores of Indonesia, Sri Lanka, India, and Thailand, and reached as far as Somalia on the east coast of Africa. Aceh, the closest area to the epicentre of the earthquake suffered the severest damages. In Aceh, this disaster claimed at least 127,000 lives, left more than 30,000 missing, and displaced around 500,000 from their homes (Hedman 2008, 249).

The tsunami certainly affected the talks. It forced the parties to immediately converge and seek a lasting solution. A month after the tsunami, the first meeting between the government and the GAM took place in secret in Helsinki from 27 January to 29 January 2005. Hamid Awaluddin led the government’s delegation. Kalla equipped him with a two-pages action plan. The tsunami effect made Kalla optimistic that the final compromise achieved would be “Aceh would remain in the unitary state of the Republic of Indonesia with the special autonomy and GAM stop resistance and lay down of arms under certain conditions.” Kalla let the final embodiment of the special autonomy be determined by the compromise at the negotiating table. As Awaludin expressed, this clear frame of reference, though it was short, ensured the government’s negotiators “did not swim in the sea without edge” (Awaludin 2008, 31-35). This was another of Kalla’s improvements as he

¹¹⁵ *Ibid.*

had observed that in the previous dialogue, the government did not support the negotiators with a clear framework. There it relied on negotiator and facilitator initiative. Hence, the government's negotiators later felt adrift because they lacked high-level backing (Aspinall 2005, 14).

After the Tsunami GAM stopped pushing for independence in the negotiations. Although they engaged in negotiations without leaving the independence option, GAM's view was "there is no other solution to save Aceh unless peace."¹¹⁶ "GAM set aside all other considerations for humanitarian considerations."¹¹⁷ They moved to consider "some form of self-determination that was neither full independence nor special autonomy." Aware of their weaknesses during the previous dialogue and in order to achieve this kind of solution, the GAM's delegation was more prepared in terms of delegates, supporting teams, and options submitted to the talks (Kingsbury 2006).

The negotiation in Helsinki was a tough process even though it was to be completed in a relatively short time. From its inception in January, there were four more rounds (21-23 February, 12-26 April, 26-31 May, 12-17 July) before the agreement was signed by the government and GAM on 15 August 2005 (Husain 2007, 110). Each round consisted of heated debate before a compromise was reached. However, based on his two mantras through the process, that the talks were about "to negotiate a peace, not independence" and "nothing is agreed until everything is agreed," Martti Ahtisaari was able to steer the debate to yield a solution (Ahtisaari 2008, 10). There were two critical debates during the negotiations. The first was about the special autonomy proposed by the government but refused by GAM because it was unpopular among the Acehnese. Ahtisaari had an important role in inventing the term "self-government" as an alternative to the outdated special autonomy and thus, saved the talks from deteriorating.¹¹⁸ Ahtisaari was also instrumental in persuading the government that the term did not refer to independence by providing the term "self-government within the unitary state of Indonesia" (Awaludin 2008, 100, 127). The second debate centered on GAM's request to allow them and the greater Acehnese to participate in a local election.

¹¹⁶ A negotiator of GAM for Helsinki Round (2), *op. cit.*

¹¹⁷ A negotiator of GAM for Helsinki Round (1), *op. cit.*

¹¹⁸ *Ibid.*

With this, Kalla had to secure the negotiations after GAM threatened to withdraw if the request was rejected. Kalla gave approval reminding the delegates of his direction at the outset of negotiation to “give what they ask, except secession from the Republic of Indonesia.”¹¹⁹

After these two debates, the negotiations were completed relatively smoothly. On 15 August 2005, amidst the bright summer in Helsinki, a Memorandum of Understanding (MoU), covering governance, political participation, economy, rule of law, human rights, amnesty and reintegration, security arrangements, monitoring, and dispute resolution, was eventually signed by Hamid Awaluddin representing the government of Indonesia and Malik Mahmud representing GAM’s leadership. The MoU put an end to nearly thirty years of bloody conflict.

This agreement was achieved in a short time frame due to the experience gained from the previous dialogue (Ahtisaari 2008, 10). This experience led the parties “no longer need to spend time exploring each other. In addition to being an ice-breaker, the process and the outcomes of the previous dialogue had helped each party to better recognize characters, ideas, and interests of others. The failures of the previous dialogue built skills of the parties to move forward and not repeat the same failure.”¹²⁰ The experience of the previous dialogue was also “useful for the mediator. Ahtisaari learned much from the HDC.” Hence, he was more easily and confidently in control of the process, particularly in navigating GAM’s demands.¹²¹ The previous experiences and the negotiation process that provided the opportunity to discuss each party’s position also contributed to building the “relations and mutual understanding of both parties at the negotiating table.” This developed a “shared willingness to achieve a peaceful solution.” With this willingness, “though discussions lasted a lot, at the end, a win-win solution was always achieved.”¹²²

¹¹⁹ Sofyan Djalil, *op cit.*

¹²⁰ Wesaka Puja, *op. cit.*

¹²¹ A negotiator of GAM for Helsinki Round (1), *op cit.*

¹²² Farid Husain, interview with author in Jakarta, 27 March 2013.

4.5 Conclusion

This chapter suggests that the warring parties in the Aceh conflict agreed to engage in the peace process and at the end reach a peace agreement because their elites kept alive the notion of non-violent solutions while the conflict was still raging.

Tracing the development of the conflict from 1998 to 2005, it is clear that the non-violent ways of resolving the conflict in Aceh were never abandoned. Amidst a growing GAM military resistance after the reformation, the government and CSOs initiated ideas to change the situation. However, their approaches to constructing change differed. Whereas the CSOs proposed a legal and welfare approach, the government expected change through development. The sense of frustration due to Jakarta's disinclination to meet their demands, led the CSOs to shift from a legal and welfare approach to a political one throughout 1999. Proposed changes to the nature of the relationship between Jakarta and Aceh surfaced which split preferences between a referendum and autonomy. A chance event to introduce the idea of dialogue emerged when Abdurrahman Wahid rose to power at the end of 1999. His encounter with the HDC changed his idea that initially emphasized a domestic solution to an informal dialogue between the representatives of the government and the GAM. The dialogue managed to show noticeable progress before it collapsed in 2003. After the dialogue failed and the martial law was imposed in Aceh, it was inconceivable that the government and GAM would return to the peace process. Again, ideas matter here. This time the idea of negotiation in which the process was mediated by highly reputed international mediator achieved a peaceful settlement for the Aceh conflict.

Those ideas, whether they were short-lived or proved to be more substantive, made a contribution to derailing the path of conflict. The ideas to change the situation brought the Aceh quest to the highest levels of decision makers. It also raised awareness of the impact of past military actions and expanded the constituency to consider the importance of peaceful alternatives in managing the conflict.

The ideas to change the nature of the relationship between Jakarta and Aceh, split between a referendum and autonomy, signalled that the government and the CSOs, including GAM though not overtly, were interested in seeking a peaceful

solution. The CSO's attempt to raise support for a referendum at this stage began to derail GAM from armed struggle to a political stance. It also forced Jakarta to not downgrade their level of concern, and instead encouraged them to think of better solutions.

The idea of dialogue was a major breakthrough and the beginning of the peace process in Aceh. Apart from its failures, the period of dialogue was a critical factor in allowing both parties to share ideas. Although it was just a half-hearted dialogue as it formed part of the government's dual approach (talking peace while making war) and GAM's departure for international legitimacy, all those shared experiences during the process served as a foundation to deal with more advanced peace talks in the future. The dialogue raised a readiness with lessons learned about ways to resolve conflict through a peaceful means. The idea of dialogue participation meant that the parties could not deviate from this level of peace process. The choice was simple; either restrain its progress or enhance the peace process.

The idea of negotiation was crucial for constructing the environment to advance the process. The government's concessional attitude and preparedness to negotiate appealed to GAM's leaders, because for them it was not just an occasion to reopen the dialogue, it was also the long-awaited opportunity to negotiate their position with Jakarta. Benefitting from the experience of the previous dialogue and taking into account the devastating effect of the tsunami, the negotiation led Jakarta and GAM to achieve a lasting solution and ended the twenty-nine years of bloody conflict with a peaceful settlement. Precisely, as anticipated by Hasan Tiro since 1976, the conflict was resolved by the political means.

Although all the ideas discussed above contributed to the peace process, they were separated from each other. They were seen being in a single trajectory toward peaceful settlement in Aceh due to the role of elites that will be discussed in Chapter 6.

Chapter 5 discusses what ideas matter among elites to resolve separatism in Patani. In contrast to elites in Aceh who spoke of peace while waging conflict, in Patani the *modus vivendi* is envisaged peace by curbing violence.

CHAPTER 5

PATANI: IMAGINING PEACE BY CURBING VIOLENCE

“We don’t mind being part of Thailand. But it has to be on our own terms.”
*Statement of Fadel (pseudonym) – a key leader from one of the longstanding separatist groups that emerged in the late 1960s – conveyed to Don Pathan, Senior Journalist of The Nation newspaper*¹

“... [T]o overcome the problem of violence in the southern border provinces, political measures should be of paramount importance ...”
*The National Reconciliation Commission (NRC) Report to Prime Minister Thaksin Shinawatra, Page 3, 16 May 2006*²

Ever since Haji Sulung proposed “*Tujuh Perkara*” in 1948, the Malays in Patani had expected their quest for *hak pertuanan* (sovereignty) and identity to be resolved by the political means. As suggested by a separatist leader quoted above, the Malay-Muslim community in Patani was ready to be part of Thailand as long as there was a solution in which they regained sovereignty in their homeland. Still, to date, there has not been any political solution to meet this demand.

Despite tension in Patani declining in the 1990s as the result of political liberalization under General Prem Tinsulanonda in the 1980s, the conflict had not been resolved; it had merely laid dormant (Melvin 2007, 34). Bangkok’s policy in the 1990s was driven by security concerns rather than conflict resolution, and it aimed at isolating the separatist groups. In view of the fact that Patani’s protracted demands remained unaddressed, the consequence of this policy was clear; there was only quasi-peace.

Before and after Prem, Bangkok ran business as usual. When the situation in Patani was dire, the government always responded with the same pattern: issuing an emergency decree or martial law, dispatching more troops to the south, and co-opting parts of the southern elites into the political system and a limited social-

¹ See article entitled “Political Will Lacking to Deal with South Problem,” *The Nation*, 25 November 2008.

² The NRC was launched on 28 March, 2005 by Prime Minister Thaksin Shinawatra, with Anand Panyarachun as chair, and Dr Prawase Wasi as deputy chair. The committee was charged with recommending policies, measures, mechanisms and ways conducive to reconciliation and peace in Thai society, particularly in the three southern border provinces (NRC 2006).

economic development program. Although the separatism was fundamentally a political problem that required a political solution, Bangkok continued to ignore the political underpinnings of the conflict.

The non-military alternatives to resolve conflict in Patani entered public discourse only after the separatists stepped up their campaign of violence in 2004. From that critical moment, more persuasive approaches to curbing violence emerged. The quotation from the 2006 NRC Report that opens this chapter, suggests there was the realization that terminating violence would only be effective if the government exercised political measures.

This chapter discusses the collection of non-violent ideas proposed by elites in government, separatist groups, and CSOs. Three groups of ideas evolved during the conflict from 2004 to 2014: ideas to change the situation, ideas to change the nature of the relationship between Bangkok and Patani, and the idea of talk. Under these categories, there was further thinking but with less opportunity for application. Yet, as this chapter suggests, these indicated that the parties were keeping alive the non-violent alternatives even though violence continued. The ideas gradually shape each party's transition to a peace process.

The chapter begins by discussing those concepts which looked to change the situation. Following the resurgence of violence in 2004, the government and the CSOs proposed ideas which were instrumental in raising awareness for the need to find peaceful alternatives to curb violence. The chapter continues with ideas around changing the nature of the relationship between Bangkok and Patani. With no stop to the violence, public discourse on the political underpinnings of the violence emerged. Autonomy and referendum debate at this juncture raised interest within government and the CSOs, including the separatist groups, though not overtly, on the need for peaceful (political) solution. The final part of the chapter explores the idea of face to face contact in the form of 'talks' which had taken place previously but without clear direction, but then became more official in 2013. Though the talks failed and the exercise was loaded with criticism, it demonstrated the preliminary readiness of the warring parties. It provided them a lesson that a resolution to the conflict could be achieved potentially by a peaceful means in the future.

5.1 Ideas to Change the Situation

The unprecedented violence in Patani after 2004 had forced Bangkok to experiment with different policies to stop it. As the government had no clear information about the situation on the ground, its initial steps were to use force to control the situation, gather information, and bring the violence to an end. The government assumed that soon after the violence had ceased, which according to their calculation would not be long, the military would be withdrawn.³ This coercive policy, in fact, was ineffective; instead, it caused the situation on the ground to deteriorate. Deep South Watch recorded that the violent incidents in Patani increased from 1,838 incidents in 2004 to 2,173 in 2005 amidst the growing government enforcement sent to the region (Jitpiromsri and McCargo 2010, 157).

Having realized the situation on the ground, the government, in particular the military, finally understood that the violence was organized campaigns by BRN-C as part of its twenty years of planning to revive Patani's resistance.⁴ Aware of using force alone would be ineffective in quelling the violence, the government gradually changed its policy to the South since 2005. Bangkok supplemented its policy with more persuasive approaches and also allowed parties from outside the government to contribute or voice their demands. Yet, as ending violence was the government's main concern during this period, the persuasive ideas emerged forwarded were more focused with the conflict and its aftermath to change the situation rather than attempting to resolve the separatism.

5.1.1 Reconciliation on Paper

Throughout 2004, several individual and groups had proposed peaceful means for reducing violence in Patani,⁵ but the ideas were unacceptable to PM Thaksin

³ A Colonel (Intelligence Section, ISOC), interview with author in Bangkok, 9 October 2013.

⁴ A General (former Commander of the Fourth Army Region and adviser to the Defence Minister), interview with author in Bangkok, 8 October 2013.

⁵ Prawase Wasi, a leading social critic, put forward his idea which dealt with a better understanding of the historical roots and religious differences. Along with 144 academics, he called for: an apology from the prime minister to Tak Bai victims' families, the use of peaceful methods to ease the unrest, and the use of community participation to solve the problem. A Human Rights Commission submission to the government called for the use of legislative and peaceful methods. Deputy Prime Minister Chaturon Chaisaeng and his team drafted a seven points peace proposal with

Shinawatra. His government was likely serious in its intent to restore the situation in Pattani only after 2004, but it was not about achieving peace. Under Thaksin, Bangkok wanted to just make the violence goes away. Therefore, amidst the growing national and international criticism over government's heavy-handed approach and the failure to contain violence, and after his re-election in February 2005, Thaksin agreed to issue Prime Minister's Office Order No. 104/2548 to establish the National Reconciliation Commission (NRC).⁶ The NRC was charged with "recommending policies, measures, mechanisms and ways conducive to reconciliation and peace in Thai society, particularly in the three southern border provinces" (NRC 2006, 121). Thaksin expected the Commission would produce 'immediate therapy' to overcome daily violence, but against Thaksin's will the NRC defined its end goal to be "more than solving the ongoing violence." It was "an effort to use peaceful means to build a desirable political community that is strong and secure, where everyone has dignity and all live together in friendship"; indicating that it would be in a long term process (131).

The Commission's first significant move was in urging the government to revoke martial law which had been in effect in the South since 5 January 2004 (ICG 2005c, 3). The Commission then released two independent reports on the Krue Se and Tak Bai incidents (*The Nation*, 2005). NRC's operations as had been troublesome as it worked under great pressure both internally and externally.⁷

core proposal granting a special administrative zone at the three southern border provinces (Pathmanand 2006, 84-85).

⁶ The Commission was established on 28 March 2005. It had 50 members and was chaired by a royalist, former PM Anand Panyarachun. It consisted of the Chairman, the Vice Chairman, 17 persons from the southern border provinces area, 12 persons from civil society outside the area, 7 persons from the political sphere (including the government, the opposition and members of the Senate), and 12 civil servants involved in security and development (NRC 2006, 121).

⁷ Internally, as the commission comprised a mixture of locals and outsiders and brought together conservative government officials, progressive academics, and civil society activists, engaging them in open and free discussion was not easy. The fact that the commission led by royalists caused the NRC to be incapable of exploring and developing a breakthrough except ideas that aligned with the King's mantra in resolving the southern crisis: 'understand, access, develop' (McCargo 2010b, 78). Externally, the Commission was caught up in direct and indirect pressures thwarting their duties. On the same day of a special meeting of the whole National Reconciliation Commission on 19 July, Prime Minister Thaksin issued the Executive Decree on Public Administration in Emergency Situations imposed on Narathiwat, Pattani and Yala on 19 July 2005 and later renewed on 19 October. The NRC released an official statement on 25 July condemning the decree and expressing concern that the government had retreated to the old security-first framework and caused the commission's task of reconciliation would be much more difficult (ICG 2005c, 1,5). Two incidents that threatened its existence also occurred during the NRC service. After the killing of two marines in Tanyong Limor, Narathiwat on 20 September 2005 (*The Nation*, 28

After working for 15 months, the NRC eventually released its report to the public on 5 June 2006. The report proposed a road map for reconciliation in Patani (Ganjanakhundee 2006). In the report, under a suggestive title “*Overcoming Violence through the Power of Reconciliation*,” the NRC identified the cause of violence and recommended a number of measures to restore peace and achieve reconciliation (NRC 2006). The NRC acknowledged the existence of militant movements in the region, but such groups were not the cause of the violence (17). The commission paid more attention to structural and cultural factors behind the violence and mentioned “political measures should be of paramount importance” to resolve it. However, its conclusion about the cause of violence was disappointing. The report concluded simply that “injustice arising from the existing justice process and administrative system as a key element for causing violence” (37). The NRC set aside “the religious and ethnic distinctiveness of the area – Islam, the Malay language, and the history of Pattani [*sic*] –” and considered them just as “the cultural condition” that “legitimize[s] the use of violence” (38) though they were, in fact, the core separatist demands.

As the report was a compromise among members divided between conservatives and progressives, and the commission leadership acted on instructions ‘from above’ to ensure ideas leaning towards separatist’s demands did not find its place in the Commission’s report, the NRC recommendations became frivolous (McCargo 2010b, 84-86). The Commission recommended establishing an “unarmed peace unit (*shanti sena*)” and to engage in dialogue with militant groups as “immediate reconciliation measures” to solve violence at the agency level (70-72). It also suggested seven structural-level measures and five cultural-level measures as “sustainable reconciliation measures.” In the former, the Commission proposed the government improve the Islamic law system in the context of the three southern border provinces. Whereas in the latter, it recommended the government balance local interpretations of the history of the former Patani Kingdom with

September 2005) and the militants attack on the Promprasith Temple, Pattani – in which three monks and boys were killed and the ordination hall and monks’ residence were burned (*The Nation*, 17 October 2005) – there was a public outcry among Thai Buddhists to end the conciliatory approach and dissolve the NRC. Public presumed that the Commission was in favour of the militants and had little sympathy to address Buddhist monks’ complaints in the restive South (*The Nation*, 12 November 2005).

mainstream national history and allow the use of Malay as an “additional working language” in the three southernmost provinces (74-103). The NRC also proposed the drafting of an “Act on Peaceful Reconciliation in the Southern Border Provinces (Calming the South Act)” as “political reconciliation measures.” Under this Act, it was suggested that the government set up a “Southern Border Provinces Peace Strategy Administration Center” to integrate agencies and strengthen local communities (104-106).

Unfortunately, all the recommendations pursued reconciliation without seeking peace with the separatists. The Commission anticipated that reconciliation would grow by attending only to structural and cultural factors which in reality was difficult to achieve if the separatist interests and the peace process were neglected. The latter could only be done if Bangkok gave separatist groups the opportunity to negotiate their interests at the table, but the commission seemed to avoid that scenario and instead called them to “renounce violence as a way to achieve their political objectives” (72).

The NRC completed its tasks and submitted the report to the caretaker Thaksin government on 16 May 2006 for information and further action. The report was possibly the most important product of the second Thaksin government and potentially a milestone for resolving conflict, but the submission was an anti-climax. The Cabinet acceptance of it was lukewarm as indicated in its 6 June 2006 resolution to broadly follow the NRC’s recommendations (Satha-anand 2006, 53). Thaksin was reported as “not very interested.” He was more preoccupied with domestic political battles against his three main rival groups: royalists, Democratic Party, and the military. Furthermore, the royalist President of the Privy Council General Prem Tinsulanonda disagreed with the suggestion to have Malay as an additional working language in the Deep South (*The Nation*, 26 June 2006).

The report was greeted indifferently, not only in Bangkok, but also in Patani. For over half a century the moderates in Patani had requested a special administrative arrangement that recognised their region was truly different. Sadly, the NRC had evaded this demand (Noi 2006). The failure of the NRC report to make bold proposals for governance reform, the fact that its recommendations did not meet the original separatist demands, and the government inaction on Krue Se

and Tak Bai incidents resulted in a missed opportunity to secure the ground from the militants and draw the violence to an end.

The reconciliation efforts were ultimately deadlocked, but the contents of the report and the Commission's approach to the problem were instrumental in bringing an alternative perspective, namely demilitarization, to the level of the political elite in Bangkok. By the time of the 19 September 2006 military coup, two broad perspectives to the conflict in Patani had emerged among them. While in the security community the violence remained the fundamental problem, for most of the NRC members along with academics, journalists, and activists, the conflict was essentially a political problem that demanded a rethinking of Bangkok-Patani relationships. The latter approach emphasized a more nuanced understanding of Islam, Patani's distinctive history, and cultural differences (McCargo 2010b, 86).

5.1.2 Winning Hearts and Minds

At the time when the NRC submitted its final report, Thailand was undergoing a domestic political crisis. This situation lasted until an armed coup led by General Sonthi Boonyaratglin ousted the PM Thaksin Shinawatra on 19 September 2006. The junta abolished cabinet and parliament, suspended the constitution, declared martial law, and established the Council for Democratic Reform under Constitutional Monarchy (CDRCM) to run the interim government (*BBC News*, 20 September 2006). On 1 October 2006, the military junta installed former Army Commander-in-Chief Surayud Chulanont as prime minister (*The Nation*, 1 October 2006).

PM Surayud attempted to win the hearts and minds of the Malays in Patani. In his first press conference after assuming the post of prime minister, he immediately made an attempt to reach out to the South by pointing out "historical injustice" as the root cause of the conflict which was in sharp contrast to Thaksin's government that persisted in calling the problem in Patani as a law-and-order issue (Pathan 2006a). Surayud formulated a conciliatory approach consisting of three main elements: an apology to gain support for reconciliation, a reinstatement of institutions to improve governance, and the promotion of regional economic development to raise welfare.

In order to demonstrate that the Southern unrest was in his priority, Surayud travelled to Patani a month after his appointment. In an emotional plea to the Malays in Patani, on 2 November 2006 he made a public apology for the deaths of at least 85 people during and after the demonstration in Tak Bai two years before. With the intention of making the apology have substance, his government dropped the charges against 58 suspects arrested at the Tak Bai demonstration for illegal gathering and public disturbance (Pathan 2006c). Following this, he also scrapped blacklists of suspects and promised to utilise the NRC's recommendations as the basic guidelines for the government's policy (*The Nation*, 7 November 2006).

Surayud's apology, which looked promising in the beginning, only demonstrated minimal progress. Although he signed an order to renew inquiry over the death of South-Muslim (*The Nation*, 5 March 2007), the government was unable to push the army and police to prosecute their personnel either under criminal law or military law (HRW 2007b). As if not confident with the approach he was taking, his government decided to renew Thaksin's 2005 Emergency Decree every three months, which gave the security forces blanket immunity from being held accountable for their misconduct and abusive behaviour (HRW 2007a, 42).⁸

In his attempt to improve governance in the South, Surayud re-established the SBPAC and the CPM in a new structure. The SBPAC and the CPM began to work on 1 November 2006, but three months after the reinstatement these organizations had not made any impact. Both were still struggling to cope with their own internal problem.⁹ When the problem was resolved in early 2007, the

⁸ In another attempt to substantiate his apology, Surayud responded positively to the proposal granting amnesty to the insurgents that put forward by the Fourth Army Region Commander Lt-General Viroj Buacharoon.⁸ The new amnesty proposal would be aimed at a new generation of Malay-Muslim militants who surfaced on the scene in late 2001. An amnesty would guarantee that the surrendered insurgents would not face further legal charges for their participation in the insurgency (*The Nation*, 21 April 2007). Yet, this effort was likely to remain an idea and there was no any follow-up afterwards.

⁹ Dilatory mobilization, problems of authority, and nepotism appeared to be the causes. In SBPAC, the dilatory mobilization occurred because many appointed officials were reluctant to leave their current position for working in the Centre based on reason there was no incentive to work in a dangerous zone such as Patani. Surayud himself was powerless to change the situation due to two conditions. First, the authority to govern the SBPAC was at the hands of Internal Security Operation Command (ISOC) headed by General Sonthi. Second, the selected centre's head Pranai Suwanrath was the result of nepotism in the military. Pranai got the position because he is a younger brother of Palakorn Suwanrath, a former SBPAC chief who was at that time a member of the Privy Council and close to Prem. Surayud let the SBPAC run their courses to avoid being considered meddling in military affairs and getting trouble with the royalists. In regard to the CPM, the problem of authority

organizations, in particular the SBPAC, began to function. Unfortunately, as the SBPAC was firmly subordinated to the Internal Security Operation Command (ISOC) 4 from which it drew its budget, and its role eventually became more visible as “a development organization to support military-security policy” rather than as “an institution whose function was to manage political matters in promoting peace.” The power and ambit of the new SBPAC was limited and caused Surayud’s aim of winning the hearts and minds of Patani through the reinstatement SBPAC to fail. The separatist led violent attacks continued and even revealed a high degree of tactical flexibility (Askew 2008, 193-200). Deep South Watch (DSW) reported that from November 2006 to June 2007 violent incidents claimed more than 200 deaths and injuries (Jitpiromsri 2010, 3-4).

Another method that Surayud used to gain sympathy of Patani was by promoting regional development. In his third visit to the restive area after being in power for four months, Surayud argued that development was the key to long-term prosperity in the region and success in ending insurgent violence. Surayud revealed his government’s plan to develop the region into a regional transportation and economic hub, but for this reason he urged the need to re-educate the South; that the religious teachings and mainstream education for Muslim youth should be provided alongside one another (*The Nation*, 28 January 2007).

Education as a condition for development soon became a problem rather than a solution.¹⁰ With this new approach, the government seemed to deliberately overlook the fact that, historically, any central government attempts to reform the Islamic school system and bring it under closer Bangkok supervision had always fuelled resentment. History was indeed repeated. Harsh reactions soon emerged from the separatist groups. They considered Bangkok’s plan as aggressive and directly confrontational to the readily available Patani educational system, while

was more prominent. In its early days, this organization failed to function properly because the police felt marginalised after re-subordinated to the military. They shut out of planning and let the military take charge (Ganjanakhundee 2007, ICG 2007a, 13).

¹⁰ Internally, the education bureaucracy understood Surayud’s proposal as an opportunity to reform the Islamic education system in the South-schools. In July 2007, Prasert Kaewphet, an Education Ministry inspector who supervised education services for the region, disclosed the government’s new approach to revamp Islamic education in Patani. The government would provide a standard curriculum for Islamic studies, conduct screening of executives and teachers of private Islamic schools, and establish systems to evaluate their performance and the quality of their schools (*Bangkok Post*, 12 July 2007).

blaming recent violence as the consequence of Bangkok's indiscretion to allow the Patani children to have their secular education – for example, mathematics and science subjects – in Malay language (*The Nation*, 6 July 2007).

In Patani, traditional schools shut down which was part of the new approach to establish a modern education system and to prevent them from becoming a place seeding violence, had sparked controversy (*The Nation*, 6 July 2007). Had the Royal Thai Army (RTA) not mobilized massive reinforcement to the Deep South from mid-June 2007, violent incidents targeting schools and teachers as a protest against this policy, would have been much greater than the recorded figures show. In 2007, 164 public schools came under arson attack whereas in 2006, there was only 43 such incidents (Jitpiromsri 2011, 12-13).¹¹

Surayud's attempts to win hearts and minds of Patani with his three conciliatory approaches were unsuccessful. While the Malays in the South welcomed his apology, the militants on the ground were not appeased. He also failed to balance the government actions with his rhetoric, which caused public confidence in him decline. When the violence de-escalated in the second half of 2008, Surayud had lost much time. With the change of government, his program discontinued, including his plan to transfer more power to Patani, especially in managing Islamic affairs.¹²

Regardless of his failure, Surayud's government deserves appreciation for three areas of progresses. While Thaksin's government was reluctant to implement reconciliation, Surayud's government was more determined to address the southern problem. He also should be commended for his heartfelt apology for the past mistreatment of the Patani Malay in the region, which was the first time ever in

¹¹ The military operation codenamed "Operation Defend the Southern Border" to regain security control was relatively successful. The number of incidents of unrest dropped from 247 in June 2007 to 127 in October (Jitpiromsri 2011, 2). Amidst presumption that the situation had been under control, Surayud's intention to make Patani as a growth area in southern Thailand was also becoming firmer. In November 2007, he unveiled the plan resulting from the third summit meeting of the Indonesia, Malaysia, Thailand Growth Triangle (IMT-GT). Leaders of the IMT-GT endorsed a five-year plan (2007-2011) to jointly develop six sectors including trade and investment, tourism, halal goods and services, as well as infrastructure. The scheme would offer tax incentives for investors in Pattani, Yala, Narathiwat, Satun and four districts of Songkhla. Later, he commissioned the National Economic and Social Development Board (NESDB) to prepare the special economic zone for five southernmost provinces as a strategy for the new government after election to restore peace (*The Nation*, 20 November 2007).

¹² A former adviser of Muslim affairs to Surayud, interview with author in Patani, 20 October 2013.

Thai history. Another significant legacy of his government was in naming the problem as historical injustice and framing the policy to address it.¹³

5.1.3 The Nonviolence Approach, De-securitization, and Justice for the Victims

One important development during Surayud's era was that Bangkok began to distinguish between civil actions and armed violence. Despite still relying on a military approach to stop insurgent violent actions, when facing mass civilian action they used an approach that was more persuasive. This was made apparent when a multitude of students and locals held a mass protest on 31 May to 4 June 2007 in Pattani, the capital city of Pattani Province. The protestors' demands for de-securitization and justice for the victims, which were submitted peacefully, gained a peaceful response from governmental and security authorities.

The demonstration was held in front of the Pattani provincial mosque with mass attendance ranging from between 8000 and 10000 people. Student Network for People's Protection Coalition led by students from Bangkok and Patani, the instigators of this event, did not intend to roll out a mass demonstration on that day. However, thousands of villagers who were dissatisfied with state abuse (detention, torture, extrajudicial persecution) in previous years and, in particular, for the last six months, had been waiting for their arrival in the mosque's courtyard and expected the students could voice their plight (Panjor 2007).

At the insistence of the villagers that continue to arrive from adjacent areas, the demonstration lasted not only for one day, but until 4 June 2007. Despite being under the security authority pressure and the threat of counter demonstration, the protest was sustained peacefully for five days under a student leadership who applied nonviolent discipline and tight security measures. On behalf of the demonstrators, students called for ten demands, which included the withdrawal of troops from the South; the lifting of curfews, martial law, and the emergency decree; and fast, thorough and transparent investigations of the 21 cases of alleged abuse.¹⁴ Previously, Bangkok had never considered these issues seriously; despite

¹³ See further discussion about this in chapter 7, sections 7.2.1 and 7.2.2.

¹⁴ The ten demands are as follows: (i) The government shall immediately withdraw troops from the South; (ii) Lift the curfew; (iii) Lift the emergency decree; (iv) The government has to

from the villagers' perspective, those were the underlying causes of the lingering unrest in Patani. The students and the masses disbanded peacefully on the fifth day of demonstrations after the government and military showed their willingness to establish a Commission to Investigate Cases of Injustice (Sombatpoonsiri 2013, 54-59, ICG 2007b, 12-13).

The May 2007 demonstrations and its results were the beginning of the student revival. Despite their call at the time being limited to de-securitization and justice for the victims, the large number of participants in the demonstrations and their acquiescence to peaceful actions, indicated that the students had gained the trust of the locals. The locals considered students as substitutes for the old establishment (aristocrats, *ulama*, civil officials) in articulating their plight. The latter focused only on restoring the situation for their own interests, and since the 2004 uprising they had been unable to provide protection for people.¹⁵ Although the military accused the students as the political wing of the insurgents, this younger generation never receded from their nonviolence strategy. Instead, they sustained it through several NGOs afterwards.¹⁶

However, there was no follow up and outcome to the commission agreed upon by the demonstrators and government. The lifting of the emergency decree, which was one of the ten demands put forward, only happened in the Abhisit government three years later to serve the Democratic Party's interests in gaining voters' sympathy to win an election. Yet, apart from the absence of a conclusive investigation, the government's conduct during the demonstration displayed a willingness to give concessions and refrain from any violent responses. It replenished public confidence that nonviolence was still an alternative way in raising their demands to the government.

sentence wrong doers; (v) Report truthfully; (vi) Not block any kind of media; (vii) Any media has to report what has really happened; (viii) The government has to release immediately the innocent people; (ix) Not imprison innocent people; (x) The government must give the people the opportunity to openly express their opinions (Non-violence International Southeast Asia 2007).

¹⁵ A former student leader and then referendum advocates, interview with author in Pattani, 17 October 2013.

¹⁶ This is a baseless accusation since some of student leaders involved in this protest have a good relationship with some key security authorities (Author's interviews with some former student leaders in Bangkok and Pattani, September and November 2013). Rather than it was secretly organized by the militant insurgents to provoke the security forces using violence, it seemed that the demonstration lasted peacefully because it was under the protection of certain security figures in Bangkok.

5.1.4 Development, Administrative Empowerment, and Justice

After more than two years in government, in late January 2008, Surayud transferred power to the newly elected government led by Samak Sundaravej. During Samak's short term in government, political turmoil in Bangkok continued to distract him from finding solution for the Southern unrest. As he prioritized his struggle for political survival, Samak handed Army Commander-in-Chief General Anupong Paochinda full responsibility for tackling the violence. Consequently, during his administration, the military approach was rife. Samak's efforts to secure support from the armed forces caused the government to produce no significant peace initiatives. His government could only randomly keep pace with Surayud's government decisions (ICG 2008, 3-4). In order to please the military, Samak even forced his Interior Minister Chalerm Yoobamrung to abandon the idea of setting up an administrative zone in the deep South (*The Nation*, 13 February 2008). He ruled out direct negotiations with the Patani separatist groups (*The Nation*, 19 March 2008) and sustained martial law in the Deep South (*The Nation*, 17 April 2008).

Following the political drama that ousted Samak from his position in September 2008, Somchai Wongsawat became Prime Minister (*The Nation*, 17 September 2008).¹⁷ Like his predecessor, Somchai was also stranded in the national political divide. His three months government provided nothing to restore the situation in the South.

In December 2008, the pro-Thaksin government led by the People Power Party (PPP) collapsed after a dramatic weeklong blockade of Bangkok's airports and a constitutional court decision to disband the PPP. The Democrat Party, with the help of the military, took over the majority in parliament and formed a new government. A new Prime Minister Abhisit Vejjajiva pledged to take back policy oversights for Patani from his 'friends in arms,' the military, and shift policies from a security-oriented approach towards development and justice (ICG 2009b, 1-2). Abhisit comprehended that violence in the Deep South had economic, cultural, and education dimensions which were beyond the military measures. Hence, his

¹⁷ Samak Sundaravej was disqualified from his position after a Constitution Court found him guilty of violating the constitution (*The Nation*, 17 September 2008).

government intended to fill in the gap and designated the agency to ensure justice and strategic coordination prevailed over the restive areas (*The Nation*, 18 December 2008).

Seemingly earnest in restoring the situation in Patani, Abhisit's government announced several decisions immediately. In January 2009, Deputy Prime Minister for Security Affairs Suthep Thueaksuban declared the establishment of a special panel of ministers for the far south (*Bangkok Post*, 17 January 2009). In May 2009, the panel announced its decision to channel 63 billion Baht to develop the Deep South in a four-year development plan (*The Nation*, 29 May 2009). In an attempt to substantiate the government's promise to build a more effective agency in Patani, the Abhisit's cabinet passed the SBPAC Bill to be discussed in Parliament on 18 August (*The Nation*, 19 August 2009). Furthermore, Abhisit repeatedly expressed its commitment to justice on many occasions (*The Nation*, 18 January 2009).

However, the commitment of Abhisit's government to Patani was indeed short-lived. Similar to previous governments, Abhisit's government became preoccupied with more pressing national issues. Consequently, by the second year in power, it was no longer placed Patani in its policy priority (ICG 2012, 9). In relation to development, the government did not have the clear goal other than providing funds. Bangkok thought that pouring more money into the area would automatically help improve the situation. The survey conducted by the Center for Conflict Studies and Cultural Diversity (CCSCD), Prince Songkhla University Patani Campus showed that many local people, to some extent, were satisfied in receiving benefits from local economic development projects, which were initiated in the deep south during 2010. Yet, they criticized it as being top-down and did not allow the local people to be truly involved in the decision-making process (Jitpiromsri 2011, 14).¹⁸

The government's indolence was obvious in regard to the SBPAC Bill. It took almost a year before Parliament passed the Bill on 4 August 2010. After the Senate approved it, The Southern Border Provinces Administration Act eventually came into force in December 2010. The Act was more concerned with

¹⁸ Survey conducted on 3031 people in Pattani, Yala, and Narathiwat. CCSCD released the report in September 2011.

administrative improvement rather than governance change at large. It removed the agency from the jurisdiction of the Interior Ministry to be placed directly under the prime minister. It also required the appointment of an SBPAC secretary-general as well as the establishment of a committee for development strategies for the southern border provinces chaired by the Prime Minister (Nerykhiew 2010). Yet, as the nature of the SBPAC was unchanged and its role was maintained as an agency to propose and oversee the government's development programs, of course it had never functioned effectively in situations of high intensity conflict where much more than development must put into consideration (Askew 2008, 46).

The government had done nothing significant to deal with injustice. Abhisit merely followed the footsteps of his 'friends in arms,' the military, to handle the situation (Ganjanakhundee 2009). His government promised to use less of a military approach, place more emphasis on justice as Abhisit reiterated repeatedly, "You will never have reconciliation unless there is justice," and revamp emergency and security laws (*The Nation*, 15 January 2009). Yet, to the contrary, the government agreed to a request by the ISOC for an additional 4,000 troops (*The Nation*, 13 March 2009) and to renew the implementation of emergency decree (*The Nation*, 19 January 2010). The security authorities continued to use torture and were not cooperative in bringing to justice personnel allegedly involved in severe human rights violations. While six years had already passed after the Krue Se Mosque and Tak Bai incidents, no members of the security forces involved had been prosecuted (ICG 2010, 11-15). Bangkok argued that it could not do much regarding this issue because, apart from its complexity, the case was hampered by a legal system that was still conservative.¹⁹

Regardless of the little progress made by Abhisit in translating his promises into actions, there was an important development during his government. The increasingly democratic atmosphere led to a proliferation of peace engagement in Patani with various governmental and non-governmental agency participation. A broad involvement of civil society organizations (CSOs) and communities also emerged during this time (Patani Forum 2012, 97-98).

¹⁹ Abhisit's government spokesperson, interview with author in Bangkok, 25 November 2013.

5.2 Ideas to Change the Relationship

The greater political freedom throughout 2008 to 2010 and the election campaign in the first half of 2011 gave Patani an advantage. In this period, the substantial discussion about a political solution for Patani flourished. The discussion and the evolving discourse centered on the importance of changes in the political relationship between Bangkok and Patani to eliminate the feeling among the Malay-Muslim Patani that they were being colonized by Thailand. The idea was considered as able to resolve the conflict.

The various proposals of change, with labels ranging from decentralization, special administrative zone, to autonomy, then, came to the surface. Unfortunately, all of these ideas ended as discourses and the government had neither willingness nor the capability to immediately translate them into tangible concessions offered to separatist groups. Meanwhile, with the government obscurity and the separatist groups wanting the political relations change, a number of civil society groups called for a referendum on any agreement reached by the government and the insurgents. From their perspective, and based on the principle of the right of self-determination, the people of Patani should be the final arbiter over any political solution.

5.2.1 Seeking Political Solutions

Before 2008, the political suggestion for a cease to violence in Patani had been put forward. One of the separatist leaders, Wan Kadir Che Man, once sought to implement the decentralization based on articles 282 to 290 of the 1997 Thai Constitution which makes allowances for local government and limited self-control” (*The Nation*, 24 June 2005).²⁰ The Thai government did not give a serious

²⁰ Articles 282 to 290 deal with local government, the power and authorities of local municipalities, local elections, etc. The aim of these articles was to secure some form of local political representation at the regional, provincial and district levels and it added to the decentralisation of power. John Fuston (2009) discussed the possibility of implementing this idea and concluded that the proposal would not alleviate tension. Funston (2009, 131) pointed “the influence of local elites (expressed particularly through vote-buying) and the reluctance on the part of the central authorities to relinquish financial control” would be the main factors that hindered the process.

response to this proposal. External to the government, in February 2007, a leading Thai social critic, Prawase Wasi, proposed another idea calling for the implementation of a modern version of the “monthon” system which was introduced and used under King Chulalongkorn (Jitpiromsri and McCargo 2008, 407); but, there was no response towards this alternative.

Within government, the proposal of a political solution to end violence had evolved since 2004, but Bangkok’s narrow view and its unwillingness to make it a priority thwarted serious discussions of the idea. Instead, those ideas ended up in the Cabinet’s meeting room or in the minds of government officials. On 29 June 2004 during Thaksin government, Deputy Prime Minister Chavalit Yongchaiyudh announced a plan before Patani Muslim leaders at the Kru Se Mosque which combined the provincial governments of Muslim-dominated southern provinces Narathiwat, Pattani and Yala into a single administrative region which to be called *Maha Nakhon Pattani* (the Pattani Metropolis). The Pattani Metropolis would oversee its own administration, collect taxes and elect its own governor. Prime Minister Thaksin, in haste, said that he did not know about Chavalit’s plans and dismissed the idea because it was not a priority (Nanuam 2004). In 2005, Deputy Prime Minister Chaturon Chaisaeng and his team drafted a seven points peace proposal with its core proposal granting a special administrative zone for the three southern border provinces. This idea also came to the same end as others (Pathmanand 2006, 84-85).

A year later, in 2006, the NRC suggested a recommendation that was, in fact, a “de facto form of decentralization developed over many years,” but the government made it clear after the report was submitted that they were not enthusiastic (Funston 2009, 126, 130-131). After the September coup, on 9 November 2006, the National Legislative Assembly (a legislative body appointed by the military junta) set up a special committee to investigate and study southern violence. The committee suggested the establishment of the Justice and Peace Institute for Southern Border Provinces and the People’s Assembly for Southern Border Provinces Area. While the former had tasks to restore justice and develop nonviolence measures, the latter whose members would come from civil society

were responsible for policy formulation and development planning (Satha-anand 2013, 144). Again, there was no support for this sort of power distribution.

In January 2007, during Surayud's government, Poldej Pinprateep (who shortly thereafter became a Deputy Minister of Social Development and Human Security), proposed the establishment of a special ministry for the South (Jitpiromsri and McCargo 2008, 407). Yet, after his call, there were no any further discussion on this idea. Two months later, the peace promotion advisory council of the southern border provinces assigned by the SBPAC carried out a review of some of the studies about the Southern issues. The council concluded that central to the problem was the daily violence committed by separatist groups. As this was the main point of contention, they argued that any discussion of alternative governance systems would not reset the violence (Satha-anand 2013, 143).

During the newly elected government in February 2008, Interior Minister Chalerm Yoobamrung suggested designating the Deep South as a special administrative zone. PM Samak Sundaravej swiftly blocked the idea before Chalerm had a chance to explain it to public. Samak argued, "It is dangerous to flaunt his stand when he should have discussed the issue within a small circle first." It was unclear whether the idea was really discussed in the cabinet because afterwards there was no news released about it (*The Nation*, 13 February 2008).

Amidst the government's reluctance to seriously consider a political solution for Patani, academics revived this idea. Since 2008, a number of scientific papers and research results about the model of political solutions appeared in public.²¹ When the freedom of speech improved from 2009 onwards, the political discourse on the more specific political solutions substantially developed. On 11 August 2009, supported by 21 MPs, MP Najmuddin Ummar submitted a draft bill for the creation of the new ministry to parliament (McCargo 2010a, 276). In November 2009, Chavalit Yongchaiyudh who had become the Chairman of *Pheu Thai* Party (the descendant of the *Thai Rak Thai* Party) restituted his proposal for granting a form of self-rule which this time was dubbed *Nakhon Rat* (Principality) Pattani. He felt that self-rule would allow the Muslim residents, who constituted the

²¹ See discussion about the role of academics in reviving the discussion about political solutions in chapter 7, section 7.1.3.

majority in the three southernmost provinces, not to feel marginalised like second-class citizens (*The Nation*, 3 November 2009).

Proposals that leaned towards autonomy were more often heard throughout the 2010 and the 2011 election campaigns. During the campaign, *Pheu Thai* candidate Yingluck Shinawatra (who became Prime Minister) promised to put an end to violence by peaceful means. She highlighted the *Pheu Thai* platform to transform the three southernmost provinces into a special administrative area similar to Bangkok Metropolitan Administration and Pattaya City Administration (*The Nation*, 15 June 2011). After failing to win any seats in the southernmost provinces, Yingluck's government was more cautious about this proposal, but in March 2012 it appeared that the idea of *Nakhon Pattani* was being quietly revived.²² A House panel chaired by Prasop Busarakham of the *Pheu Thai* Party proposed two draft bills: one sought to set up a special administrative zone to be called *Pattani Maha Nakhon* and another was to overhaul the SBPAC (*Bangkok Post*, 8 March 2012). Cabinet was forced to terminate discussing this idea after the Army Chief General Prayuth Chan-ocha rejected it, simply saying that to date the government had already decentralised administrative power (*Bangkok Post*, 8 March 2012).

The reluctance of Yingluck's government to be at odds with the military brought to an end the idea of changing the political relationship between Bangkok and Patani for the time being. As a substitute, in its latest five-year plan, the National Security Council (NSC) called on the government to consider establishing a "safe zone" where dialogue between the authorities and militant separatists could take place (*The Nation*, 8 August 2012). The single purpose of this plan was to improve the situation on the ground without anything to do with changing political relationship of Bangkok-Patani.

The ideas to change the political relationship at the end were stranded.²³ Despite the failure, the short period from 2008 to 2012 made two breakthroughs. In

²² *Nakhon Pattani* is an idea to give a special administrative zone for the three southernmost provinces of Yala, Pattani and Narathiwat, plus four districts of Songkhla.

²³ Duncan McCargo (2010a, 265) has a long list of obstacles in proposing the change of political relationship, especially autonomy, between Bangkok and Patani. On the Thai government and society in general, the obstacles included perceived threats to royal prestige; constitutional barriers relating to the preservation of a unitary state; resistance by bureaucratic and conservative vested interests; linguistic barriers reflecting assumed cultural norms and "invented traditions"; lack of political will from Bangkok; a shortage of "champions" for a new approach; fears concerning

relation to political solutions, public audacity to come out of the political taboo that enshrined the idea of a unitary state began to emerge. This development made discussing a political solution a possibility for the future, though the rejection of any attempt to tamper with the unitary state has remained strong until the present. As public freedom expanded during this period, another breakthrough was that more people encouraged the government to hold a dialogue with the separatists, instead of just offering a solution to Patani unilaterally.

5.2.2 Referendum

The government's rejection of all political solutions, as well as the absence of solutions other than independence, encouraged some civil society groups to propose an alternative path for conflict resolution in Patani. They asserted that the final decision for any government's political solution or any agreement by the government and the separatist groups should be at the people's hand. The Patani Malays should decide their fate through a referendum.

The referendum issue echoed throughout 2012-2013. Groups of students and ex-students who led the protest in 2007 (who, after graduating, became the leaders of dozens local CSOs in Patani) and called themselves "progressive groups," backed this movement. Along with their attempt to be consistent with the pro-people and nonviolence movement since 2007, this group raised the referendum issue as a middle ground over the aggravating polarization in Patani between those who accepted decentralization as concluded by the Civil Society Council of Southernmost Thailand (labelled as "opportunist group") and those who still yearned for independence.²⁴

The movement put forward two reasons for a referendum.²⁵ First, they came to a realization that it was difficult to achieve independence unless a major global and national political transformation occurred; that was something almost

parallel demands for decentralization elsewhere in Thailand; and lack of sympathy for the Malays among people in other parts of Thailand. Whereas on the Patani Malays side, the stumbling block emerged from a reluctance to capitulate to violence; the unwillingness of the Malay elites to speak out on the issue, for fear of being accused of disloyalty; a lack of clarity about the demands of militant groups; and uncertainty about the political aspirations of ordinary citizens in the region.

²⁴ A former student leader and then referendum advocates, *op. cit.*

²⁵ An NGO leader and referendum advocates, interview with author in Pattani, 15 September 2013.

impossible in the near future. Since independence was unlikely to be achieved, the struggle required a change of perspective, in a sense becoming more focused on process than outcome. Whatever the result, as long as it came from the democratic process, they believed that the Patani Malays would accept it. However, they did not want the process ending up as an agreement between the government and the separatists. The final decision must involve the civil society at large. The referendum was paramount in legitimating that the peace solution was congruent with people's aspirations. In addition, by engaging people to participate in the referendum, the process would enlarge the peace constituency.

Second, the referendum was to accommodate various struggle demands. While the separatists aspired for "independence," based on the CSOs' observations, the public in general was simply seeking for "peace." Yet, the Malays could not accept the present local government structure. They would not accept the government's version of decentralization. They were keen to have extensive autonomy in which locals could exercise more power based on their identity. With the referendum, the will of majority would not be abandoned and the majority could veto any option, despite the government and the separatists agreeing with it or Bangkok considering it as the best policy.

The aim of the referendum movement was not limited to the referendum itself. The referendum campaigns called for a return to the political struggle and were an effort to show publicly that the nonviolent political struggle was effective in achieving the Patani Malays ideals.²⁶ Another aim was to draw Bangkok's awareness of their issues. The activists expected that their interaction with various parties such as the bureaucracy, the military, and Bangkok elites, which was a consequence of their campaigns, would be beneficial in spreading the alternative solution to the wider audience and higher level of decision-makers.²⁷

²⁶ The movement considered that the Malays would not achieve their goal if they only relied on "*perang rakyat semesta*" (protracted people's war) strategy and guerrilla tactics as armed separatist groups carried on in recent years, despite it was beneficial in raising the consciousness of the Patani Malays to reclaim *hak pertuanan* and identity. A former student leader and then referendum advocates, *op. cit.*

²⁷ Once they got a response, they were about to open the lobby track straight to the center of power in Bangkok to inform the situation and the expectation of the Malays directly. They observed that Bangkok's effort to resolve the conflict was unsuccessful because it was developed based on incorrect information from the ground. Given the political dynamics in Bangkok were volatile, the lobby track to elites who had power and were able to make changes, should be developed

The referendum movement made the student organization its leading group. *Persekutuan Mahasiswa Anak Muda dan Siswa Se-Patani* (Permas, the Federation of Patani Student and Youth) was at the forefront of this movement (*ISRA News*, 27 December 2012). Permas included more than 30 student organizations under its umbrella (*ISRA News*, 27 May 2013). The main reason for engaging the student groups was their potential to reach people on the ground.²⁸ After the 2007 demonstration, they had a good reputation in the eyes of those at the grassroots, they had a close relationship with the villagers following their participation in many investigations of violence cases, and they were relatively free of any Bangkok or local old establishment political interests.²⁹ Another reason for involving student groups was to prevent them from being the separatist groups' target of recruitment in carrying out violent actions. In addition, the students were considered future leaders. Empowering students with nonviolence skills would make them future peace pioneer.³⁰ Lastly, engaging students and youth groups was strategic in imparting the idea of peace among the guerrillas. Though the CSOs could not identify that they were among the students and youth groups, they were quite aware that the guerrillas infiltrated any groups in the South. Thus, the process had the potential to spread 'the peace virus' within the guerrillas.³¹

Throughout 2012 to 2013, the referendum movement carried out campaigns through several channels including: social media, their official brand public forum called "*Bicara Patani*" (Patani Talk), pamphlet publications, and social-religious rallies.³² At this stage, their objective was to convince the public not to be afraid to

and maintained constantly amidst of political change. They argued that unless it began in Bangkok, the conflict in Patani would not be resolved. An NGO leader and referendum advocates, *op. cit.*

²⁸ A Permas leader, interview with author in Pattani, 24 October 2013.

²⁹ A former student leader and then referendum advocates, *op. cit.*

³⁰ A Malay Patani student leader, interview with author in Bangkok, 8 October 2013.

³¹ The effectiveness of this approach was proved when the violence targeting schools declined after the referendum advocates convinced the students and youth groups that the attacking and destroying schools was damaging the future of the Malay children. Other evidence was the creation of a "mutual understanding" between the guerrillas and the referendum activists. Although there were no communication and coordination with the guerrillas, the referendum activists could run their activities safely; the situation that led to the security authorities had deep suspicion over the referendum movement as a political wing of the guerrillas. An NGO leader and referendum advocates, *op. cit.*

³² *Bicara Patani* officially started on 11 March 2013. See detail activities in <https://th-th.facebook.com/pages/Bicara-Patani/343258839107331>. Before the Military Junta banned any political activities in 2014, 68 rounds had been carried out; Mostly in Patani, but some in Bangkok and overseas. In order to avoid any complication with the security authorities, since 2014 the

express their views and raise their awareness about the merit of political solutions including the referendum. In all these campaigns, they were always present with a theme “*Satu Patani*” (One Patani); A call for the Patani Malays to unite and stand up for a political solution (*ISRA News*, 27 May 2013). Along with these activities, the movement was recruiting cadres to develop domestic and international networks. They were also working to establish an umbrella organization that could amass support for the referendum.³³

The 2007 Thailand Constitution did not provide opportunities for the referendum, but the students and the CSOs behind the movement were optimistic. They believed that they could achieve their political goal by taking advantage of the future political transformation which had begun under Yingluck’s government. They expected that the referendum and the status of Patani would be discussed once the political reforms took place in Thailand.³⁴ Despite the returning power struggle in Bangkok hindered their aspirations, the referendum campaign built a strong consciousness within the larger Patani Malay population to courageously express their will. The movement also convinced them to believe in a political settlement while reminding them not to allow their destiny to be only determined by the peace talks between the Yingluck’s government and separatist groups which began to take place in early 2013.

5.3 Ideas of Talk

Long before the resurgence of violence in 2004, Bangkok had attempted to talk to the exiled separatist leaders. During the 1990s, the Royal Thai Army (RTA) carried out a series of secret meetings overseas in order to know their demands, to persuade them to give up their armed struggle, and to co-opt them to join the national development program.³⁵ Sadly, the meeting ended in failure. Among the causes was the government’s insincerity. Thai government held talks not to seek a permanent solution. According to a General (who represented the government in the talks),

referendum supporters continued the campaign under the democracy banner, “Peace prevails if Thailand in democracy.” Author personal communication with a former student leader and then referendum advocates, 27 March 2015.

³³ A former student leader and then referendum advocates, *op. cit.*

³⁴ An NGO leader and referendum advocates, *op. cit.*

³⁵ See further discussion about these secret meetings in chapter 7, section 7.2.3.

Bangkok mandated its representatives only to find out the grievances of the separatist groups and conduct an intelligence-gathering exercise to serve their short term goal of controlling the situation on the ground. In regard to this goal, Bangkok continued to talk independently with a group considered the most influential despite the separatist groups wanted to talk to the government as one. The discontinuity of government's scheme made it difficult to achieve progress. The results achieved by outgoing government were often annulled by the incoming government. Within government there was also disunity and disinterest, causing most results to end up on the table of authorized officials. Aware that Bangkok's attitude was flippant, the separatist old guards were also light-hearted in formulating their demands and simply kept repeating historical narratives to justify their claim.³⁶

After 2004, and in particular the period 2006-2007, when the government realized that military means alone would never be effective in quelling the violence, Bangkok resumed its effort to reach the Malays in Patani in order to uncover the groups behind the violence. This process culminated in 2013 when the Thai delegates managed to talk to the so called BRN-C representative to explore a peaceful dialogue. Yet, as between the government and the separatist leaders, there remained a large gap in term of peace, there has never been fruitful dialogue to resolve the conflict. Problems of disunity either within government or separatist groups and government discontinuity worsened the effort to find the solution.

5.3.1 Talk to End Violence

When violence swept Patani in 2004, the Thai government resumed its effort to talk to the separatist leaders. A number of meetings were held starting from Langkawi, Bogor, to Geneva. At this stage, the government's goal was more on stopping the violence in Patani than resolving the conflict. Unfortunately, a number of meetings held were futile. Bangkok only managed to talk to leaders they knew, and by this stage those leaders were all the old guard separatists who no longer controlled the violence on the ground. The old guards were nevertheless keen to resolve the conflict permanently, but this was contrary to the government's short-term goal.

³⁶ A General (former Royal Thai Army liaison to talk with the separatist groups), interview with author in Bangkok, 5 November 2013.

The effort to reach out to the exiled Malay leaders began in 2005. With the intent to gather information about the perpetrators of the violence, under PM Thaksin Shinawatra Bangkok assigned a former army officer to renew talks with the PULO and BIPP in Switzerland. After two rounds of unproductive talks and realizing that both groups had no connection with those committing the violence at the time, the government scrapped the process. It was revived in 2006 at the suggestion of the NSC. Deputy Prime Minister Chidchai Wannasathit oversaw it, but the process failed to make any progress (*ISRA News*, 18 May 2013).

Between mid 2005 and early 2006, talks between the exiled leaders of the older separatist groups and two Thai representatives did take place in Langkawi, Malaysia. It was unclear whether Thaksin had given his approval for this talk, but the Langkawi meeting was brokered by former Malaysian PM Dr Mahathir Mohammed (Patani Forum 2012, 75).³⁷ Mahathir began meetings with insurgent leaders in June 2005.³⁸ He was increasingly eager to carry out discussions between Bangkok and insurgent leaders after having a meeting with the NRC Chairman Anand Panyarachun and an audience with the King in November 2005 (Ganjanakhundee 2005). In the same month, the government sent the Armed Forces Security Centre Chief Lieutenant General Vaipot Srinuan and the NSC Chief General Winai Pathiyakul to join the talk (Levett 2006). The process was not a formal negotiation, but was used to identify common ground between the two sides and designed to reconcile differences. The Malaysian government knew about the meetings, but it was without the participation of active Malaysian officials (Patani Forum 2012, 76).

The process discussed issues such as Malay identity, the use of Malay as a working language, amnesty, education, and economic development. From 26 to 27 December, the group convened at the Kampung Tok Senik Resort. The participants

³⁷ The peace process was triggered by the opening of a Thai consulate in Langkawi in June 2005. The new Thai consul, the Malaysian businessman Dato Eskay Shazryl Abdullah, asked Dr Mahathir to be a facilitator (Levett 2006).

³⁸ From the exiled group, representatives included President of Gerakan Mujahidin Islam Patani (GMIP) Mohammed Bin Abdul Rahman, Vice President of the Patani United Liberation Organization (PULO) Razi Bin Hassan, President of Barisan Revolusi Nasional-Congress (BRN) Abdulah Bin Ismail, Vice President of BRN Abdullah Bin Idris, and President of BERSATU Wan Kadir Che Man. The BRN-Coordinate was absent, although a few low ranking members were allowed to attend in a personal capacity (Pathan 2006d).

drafted The Joint Peace and Development Plan for Southern Thailand in which they acknowledged Thai sovereignty while calling for greater political and economic opportunities for the Malays in Patani. It also included a list of topics for further discussion. After receiving feedback from the Thai Generals involved in the discussions, both sides accepted a compromise document (Levett 2006). Former Thai PM Anand Panyarachun visited Kuala Lumpur to receive the documents from the participants (Patani Forum 2012, 77-78). Anand handed the plan to Deputy PM General Chidchai Wannasathit in February just days before the parliament was dissolved and Thailand fell into a political crisis (Levett 2006).

In August, a final draft was handed to Malaysia's Deputy PM Najib Razak and the caretaker Thai government, Deputy PM Chidchai. In the plan, there was no demand from the insurgents for independence, autonomy, or Malay language to become an official second language in Pattani, Yala and Narathiwat. The plan called for an end to injustice and focused on economic development, better educational opportunities, and greater Muslim representation in the provincial government administration. It also called for a blanket amnesty for insurgents, the optional use of Malay in schools, and a regional body where people could register complaints. In return, the rebels were to cease all acts of violence and surrender all arms (Levett 2006).

The Thai government did not take any further action on the recommendations. Besides occupied with political confrontation in Bangkok, policy makers in Thaksin's inner circle did not support the process (Patani Forum 2012, 78). Another reason was the plan beyond the government's expectation. The Thaksin administration sought for an easy and simple solution to end the violence, but the Langkawi meeting proposed a comprehensive plan, which would not guarantee terminating the violence immediately. Despite the plan renouncing demands for independence, the talks were largely divorced from the reality of the conflict. The old guard of separatists attending the talk clearly had no influence over the militants on the ground (Storey 2008, 42).

Anticipation increased for the old guards when the Army Chief General Sonthi Boonyaratglin (the leader of the military junta behind the 19 September coup) indicated that Thai officials would engage in talks with insurgents; though he

declined to single out with which group. According to Sonthi, it would not be a negotiation, but just talk to find solutions. Sonthi's statement appeared more encouraging when it was mentioned that he had assigned the Fourth Army Area Commander Lieutenant General Viroj Buachoroon to consider suitable officials to represent the Thai side. His announcement was seen as a breakthrough. Talk was expected to take place in one month after the Cabinet was announced (Pathan 2006b), but by the end of 2006, nothing happened.

The position of the post-Thaksin government was slightly clearer with the statement from PM Surayud Chulanont. When he responded to the Malaysian PM Abdullah Badawi's offer during his visit to the Kingdom in February 2007 to facilitate talks between the insurgents and the Thai government, Surayud agreed to the talks if Malaysia helped to "figure out the right group" (*The Nation*, 17 February 2007). This statement indicated that the government, while sending officials to explore talks, were seeking the real separatist group behind the violence and challenged Malaysia to bring them to the table. During summer 2007, Defence Minister Boonrawd Somtas conducted a trip to Malaysia to promote cooperation between two countries in curtailing violence in Patani (*Bangkok Post*, 24 June 2007), but the Thai government just asked "support" from them. Bangkok did not understand that Kuala Lumpur expected a "significant role" in the process, not just bringing insurgent leaders to the table.³⁹

The only progress in relation to the talks during Surayud's administration was when the Henri Dunant Center for Humanitarian Dialogue (HDC) successfully sponsored a meeting between PM Surayud and the separatist groups BRN-C and PULO in Bahrain, 10-12 December 2007 (Boyce 2007a). At this meeting, Surayud met with Kasturi Mahkota, a Sweden-based senior PULO leader (Patani Forum 2012, 88) and four BRN-C leaders. This is the first time the leaders of BRN-C, the most significant separatist group which controlled the violence in Patani, met face-to-face with the highest Thai political leader (Boyce 2007b). The BRN-C assigned their leaders attending the meeting just to convey their demands to the Thai government, not for talk (*ISRA News*, 18 May 2013).⁴⁰

³⁹ A General (former Royal Thai Army liaison to talk with the separatist groups), *op. cit.*

⁴⁰ The meeting was very promising in a sense that Surayud was careful in responding to the injustices the separatists felt in the south, and listened patiently to their concerns. Surayud used this

The two-years old process (which was known as Geneva Process because it was directed from the HDC's Headquarter in Geneva) collapsed when the new government under PM Samak Sundaravej suspended it in 2008.⁴¹ The HDC attempted to save it and organized the last round of talks in Jakarta on 27 to 28 March. At this meeting, the NSC Secretary Lieutenant General Siripong Boonpat explained to the insurgents why there had been no progress on confidence building after the December meeting. The Thai team pointed out political chaos and uncertainty in Bangkok as the main cause (John 2008). Yet, while the insurgent leaders had been under pressure from their constituents to demonstrate the value of a dialogue, the Thai government had no sense of direction, and the separatist leaders eventually lost confidence towards this process.⁴²

Samak's government may have disagreed or did not want to follow the process set out of by Surayud, but he needed to show that his government also worked towards the national policy. Hence, while scrapping Dr Mark Tamthai initiative (Thai delegates' leader) in collaboration with the HDC, Samak's government proxies initiated unofficial talks facilitated by Indonesian Vice President Jusuf Kalla, renowned for being the man behind the successful peace process between the Indonesian government and GAM.

A group of Thai representatives led by General Khwanchart Klahan⁴³ met with the exiled separatist leaders under the umbrella organization called the Patani Malay Consultative Congress, in the Presidential Palace, Bogor for two-day talks, from 20 to 21 September 2008 (Khalik 2008a).⁴⁴ As news about the meeting

opportunity to convince the separatist leaders of his government's sincerity in seeking a negotiated end in resolving the conflict. The event was actually organized in secret, but later made public to demonstrate that Surayud was sincere and attempted to talk for the right reasons; it was not like the effort by Deputy PM General Sonthi and Army Assistant Chief of Staff for Intelligence General Kasem Yuktavira who sought a way to talk so they could identify and neutralize the militants (Boyce 2007a). The future of this preliminary talk, however, depended on the newly elected government.

⁴¹ A former high-level official of the NSC and adviser to the Prime Minister, interview with author in Bangkok, 13 September 2013.

⁴² *Ibid.*

⁴³ Kwanchart is the former Fourth Army Commander and an adviser to PM/Defense Minister Samak Sundaravej. Samak stepped down on 9 September 2008 after a constitutional court ruling.

⁴⁴ The 16 separatist leaders attended the meeting representing BRN, GMIP, BIPP and Shamsuddin Khan's faction of PULO. They were led by Wan Ahmad bin Wan Yusof of GMIP, and the main negotiators were Wahyuddin Mohammad, Sa'adul Maliki, Bachtiar Che Teh (all BIPP) and Mr Mohammad Fatah Abdul Aziz (Forum 2012, 91-92). Vice President Jusuf Kalla acted as the mediator and was supported by political experts Fachry Ali of the University of Indonesia, Anies

reached Bangkok, the Thai government firmly rejected it.⁴⁵ The Thai Army Chief General Anupong Paochinda stated that Kwanchart went to Bogor in a private capacity (Patani Forum 2012, 91-92). In this regard, while Bangkok seemed prepared to experiment with the meeting, in fact, the Thai government was not ready for any talk, and was especially not ready to commit to a peace process. As seen after the Bogor talks, the military rejected the process once they realized that it would fail to bring the insurgent leaders behind the violence to the table.

During the PM Abhisit Vejjajiva era, the government had a general policy which aimed at resume talk.⁴⁶ Hence, the Geneva Process which was suspended by PM Samak Sundaravech in 2008, was later revived by Abhisit in 2009 (*ISRA News*, 18 May 2013). He allowed the NSC to continue their work with the Kasturi Mahkota faction of PULO that they had been in contact with since 2006. A team of experts led by the NSC Deputy Secretary-General Somkiat Boonchoo worked in secret to bring in members of the civil society as partners for peace (Patani Forum 2012, 99-100). In the same year, precisely a decade after Malaysia stopped their support in 1999, Bangkok again sent a team to Malaysia asking for new cooperation to resolve the Southern unrest, but Kuala Lumpur gave no response.⁴⁷

With all the work done by Abhisit's government, the highest result achieved in this period was only a month-long unilateral ceasefire (10 June-10 July 2010) by the Patani Malay Liberation Movement (PMLM) in Rangae, Yingor and Choh I-Rong districts districts of Narathiwat.⁴⁸ As in the past, the army denied that there

Baswedan of the Paramadina University, Vice President's advisors Johermansyah Johan and Farid Hussein, and Indonesian Ambassador to Thailand M. Hatta. According to Indonesian officials, though the Talk was the first encounter many of the lingering issues have been tabled (Khalik 2008a). Both parties agreed to continue a second round of talks on 1-2 November with a third round in the middle of November at the same place (*The Nation*, 22 September 2008).

⁴⁵ Neither Thai Foreign Ministry nor the Indonesian Foreign Affairs Department admitted that they knew about the meeting. In Bangkok, Thai Foreign Ministry spokesman Tharit Charungvat denied the Thai government had sent any representatives to Indonesia (Khalik 2008b), but foreign affairs advisor in Indonesia President's Office admitted that Jakarta had coordinated the talks closely with Bangkok (Hume 2008).

⁴⁶ A General (former Royal Thai Army liaison to talk with the separatist groups), *op. cit.*

⁴⁷ *Ibid.*

⁴⁸ PMLM, which was a joint working group established by members of PULO and representatives from BRN-C, admitted the unilateral cease-fire was a confidence-building measure and was aimed at indicating the movement's sincerity in wanting to hold a dialogue while at the same time to demonstrate that they controlled the area (Pathan 2010). At that time, only eight violent incidents occurred in the three districts and the PMLM claimed that those were carried out by outsiders beyond its control. The ceasefire, which was seen as a unilateral action by the insurgents, but, actually, it was under the agreement between them and Thai negotiators, was to be expanded to

had been any secret talks with the movement prior to this unilateral action and hence they downplayed it (*The Nation*, 14 July 2010).⁴⁹ After this little success, all peace talks during Abhisit government were forced to end. The process that had been carried out for two years by the NSC discontinued after the new PM Yingluck Shinawatra insisted that it cease. This caused the government's contacts in undercover groups to lose confidence.⁵⁰

In the end, none of the initiatives for talks from the Thaksin to the Abhisit era could be considered as successful. All efforts failed to gain much traction due to several factors. The main problem was the large disparity between government and the insurgents' goals. While every government sought a short-term goal to end violence, the insurgents sought a comprehensive solution to their grievances, which meant requiring long-term effort and an overhaul of the Thai political system. Every government recognized that if this was done, it would harm its position amidst the lingering political crisis. As a consequence, once again, the government carried out talks without giving a proper mandate for its representative. Bangkok sent officials to seek the right people whom they were able to talk to just end the violence, not to seek peace. The process immediately stalled when it was not able to get any acceptance from the separatist leaders. Problems of disunity within government and discontinuity of effort from one government to another also worsened the effort to establish a productive talk.

The only merit in the talks from 2005 to 2011 was the way it encouraged both parties to understand the other's position. Bangkok had successfully eliminated the old taboo to talk with insurgents, realizing that violence would never end with unilateral military action. Through a range of talks, the separatists had increasingly softened their jargon. They were more realistic, so "peace" began to find a place despite the fact calls for "independence" had not totally disappeared.

cover more districts (Davis 2011). The plan, however, was suspended following the Abhisit's government announcement to dissolve parliament and to call a general election in mid-2011 (*ISRA News*, 18 May 2013).

⁴⁹ Two opinions emerged over the ceasefire. The government saw it as the result of the talk, while other parties, especially the military, observed it as a result of the track 2 workshop held in the time of Surayud's government. Another aspect claimed as the workshop's result was the insurgents and the wider community no longer mentioned "independence" but "peace." A General (former Royal Thai Army liaison to talk with the separatist groups), *op. cit.*

⁵⁰ A former high-level official of the NSC and adviser to the Prime Minister, *op. cit.*

5.3.2 Talk about Talk

The Yingluck's government scrapped the previous talk only to initiate a new round according to her government terms. With her brother Thaksin in background, the government managed to talk with representatives believed to be BRN-C's leaders. Sadly, the talk finished with a wish list for future talk due to the political instability that struck Bangkok at the end of 2013.

The process to renew talks with the separatists began when Yingluck's government failed to get a positive response to her idea of giving autonomy to Patani in 2012. The government then switched its strategy to reach the Patani Malays through talk. Yingluck realized that while she was in power, it was an opportune for her to start talking about resolving conflict in Patani. If she succeeded in bringing peace in Patani, her party would secure broad political support from those in the three southernmost provinces which had been under the Democratic Party's control for long periods (Patani Forum 2012, 108). For government, talk to undercover groups was becoming easier because under the NSC's national policy that had been approved by parliament, the southern problem had become a national policy, and it was a duty of every government to engage in dialogue to resolve conflict.⁵¹

The new round of talks under Yingluck's government was brought about by organizing officials who supported the process. It was in this plan that Yingluck handed the responsibility of dealing with the separatists to the SBPAC Secretary General, Thawee Sodsong,⁵² while also replacing two key figures in the NSC, Secretary General Thawil Pliensri and Deputy Secretary General Somkiat Boonchoo. Both figures were advocates of stronger political approaches and made a significant contribution in approaching separatist leaders, but they were considered part of the previous government (*The Nation*, 8 August 2012). The

⁵¹ *Ibid.*

⁵² Thawee Sodsong, a former policeman and Thaksin-loyalist, was appointed head of the SBPAC in October 2011. Many locals saw his appointment as a political move by *Pheu Thai* Party to increase their influence in the region. Yet, he drew popularity after providing compensation for victims of violence, promised to revoke the emergency decree, and convinced people that the current government was discussing sort of autonomy for the South (McDermott 2013, 122).

replacement essentially ended the NSC's Geneva Process initiated by Surayud and revived by Abhisit government.

While Yingluck completed the preparation at home, Thaksin organized the process from exile. With the help of Thawee, his most trusted bureaucrat, Thaksin reached out to the old guards. Thawee recruited leaders from the Deep South and sent them abroad to approach the exiled separatist leaders. In March 2012, Thaksin had an opportunity to meet with about 17 separatist leaders in Kuala Lumpur, Malaysia and asked them to help end the conflict. Thaksin orchestrated the process for at least two reasons. First, he came to Malaysia to apologize in person before the exiled separatist leaders and to clear his name for cruel policies over Patani during his term. Second, Thaksin had an expectation if the apology was accepted and the leaders of the separatist group were willing to engage in a peace process, the ruling party (Phue Thai Party) which was under his control would gain political advantage in southern Thailand, which for decades had been the strong electoral base of the Democrat Party (Patani Forum 2014, 90). The meeting was unsuccessful as BRN-C boycotted it based on three reasons: they had not forgiven Thaksin for his harsh tactics while in power; they were yet to have adequate control of the *juwae* (fighters); and they disagreed on the political platforms proposed (Patani Forum 2012, 109-110).

The military was always concerned about stopping violence before any talk with the separatists. The government put this into its consideration and decided the process would only commence when the real leaders who control the situation on the ground was brought to the table.⁵³ In government's attempts to reach the long suspected perpetrator of violence, the BRN-C, Bangkok turned to Kuala Lumpur. Malaysia responded when Thaksin asked for support from Najib, but with one condition: Thai must give autonomy.⁵⁴ The Yingluck's government, which

⁵³ A former high-level official of the NSC and adviser to the Prime Minister, *op. cit.*

⁵⁴ In the narrative develops mainly in the Royal Thai Army, there are two reasons why Malaysia has always proposed autonomy. First, it was for security reasons. Malaysia wants to create a buffer zone to protect its border stretching from west (Aceh), north (Patani), to the east (Mindanao). In case those neighbouring countries have internal problems, the autonomous regions will not be affected and hence reserve a safe border for Malaysia. Second, it is for an economic reason. Autonomy means local government has more power to establish foreign economic cooperation. The autonomous region will provide large areas for the expansion of Malaysia agribusiness investment. Malaysia will push the Thai government to resolve conflict in Patani in 2 years in order to maximize

campaigned for autonomy in the three southernmost provinces, had no objection with this condition. On the basis of this understanding, PM Najib assigned Malaysian security authorities to ask BRN-C leaders talk to Thai government representatives.⁵⁵ Because BRN-C did not think Thailand would commit itself to a formal process since there was no unity among its policymakers and also did not perceive Malaysia as an honest peace broker, none of group's top-ranked leaders, members of the highest council called *Dewan Pimpinan Parti* (DPP, Party Leadership Council) were found. Hence, the security authorities forced several lower-rank leaders to talk to the government. Malaysia's promise to bring BRN-C's spiritual leader Sapae-ing Basor to the table failed, but Kuala Lumpur succeeded in forcing Awang Jabat and four other leaders to discuss points of agreement about a peace talk plan.⁵⁶

Bangkok stepped into the process bringing the proposal of autonomy in which people in the South would draft the law of autonomy and elect their governor. The government's target of the talk was that conflict be resolved and the South become autonomous under the constitution.⁵⁷ Sadly, after nine years of violent uprisings and six governments, even in this talk Bangkok still lacked clear direction in navigating the process.⁵⁸ The government preferred to participate in inclusive talks in which other BRN factions, PULO, and BIPP could join, but as the military were always concerned about stopping violence before any talk with the separatist, bringing BRN-C to the table became the top priority. Though still reluctant, the military did not reject the talk for at least two reasons. The talk was considered only a confidence building measure with an expectation that the real BRN-C leaders would someday arrive. It would only be then that the military would expect any peace dialogue to begin.⁵⁹ Some military leaders thought that the military had

the economic gain as Malaysia will lead ASEAN in 2015 precisely when AFTA starts. A General (former Royal Thai Army liaison to talk with the separatist groups), *op. cit.*

⁵⁵ *Ibid.*

⁵⁶ A person close to BRN-C's sources, interview with author in Pattani, 22 October 2013. Sapae-ing Basor is the former head of the Thamvithya Foundation that oversees a network of Islamic schools comprising more than 10,000 students. In December 2004, Sapae-ing was accused by the Thaksin administration of being the overall leader of the new generation of militants (Patani Forum 2012, 111).

⁵⁷ A Colonel (Intelligence Section, ISOC), *op. cit.*

⁵⁸ A Major General (member of Thai panel of delegation in the 2013 Peace Talk), interview with author in Bangkok, 9 October 2013.

⁵⁹ A former high-level official of the NSC and adviser to the Prime Minister, *op. cit.*

succeeded in controlling the situation. They led the government to seek a political solution, start to talk, and used other non-violent approaches; but, in fact, the talks were the responsibility of the ruling government, not the military.⁶⁰ With the government and the military at such a standpoint, the fragility of talk was evident even before it was started.

For the BRN-C, the signs that future talks would collapse also emerged before the talks began. Doubts in determining Bangkok's sincerity in resolving conflict thoroughly and BRN-C considering that there was not appropriate time to open a dialogue with Bangkok, caused the DPP to reject talks to be held. Malaysia's security services only managed to bring a number of leaders who were not core leaders to discuss plans for talks with the government representatives. Several internal talks were held between Malaysia and BRN-C members. In a secret meeting in Genting Highland, ten BRN-C leaders agreed to appoint Hassan Taib to sign a general consensus document for starting peace talks. As a consequence of their participation in this preliminary talks, Hassan Taib, Awang Jabat, and four other people involved had been removed from the BRN-C's inner circles.⁶¹

Even with all of these complications, the agreement between Bangkok and the so-called BRN-C was eventually signed in Kuala Lumpur, 28 February 2013. Witnessed by PM Yingluck Shinawatra and her Malaysian counterpart Najib Razak, on behalf of the Thai Government, General Paradorn Pattanatabutr (the NSC Secretary General), and Ustaz Hassan Taib representing the BRN-C signed the General Consensus on Peace Dialogue Process. In the background there was Malaysia's National Security Council Secretary Mohamed Thajudeen Abdul Wahab. Both parties pledged peace talks about to begin in two weeks (*The Straits Times*, 1 March 2013).

Malaysian facilitator Dato' Sri Zamzamin Ahmad Hashim (2014, 3-4) explained that there were four rounds of talk from March to June 2014.⁶² The first

⁶⁰ A Colonel (Intelligence Section, ISOC), *op.cit.*

⁶¹ A person close to BRN-C's sources, *op. cit.*

⁶² The government's team was led by the NSC Secretary General, General Paradorn Pattanatabutr and helped by the Deputy Permanent Secretary of the Ministry of Defence, General Niphat Thonglek; the SBPAC Secretary General, Police Colonel Tawee Sodsong. Other members comprised General Samret Srirai, Office of the Permanent Secretary of the Ministry of Defence; Police Lieutenant-General Saritchai Engkwiang, Commander, Special Branch; Major General Nakrop Bunbuathong, ISOC; Apinan Sothanuwong, Governor of Narathiwat (who was replaced for

round was on 5 March 2013. During this preparatory meeting, the agenda drafted the Terms of Reference (TOR) on the conduct of the dialogue. The parties agreed upon a number of issues such as language of the meeting/dialogue and documentation, representation on each panel to the dialogue, and further technical terms. In the three subsequent meetings (28 March, 29 April, 13 June) the dialogue attempted to create confidence and understanding of the matters at hand. Many points, issues, and demands were brought to the table, some which created a stalemate among parties. After the last meeting in June, the talks were at impasse.

Despite the DPP getting rid of Hassan Taib and his friends, fear of the deportation among the separatist leaders dates back to the 1990s, when Malaysian authorities sent Patani Malay exiled leaders back to Thailand (Patani Forum 2014, 91) caused BRN-C to eventually accept the process with the analogy of “forced marriage.” Due to the “marriage” had been established, the issue was what should be done to mend it. In order to escape from this strain, the DPP finally took the decision to use a dual strategy: *berjuang* (fighting) and *berunding* (negotiate); in which the BRN-C continued to fight by using the tactic of violence without derailing peace talks. BRN-C also attempted to close a loophole so that the failure of future talks was not inflicted upon them. If it failed, let it be due to the failure of Thai government. This deliberation along with compromise between the BRN-C’s three factions (supported the dialogue, strongly opposed it, and reserved judgement) was the background that led to this group proposing *Lima Tuntutan Awal* (Five Initial Demands) as requirements for the talks to continue.⁶³

The Five Demands never appeared in the official meeting. BRN-C proposed it on YouTube on 28 April 2013, a day before the third meeting (BRN 2013c). In short, the demands contained: recognition of BRN as liberation organization (not a

the 13 June 2013 dialogue meeting by Pramuk Lamul, Governor of Pattani); Dr Srisompob Jitpiromsri, Assistant Professor at Prince of Songkla University, Pattani, and Director of Deep South Watch; Aziz Benhawan, Muslim community leader from Pattani; and Major-General Charin Amornkaew, Fourth Army Region, Chief of Staff (later made Deputy Commander). The BRN-C team was headed by Hassan Taib. He was accompanied by two representatives from the BRN foreign affairs division, one other senior BRN figure, one representative of BRN-*Ulama* (a splinter group of BRN), another from the BRN youth wing, *Pemuda*, and Lukman bin Lima from one of PULO factions (McCargo 2014, 7,15).

⁶³ Another reason was the DPP observed that there was a perspective change on the ground in which people were keen to peace instead of violence. Hence, the BRN-C participation was merely to maintain support from people in the South. A person close to BRN-C’s sources, *op. cit.*

separatist organization) representing the Malay Patani; appointment of Malaysia as a mediator directly engaged in the process, not simply a facilitator; the whole process to be witnessed by ASEAN, OIC, and NGOs representatives; recognition of the Malay Patani sovereignty (*hak pertuanan*) over their homeland; and release of all detained Patani fighters from prison and abolish all arrest warrants.⁶⁴

Soon after Hasan issued the Five Demands, there were reports that Thaksin attempted to save the talks. He succeeded in securing Kuala Lumpur's commitment to resume the process. Upon Thaksin's request, Kuala Lumpur boosted pressure on Hasan and friends (Patani Forum 2014, 95). Amidst this pressure, BRN tried to defend its demands. On 24 May 2013 Adam Muhammad Nur, one of the BRN Staff Delegates, gave a more detailed explanation for the Five Demands (BRN 2013c). Bangkok's response was slow, and on 28 May 2013, Hassan Taib warned that unless the government officially endorsed the Five Demands and made it state policy, BRN would not resume talks. The BRN would reject the process as just the Yingluck's government agenda to redeem the sins of leader in the past (pointing to Thaksin) or gain credits from the process for personal benefit (Thaksin and his proxy political party-*Phue Thai*) (BRN 2013b).

Kuala Lumpur's pressures succeeded in bringing the BRN delegates back to the table on 13 June 2014. In this shortest and last meeting, the BRN adamantly reiterated its demand before continuing any talks, but agreed to a cease fire to show that they did not refuse peace efforts. Furthermore, on 24 June 2013 BRN announced a cease-fire in three Southern provinces and five districts of Songkhla during Ramadhan (Moslem fasting month) and the first ten days of Syawal (BRN 2013a). Later, as there was no significant progress to their demands and it was considered that the Thai military failed to meet the term of cease-fire BRN

⁶⁴ The first three demands showed the BRN ingenuity in moving the fireball into the hands of the Thai government as well as testing Bangkok's sincerity to the process, while at the same time trying to escape from Malaysia's grip. The first demand challenged the government's principle on inclusive dialogue and Bangkok's objective in bringing the BRN to the table: either genuinely seeking peace or just curbing violence. As BRN-C did not trust Malaysia, the idea of upgrading the Malaysia's status from facilitator to mediator was to save Kuala Lumpur face so the exiled separatist leaders lived in Malaysia were spared of any trouble, while at the same time it was directed to draw negative sentiment of politicians and the elites in Bangkok who would not be happy with Malaysia's greater role in the process. For the third demand, the BRN-C knew that inviting foreign organizations to observe the process would never been accepted by Thai government. Bangkok still considered conflict in Patani as a domestic issue and would not easily move from this position. *Ibid.*

proposed, *Majelis Syura* (Consultation Council) of the BRN announced, the termination of peace talks and would not send a delegation on behalf of BRN to any future talks on 6 August 2013 (AB-BRN 2013).

Malaysia attempted to save the process. In September 2013, Zamzamin handed General Paradorn a 38 pages document in the form of PowerPoint presentation elaborating the Five Demands, explaining its compatibility with the Thai constitution, and offering concessions from BRN if Bangkok accepted the demands (McCargo 2014, 10). The Thai panel of delegation suspected Zamzamin's office of developing the document with the help of Malaysian academics who were close to BRN-C.⁶⁵ Meanwhile, Hasan and BRN-C remained silent about their non-involvement in this process (Patani Forum 2014, 95). This attempt reinforced suspicions among Bangkok elites that Malaysia was interested in raising its status from facilitator to mediator. The government, in particular the military, refused any attempts to upgrade the Malaysian role to the mediator in the process because it was against the non-interference principle in ASEAN. As Malaysia worked on the content of the Five Demands, it became evident that Kuala Lumpur wanted to elevate its status to mediator and had interfered with Thai domestic politics.⁶⁶

The Yingluck's government never replied to the BRN's Five Demands. The BRN's announcement of the demands to the public on YouTube, instead of putting them on the table in the meeting scheduled a day after the announcement, had raised doubts from within the government over the BRN's candor in sustaining the talks. The government also considered delaying further talks until June 2013 was good for both parties in order for them to carefully review all issues developed from the talks. For the government, extending the delay as long as possible was required in order to improve talks in the future. Despite the government representatives admitting that the BRN-C's delegates were among the real leaders of the groups, and they had realized that violence was not an answer to their struggle,⁶⁷ however,

⁶⁵ A Major General (member of Thai panel of delegation in the 2013 Peace Talk), *op. cit.*

⁶⁶ A Colonel (Intelligence Section, ISOC), *op. cit.*

⁶⁷ However, the government also learnt that the structure of the movement was already different to the past. It was more complex than expected. The long span of control meant some operatives did not get information as early as possible. Some worked in isolation and did not know each other (cell groups). Another problem was that groups also divided into some factions and among them there was fierce competition. A former high-level official of the NSC and adviser to the Prime Minister, *op. cit.*

Bangkok wanted to prove that they remained controlling the fighters on the ground and their demand represented all factions in the group.⁶⁸

Not long after receiving the additional document from Zamzamin, the NSC Secretary General Paradorn Pattanatabutr said that the government was considering the five demands so that the talks with the BRN would continue. However, he insisted that there was no single demand that the government had accepted. He also announced that the next round of talks was scheduled for the third week of October (Deechuay, Lohasan, and Chinworakomon 2013). Unfortunately, as Bangkok faced huge mass protests in October 2013 following Yingluck's government attempt to pass an amnesty bill, the new round of talks was never carried out. Talk about talk was suspended in silence amidst the political frenzy in Bangkok.

Several reasons were put forward for the failure of talks in Kuala Lumpur besides arguments that blamed BRN-C. Some denounced the process that was opened to the public from its outset. There was also criticism directed to Malaysia that, as the facilitator, it had a hidden agenda and controlled too much. The end goal of the talks, autonomy, which had been set up from the beginning, closed the possibility of exploring other alternatives that suited both parties.⁶⁹ Internal criticism within government indicated that Bangkok had no clear policy about the direction of the talk, either it continued with inside (in Patani) leaders or leaders outside (in exile), or brought them to the table altogether. The talk itself was more like a public relations exercise to the world and as well as domestically to show that Bangkok was serious in resolving the conflict.⁷⁰ Among the three leaders of the Thai delegation (Paradorn, Nipat, and Thawee) there was disharmony that caused the decision-making process to falter.⁷¹ The military did not fully support the process as they perceived that the insurgent groups were still strong in terms of organization and ideology, and made talk was possible at this point in time. They also strongly believed that the insurgent leaders brought to the table did not control active militants.⁷²

⁶⁸ A Colonel (Intelligence Section, ISOC), *op. cit.*

⁶⁹ A General (former Royal Thai Army liaison to talk with the separatist groups), *op. cit.*

⁷⁰ A former high-level official of the NSC and adviser to the Prime Minister, *op. cit.*

⁷¹ A Major General (member of Thai panel of delegation in the 2013 Peace Talk), *op. cit.*

⁷² A General (former Commander in Chief of the Royal Thai Army), interview with author in Bangkok, 29 September 2013.

Despite its pitfalls, the talk helped to build confidence and create a peaceful environment for further actions. Along the process it was seen that support for a genuine peace dialogue, either in Bangkok or in the separatist groups, began to grow; not failing to mention the support at grassroots level.⁷³

5.4 Conclusion

This chapter has suggested that the warring parties in Patani conflict kept alive non-violent alternatives to conflict resolution while violence continued. These ideas gradually shape each party's inclination to the peace process.

In the development of the conflict from 2004 to 2013, it became evident that the search for non-violent ideas of resolving conflict in Patani never ceased. From 2004, the necessity to have an immediate cessation of violence encouraged the government and the civil society to use persuasive ideas. The ideas focused on resolving the conflict's excesses rather than an attempt to resolve the separatism, but with an expectation it would change the situation. Bangkok issued a series of peaceful approaches and policies. Unfortunately, none was effective in regaining the trust of the Malays in Patani and stopping the violence. When the civil society attempted to voice injustices on the ground and urged the government to revoke martial law and the emergency decree, which were considered as the source of problem, Bangkok did not offer a serious response.

Despite the sustained violence, the greater political freedom from 2009 to 2012 gave opportunities for more substantive discussion. The discourse within government and the civil society shifted from resolving the conflict's excesses to seeking structural change. The termination of violence was no longer to be achieved through a situational change, but was expected to occur through changes in the political relationship between Bangkok and Patani. The political solution, either by autonomy or referendum, was imagined as ending violence permanently. A chance event for the idea of talk emerged when Yingluck was in power in 2013. Unlike previous talks, this last talk indicated a breakthrough in the approach to Patani's

⁷³ An opinion poll on 9-11 June about the dialogue and its demands which was conducted by Deep South Watch on 2,000 people (80% Muslim and 20% Buddhist in Pattani, Yala, Narathiwat and Songkhla's four districts) showed that 73% of the respondents had more confidence in the talks; a significant increase to 67.17% in the March poll (Puengnetr 2013).

conflict. It demonstrated the change in the warring parties' approach, from imposing a unilateral solution to laying the foundation for resolving the conflict through a peace process and from secret talks to official talks.

Those ideas, despite being short-lived, contributed in derailing conflict and transforming it into the peace process. The ideas to change the situation brought the Patani quest rising to the highest levels of decision makers. The emerging diverse ideas among and within government in power as well as in the CSOs were a sign of the rising awareness of the importance of peaceful alternatives in managing conflict. Peace gained traction at this stage. Peace engagement was proliferating while peace constituency was also expanding. In this circumstance, a more substantial discussion of the relationship between Bangkok and Patani also began to fill the air.

The ideas to change the nature of the relationship between Bangkok and Patani were a sign that the Thai government, the CSOs, and certain old guard of separatist groups were becoming interested in thinking of a peaceful solution. The parties began to consider a political solution for Patani. Though the rejection of any attempt to tamper with the unitary state remained strong, within the Thai government and the public in general, political taboos in discussing political solutions began to disappear. The CSOs' referendum campaigns at this juncture gradually led the Patani Malays to political track and encouraged them to consider any political solutions. In these situations, public pressure towards Bangkok to hold talks with armed separatist groups was also growing.

Apart from its failures, the idea of talk provided a critical moment in which both parties had the opportunity to share ideas. Although it was just a half-hearted talk as it was part of the Thai government's dual approach (imagining peace while curbing violence) and the BRN-C departure to gain recognition as a liberation movement representing the Malay Patani, all shared experience during the process served as a foundation to deal a more advanced peace talks in the future. The talks raised preliminary readiness and provided lessons to learn for potential conflict resolution through a peaceful means in the future. The idea of talk also caused the parties to be unlikely to descend from this level of process. The choice was either simply restraining its progress or enhancing it. However, the future depended on

whether the elites continue their roles as in the past (which will be discussed in Chapter 7) to genuinely seek peace, not just to curb violence.

Ideas that have been discussed in the last two chapters will not attract widespread attention and then be sustained without the role of carriers. Along with the ideas they produce, elites have profound roles in this process. The next part contains chapters on Aceh and Patani respectively discussing what elites do to propagate ideas and cultivate peace, and in what ways their roles derail conflict towards a peace process.

PART 3

PROPAGATING IDEAS AND CULTIVATING PEACE

CHAPTER 6

ACEH: THE PASSION FOR PEACE

“I appreciate the wisdom and “decisive” determination taken by President Susilo Bambang Yudhoyono and Vice President Yusuf Kalla, who from the beginning in 2000 have pioneered the way to resolve the lingering conflict in Aceh, must go through negotiation, not by armed violence.”

(Saya menghargai kebijaksanaan dan tekad baik yang “decisive” yang telah diambil oleh Bapak Presiden Susilo Bambang Yudhoyono dan Wakil Presiden Bapak Yusuf Kalla yang sejak dari awal lagi tahun 2000, telah merintis jalan penyelesaian konflik yang berkepanjangan di Aceh, harus melalui perundingan bukan dengan cara kekerasan senjata.)

Hasan Tiro, Founder and Leader of GAM, in his speech read by Malik Mahmud upon arrival in Banda Aceh on 11 October 2008.¹

After being in exile for approximately thirty years, Hasan Tiro finally returned home in October 2008. The quote above was part of the speech he delivered shortly after he set foot in Aceh (*Kompas.com*, 11 October 2008). It affirmed that the peace settlement between the government of Indonesia and GAM under the Memorandum of Understanding (MoU) in Helsinki, 15 August 2005, was part of a long process that had endured since 2000. In this statement, Tiro acknowledged the idea of resolving conflict that “must go through negotiations, not by armed violence,” discussed in Chapter 4 of this thesis, as one important aspect allowing peace to be achieved. He also stressed it would have been unlikely that conflict would have been resolved without the decisive role played by the key elites such as President Susilo Bambang Yudhoyono (Yudhoyono) and Vice President Jusuf Kalla (Kalla) in supporting the idea of peace.

This chapter discusses the role of elites in making the peace process in Aceh possible. In this chapter, I argue that the relentless and continuous attempts of elites and their passion for peace, made the Aceh conflict susceptible to a peace process and a peaceful settlement. Upon closer examination, three groups of elites had a role in propagating the idea of peace during the conflict: the civil society elites, the government elites, and GAM’s civilian elites. Their roles are intertwined in leading the Aceh conflict towards peace.

¹ Tiro lived in Sweden since 1980 before returning on 11 October 2008. See *Kompas.com*, 11 October 2008 for his complete speech.

In what follows, I will begin the discussion with the role of the CSOs elites. Their role in raising and transferring ideas of non-military solution to resolve conflict amidst the fierce fighting on the ground paved the way for the peace process. Then, I move to the discussion about the role of the government elites who sought a peaceful approach for Aceh following the 1998 *Reformasi*. I found that the opportunity for a peaceful settlement for the Aceh conflict was strengthened dramatically when the government elites were able to sustain and develop the idea of a non-military resolution across government, even when the peace process was at the brink of collapse – and even after it did collapse. This chapter concludes with the role of GAM’s civilian elites who introduced a thinking that considered non-military options as being a normal part of GAM’s strategy and made GAM more accessible to outside parties. They developed options other than full independence within GAM years before the 2004 tsunami, which proved to be a final trigger for peace.

6.1 Civil Society Elites: Paving the way for peace ideas

“None wanted peace in Aceh except the civil society,” said Otto Syamsudin Ishak who at that time of Suharto’s collapse was an NGO leader.² This was not an exaggeration, bearing in mind that from May 1998 to the end of 1999 the most prominent parties attempting to find a non-military solution in resolving the Aceh conflict were the civil society elites. With students and NGOs leaders at the forefront of these elite, besides generating ideas to seek immediate therapy for the excessive military’s violence since 1989, the CSOs also had a role in breaking the Acehese silence over these atrocities. The other civil society elites joined in only after student movements and NGOs had the idea to change the situation in Aceh through the revocation of Aceh’s status as *Daerah Operasi Militer* (DOM, Military Operation Zone) and justice for the victims gained widespread attention. The CSOs’ elites continued playing their role when raising the idea of a referendum, which was instrumental in derailing the government and GAM from violence to political

² Otto Syamsuddin Ishak (1), interview with author in Jakarta, 20 February 2013.

solutions. During the period of dialogue, they also had a significant role in transferring peace ideas between parties.

6.1.1 From National '*Reformasi*' to Local '*reformasi*'

The role of the civil society in paving the way for peace in Aceh began when a political discussion forum sparked awareness among university students in late 1997. Taking into account the students' great interest for a change, local NGOs such as CORDOVA (Institute for Civil Society Empowerment) then became involved in organizing political education for student activists outside campus. At the advent of this national reform, like in other parts of Indonesia, activists were deeply engaged in the discourse of democracy, justice, and human rights. Their participation in such discussion forums stirred their early awareness on the need to fight injustice and military oppression in Aceh. Nevertheless, the activists realized that transforming this awareness into resistance would only be effective if the New Order authoritarian regime that gave birth to the military suppression over Aceh was toppled first.³

During the period of the *Reformasi*, a number of students actively involved in the earlier group discussion had managed to establish student movement groups, including SMUR (Student Solidarity for the People), FARMIDIA (Muslim Students Action Front for Reform in Special Region Aceh), and KARMA (Aceh Students Committee for Reform Action). These groups effected their position in Aceh voicing the students' national demands for reform. Following Suharto's fall in May 1998, these students and other pro-democracy movements in Aceh switched from the national agenda to the local agenda and derailed the reformation issue to the Aceh question. For the student movements, the state's political oppression against Aceh using TNI was the first problem to be solved. Therefore, they raised the idea of the revocation of DOM. They put forward two reasons. First, this issue aligned with the students' demand at the national level to revoke the dual function of the military (*cabut dwifungsi ABRI*). Second, the military presence had caused an extremely negative impact on Aceh, as a student leader said, "We wanted to

³ Juanda Djamal, interview with author in Banda Aceh, 30 April 2013.

align with students in Jakarta. But here [in Aceh] there was a specific case, the human rights violation by the military.”⁴

6.1.2 Breaking the Silence

After the fall of Suharto in May 1998, student movements organized a series of demonstrations pressing for the revocation of DOM. They also engaged in advocacy for victims as well as many protest actions and hunger strikes (Aguswandi 2005, 47). The courage of the students engaging in anti-military activities spurred the local NGOs in Aceh to investigate the human rights violations by the military since 1989.⁵ Aceh-based human rights groups such as CORDOVA, *Koalisi NGO-HAM* (Coalition of Human Rights NGOs in Aceh), and *Komisi untuk Orang Hilang dan Korban Tindak Kekerasan Aceh* (Kontras Aceh, The Commission for the Disappeared and Victims of Violence in Aceh) worked closely with national human rights groups such as Kontras Jakarta and *Lembaga Bantuan Hukum* (LBH, Legal Aid Institute) to prepare reports on the human rights situation in Aceh. Hence, from May to July 1998, student anti-military demonstrations and the disclosure of military human rights violations by NGOs became an everyday sight in Aceh.

The opportunity for breaking the government’s silence on human rights violations during DOM was provided when *Forum Peduli HAM* (FP HAM, Human Rights Concerned Forum) initiated bringing two widows from *Bukit Janda* (Widow Hill) to testify in Jakarta during the first week of June. Their testimony made the rampant military violence in Aceh come to light and drew national condemnation.⁶ These revelations forced DPR to form *Tim Pencari Fakta* (TPF, Fact-Finding Team).⁷ Although the team did not release the official result immediately after their investigation, the extensive media reportage during their fieldwork put the military

⁴ A former student leader, interview with author in Banda Aceh, 1 May 2013.

⁵ *Forum Peduli HAM* (FP HAM, Human Rights Concerned Forum), one of the earliest NGO conducting the investigation, found that based on the victim’s reports there were at least 800 human rights violation cases. *Forum LSM Aceh* (Aceh NGO Forum) noted that no less than 2000 people missing (*Gatra*, 8 August 1998).

⁶ They testified at *Markas Besar TNI* (Mabes TNI, TNI Headquarters), *Komisi Nasional HAM* (Komnas HAM, the National Commission of Human Rights), *Yayasan Lembaga Bantuan Hukum Indonesia* (YLBHI, Indonesian Legal Aid Foundation), and *Dewan Perwakilan Rakyat* (DPR, House of Representative). Farida Aryani, interview with author in Banda Aceh, 10 April 2013.

⁷ The TPF undertook field investigation on 20-25 July (*Kompas*, 30 July 1998).

in a position where it could no longer deny the human rights violations during DOM.

In Banda Aceh, the relentless student rallies and the disclosure of many cases of human rights violations eventually succeeded in pushing the local parliament, *Majelis Ulama Indonesia* (MUI, Indonesian Council of Islamic Scholars) Aceh, and the Aceh governor to send a request to the Minister of Defense and Security/Armed Forces Commander General Wiranto and President Habibie to revoke the status of Aceh DOM (Widjanarko and Samboja 1999, 379-387).⁸ As a result of these pressures, Wiranto officially apologized for what had happened and revoked Aceh's status as DOM on 7 August 1998 (*Media Indonesia*, 8 August 1998).

6.1.3 Raising Awareness

The activities of student movements and NGOs leading to the revocation of the DOM created a band wagoning effect. It encouraged the more moderate CSOs elites, such as a number of prominent figures associated with *Taman Iskandar Muda*, to think about non-military solutions for Aceh. After the revocation of DOM, this association established *Komite Solidaritas Hak Asasi Manusia Daerah Istimewa Aceh* (Koshamda, the Solidarity Committee on Human Rights in Special Region Aceh) whose task, among others, were coordinating data collection of victims and cooperating with local governments to prepare plans for social, economic, political, and humanitarian rehabilitation.⁹ The courage of progressive student groups and NGOs in raising the issue of human rights also brought forward the increasing demands of justice for victims, which were also loudly conveyed by politicians and the Acehnese figures in Jakarta. As the Aceh question was discussed openly, a number of public figures, scholars, politicians, and local government officials proposed changes to the situation in Aceh through the idea of reconciliation, *sharia*, and a package of development for Aceh.

⁸ The Chair of the Aceh local parliament, the Chair of MUI Aceh, and the Aceh Governor sent the request respectively on 29 May, 15 June, and 29 July. The local parliament and MUI sent the request to *Menhankam/Pangab* while the Governor addressed it to President Habibie.

⁹ See the statement released by *Pengurus Pusat* (Central Board) Taman Iskandar Muda in Widjanarko and Samboja (1999, 395-399).

Alongside stimulating civil society to think about a peaceful alternative, the students and NGOS activities also forced the Government to think of a non-military solution to the conflict. Although Jakarta might posit various factors as a pretext for policies issued, the pressures from students and NGOs often formed the background of the government's policy. The disclosure of military cruelty by NGOs and students stirred the government to establish a commission and investigation team over human rights abuses by the military. The compensation package for the victims was part of the government's response to the demands of justice for the victims voiced by the progressive students and NGOs with the support from a number of moderate civil society elements. The development packages offered by Habibie and the promise of a special autonomy were the government's reaction to the growing students' resistance to Indonesia.

6.1.4 Derailing Violence to Political Solution

The CSOs played an important role in putting the government and GAM on the peace track when student movements in Aceh proposed a political settlement to the conflict. Disappointed by Jakarta's reluctance to accommodate their ideas to change the situation in Aceh, local student movements were determined to seek a democratic and non-violent solution to change the Aceh-Jakarta relation. For this purpose, they began to campaign for a referendum right after the All-Aceh Student and Youth Congress was held in February 1999 in Banda Aceh. This congress also led to the birth of the Aceh Referendum Information Centre (SIRA).

Since it was raised in February 1999, the referendum proposal had drawn widespread popular support in Aceh. The youth and students excitedly left their colleges to meet with locals and explain the idea of a referendum. The idea of referendum gained more support after HUDA joined in September 1999. HUDA observed that the referendum was a stepping stone to their goal for independence, which they considered a decent "exchange for the Acehnese disgrace."¹⁰

¹⁰ The advisor to the group Syech Marhaban Kruengkale said, "Over 400 scholars from traditional boarding schools in Aceh decided for independence ... We understand how to attenuate speech: from independence to referendum. Why is this? The Acehnese has reached the last option; that is put independence as an exchange for disgrace." Syech Marhaban Kruengkale, interview with *Tempo*, 28 November 1999.

The students' effort in raising the referendum issue was also successful in convincing awareness in GAM to consider political options in their struggle. Initially, GAM rejected any settlement other than independence through international support. GAM was also alarmed that the referendum would challenge the independence discourse. However, after a number of human rights activists approached and convinced GAM's leadership on the ground, including Armed Forces Chief of Commander Abdullah Syafi'ie, GAM acknowledged the students' struggle for referendum. An NGO leader who was in charge of approaching GAM described the process:

We approached Abdullah Syafi'ie and explained that we were also fighting. Because we were in urban area and without a weapon, then a referendum is a political weapon for us. The Referendum was not a target but a political weapon. Since then there was a symbiosis of communication. The referendum became a political force of civil society movements.¹¹

After this approach, there were effectively two resistance groups in Aceh: the armed resistance (GAM) and the civil resistance (CSOs) (Ishak 2004, 73). Considering the advantages of the referendum movement, GAM unofficially gave its support when a coalition of student and youth groups held a public rally for referendum –the biggest in the history of Aceh – on 9 November 1999. The widespread popular support in the rally for a referendum convinced GAM to consider a political settlement besides armed struggle and campaign to gain international support. Therefore, by the end of 1999, the word 'referendum' had a place in GAM's struggle and it became visible all over Aceh (Aguswandi 2005, 47).

Besides convincing GAM to consider a peaceful political solution, the referendum issue also created a chance event that drew Abdurrahman Wahid to consider a peace process through dialogues. Wahid who already expressed his support for referendum in September 1999 attempted to divert this quest. The HDC offer to facilitate a humanitarian dialogue with GAM came at the right time. Besides his strong empathy for humanity, Wahid required dialogue as part of his strategy to curb the referendum demand. Without the CSOs' referendum issue, which stranded

¹¹ Otto Syamsuddin Ishak (1), *op. cit.*

him in a political complication, Wahid would not likely agree to hold a dialogue with GAM in the short term.

6.1.5 Internationalizing the Aceh Question

Not only did the issue of the referendum cause a political difficulty for Wahid domestically but also brought troubles from abroad. The international campaigns of local NGOs about the government's lack of willingness in resolving human rights violations and in accommodating their demand for a referendum pushed Wahid – who had long experience in working with NGOs before rising to power – to address the concern of international NGOs such as the Human Rights Watch, Amnesty International, and the International Crisis Group (Kivimäki and Gorman 2007, 6-8). One of CSOs that provided opportunities for local NGOs bringing the Aceh issue to the global stage and with an eye to gaining a widespread concern among international NGOs and media was the International Forum for Aceh (IFA). Jafar Siddiq Hamzah¹² and some human rights activists from Aceh established this organization upon the request of participants of an international conference on Aceh held at New York University on 12 December 1998 entitled “Years of Living Dangerously: The Struggle for Justice in Aceh, Indonesia Beyond Soeharto.” Sidney Jones (2001) remembered this event as the first ever international gathering to discuss the political dynamics of modern-day Aceh. A number of human rights activists and the Acehnese key figures who spoke at the conference described the state violence in Aceh and fostered international awareness of the rampant human rights violations in Aceh (*Kontras*, 16-22 August 2000, 12).¹³

A few months later, the referendum issue echoed in Washington also came through this forum. In a conference entitled “The Future Integration of Indonesia:

¹² Jafar Siddiq Hamzah was a human rights activist and the founder of the International Forum for Aceh. A student at the New School for Social Research, Jafar had returned to Sumatra to gather evidence of the violence in Aceh. He disappeared in Medan on August 5, 2000. On September 3, his body and four others were found with their hands bound behind their backs by barbed wire (Robinson 2000, 167).

¹³ Besides held meetings, IFA also conducted research, lobbied governments, held protests, and published reports. Its research on EXXON-Mobil was instrumental, as its office is located in the United States, to suppress the corporation. On 29 May 2002, IFA testified to the Board of Directors of EXXON-Mobil regarding the human rights abuses at their plant. IFA also investigated human rights abuses and presented its findings to Congress on several occasions (Barter 2004, 179).

Focus on Aceh” organized by IFA at the American University on 3 April 1999, SMUR’s Secretary General Aguswandi proclaimed that the referendum was a “dignified solution” for Aceh because it was non-violent and conformed with the democratic political process (*Kontras*, 7-13 April 1999, 10).¹⁴ A wider range of Acehnese, from members of the parliament in Jakarta to rival factions within GAM, attended this conference. After this forum, a nonviolent movement for a referendum on Aceh’s political status, led by students, NGOs, and Muslim scholars, was well underway internationally (Jones 2001).

The great concern of the media and the international NGOs, which Wahid would have to face early in his presidency, was related to the role of the Support Committee for Human Rights in Aceh (SCHRA). The participants of the Asian Conference on Aceh organized by IFA and the Asian Forum for Human Rights and Development (FORUM-ASIA) at the YMCA in Bangkok, Thailand, launched this organization on 24 July 1999. The SCHRA was part of a peaceful strategy discussed during the conference in raising awareness of the Aceh situation throughout the world. This network of 19 NGOs and people’s organizations from Aceh, Indonesia, Asia, and Britain was instrumental in bringing the silent tragedy of Aceh to the international community and in drawing media as well as international NGOs to expose the situation in Aceh (IFA 1999). Some local CSOs in Aceh believe that international involvement, such as that offered by HDC to facilitate an informal dialogue between the government and GAM on humanitarian issues, was the result of their tireless campaigns on Aceh’s issues in various international fora (Darmi 2008, 41).

6.1.6 Promoting the Idea of Dialogue

If Wahid made a breakthrough in dialogue with the GAM, the civil society elites also had a role in building the narrative of dialogue. They started this role throughout December 1999 to January 2000 by urging the government and the GAM to consider a more peaceful conduct on the ground. In the end of December

¹⁴ He said, “Students realize that the Acehnese desire for independence must be adopted by non-violence measure. A referendum is the most prudent solution because it is the most secure, most democratic, and more realistic.”

1999, a total of 62 *ulama*, academics, students, NGOs leaders, indigenous leaders, and humanists urged the TNI/Polri and GAM to stop the violence (*Kompas*, 30 December 1999). On 24 January 2000, a statement signed by 18 CSO leaders, among others the Chairman of IFA Jafar Siddiq Hamzah, urged Jakarta to accept the presence of foreign mediators (*Kompas*, 25 January 2000). Three days later, thousands of students in Banda Aceh participated in a rally urging the TNI/Polri and GAM to immediately carry out a ceasefire and start a dialogue for peaceful negotiation (*Kompas*, 28 January 2000).

Before the government and GAM signed the Humanitarian Pause in May 2000, several NGO leaders such as Otto Syamsuddin Ishak and Iqbal Farabi were involved in facilitating the first direct contact between the Indonesian Acting State Secretary Bondan Gunawan and GAM's Armed Forces Chief of Commander Abdullah Syafi'ie.¹⁵ In the meantime, regardless of the arguments for and against, the plan of the more moderate CSOs to organize two internal congresses among the Acehnese (KRA and KMPPMA II) had a role in stretching out the discourse of dialogue and expanding the constituency of dialogue as a process of conflict resolution.

The most remarkable CSO attempt in transferring the idea of dialogue was through IFA. In July 1999, a co-sponsored conference by IFA and Forum Asia in Bangkok resulted in the first meetings between GAM leaders and several Acehnese key figures in the government. Their participation in this conference fostered confidence building which was important in paving the way for dialogue between the two sides and the agreement for a Humanitarian Pause signed by the Government of Indonesia and GAM on 12 May 2000 (Aguswandi 2005, 48). To continue its effort in promoting the dialogue, IFA held another conference on Aceh: "Post Dialogue of 'Joint Understanding on Humanitarian Pause'" on 28 April 2001 at the American University, Washington DC. The panel, including the representative of GAM leadership, Aceh local government, local and international NGOs, and student activists, sought a breakthrough for dialogue post-Humanitarian Pause "in order to end the escalation of violence and the worsening of gross human rights abuses in Aceh" (IFA 2001). All parties attending the conference expressed

¹⁵ Otto Syamsuddin Ishak (1), *op. cit.*

their willingness to establish peace in Aceh based on democratic values and refused resolving conflict using military solutions (Jamil 2001, 15).

From 5 October to 8 October 2001, collaborating with the American University, IFA held the Acehnese “Brotherly Dialogue for a Just Peace in Aceh.” The participants were not only non-governmental leaders and academics but also representatives of the GAM leadership in Sweden and the Deputy Governor of Aceh, Azwar Abubakar (*Kontras*, 24-30 October 2001). As conceded by Abubakar, the peace workshop during the conference was instrumental in “shifting the emotional view about conflict resolution to become a rational one.” It was also important in “reducing the tensions” and then “building mutual understanding.” “During the workshop I knew Zaini Abdullah and only after this he was willing to talk about Aceh with me,” said Abubakar.¹⁶

Besides succeeding in building trust at this conference, the participants also agreed to establish the Acehnese Civil Society Task Force (ACSTF). The ACSTF coordinated civil society involvement in advancing the peace process post-Humanitarian Pause. It focused on building trust and cooperation among diverse groups of Acehnese throughout the dialogue involving *ulama*, academics, businesspersons. Led by respected Muslim leader Imam Syuja’, the ACSTF also attempted to make the peace process at that time more inclusive. However, the results of their efforts to include the civil society in the process as set forth in the COHA were not encouraging.¹⁷ The COHA – signed by the Government of Indonesia and GAM on 9 December 2002 – only recognized the role of civil society in the second stage of the peace settlement, that was in the All Inclusive Dialogue to review the autonomy law (Kivimäki and Gorman 2007, 14).

6.1.7 Giving the Peace Process a Chance at the Ground Level

As peace-making efforts had been underway since 2002, on the ground the demands for civil society participation continued to rise. The CSOs’ large network in the field leading to the implementation of the dialogue’s results much depended on

¹⁶ Azwar Abubakar’s address before the Deep South Groups from Thailand in Jakarta, 28 February 2013.

¹⁷ Imam Syuja’, interview with author in Banda Aceh, 1 May 2013.

CSOs elite, either those who sided with GAM (generally NGOs and student activists) or those who were with the government (mostly academics and intellectuals). Along with assisting parties in the implementation of dialogue and monitoring its implementation, the CSOs also had a role in preparing the community to adopt a more pro-peace orientation.

The CSOs were actively involved in giving peace a chance at ground since the Joint Understanding on a Humanitarian Pause for Aceh (JoU), June 2000-January 2001. Activists, representing either the government or GAM, sat together in formal groups established under the JoU namely the Joint Committee for Humanitarian Action (JCHA), the Joint Committee for Security Capital (JCSC), and Monitoring Teams established for each committee. The JCHA's main duty to distribute emergency aid to refugees, benefited from NGO humanitarian volunteer networks, such as the People's Crisis Center (PCC).¹⁸ The JCSC's task to ensure that no military offensive occurred during the Pause was also supported by the NGO human rights monitoring network. In addition, the independent monitoring mission received valuable inputs from CSOs' network at ground.¹⁹

In order to build momentum for peace talks and maintain local trust for the peace process, CSOs facilitated many open discussions on less sensitive issues focusing on humanitarian issues and the termination of violence. They avoided talking about the sensitive issue of "independence versus unified national integrity" because it would have increased tension and weakened trust in the process. CSOs also had a significant role in building trust with the institution facilitating the peace process when many Acehnese expressed concerns about the HDC's capacity in managing the process. They encouraged people to accept the HDC's mediation by arguing on various occasions that even though the HDC might look like a small NGO, the process was supported by important international players including the Japanese government, the European Union, and the World Bank (Darmi 2008, 40).

The ACSTF managed to make important contributions in giving the peace process a chance. The deadlock in dialogue due to GAM's reluctance to sign the

¹⁸ PCC was established in 1999 and worked to assist and train internally displaced people to rebuild economic livelihoods, health facilities, and education systems, all of which had been eroded by the armed conflict (Aguswandi 2005, 48).

¹⁹ Otto Syamsuddin Ishak (1), *op. cit.*

COHA eventually was resolved after six civilian Aceh community leaders led by Imam Syuja' met directly with Hasan Tiro in Geneva.²⁰ They convinced GAM's top leaders that the peace process was the best way to end the tremendous suffering of the Acehnese. After this meeting, GAM having initially refused to sign the COHA, finally softened its stance and asked for a month to observe the government's good faith before signing it (*Kontras*, 6-12 November 2002, 5). Based on the change in GAM's stance, Imam Syuja' who was seen as neutral by the government and had a good relationship with Coordinating Minister of Politics, Social, and Security Susilo Bambang Yudhoyono, sent a request to Jakarta to spare more time for GAM to think. Amidst the intense military pressure to thwart the peace process, he advised the government to maintain the process.²¹

The CSOs' participation in the implementation of the COHA was the culmination of their role in the peace process. Under martial law, the military offensive resulted in the collapse of civil space. It was not just GAM, but students, activists, human rights defenders and community leaders became the prime target of intimidation, arrest, and kidnap. During martial law, the military classified any opponent to government policies as a potential rebel and thus an enemy of the state. Hence, the government put SIRA, Kontras, SMUR, and many student and NGO movements as GAM-sympathisers (Aguswandi 2005, 50). Internally, the CSOs, which had been split into moderate and progressive, suffered deeper division following some elites' decision to side with one party, either the government or GAM (Ishak 2005, 130-131). This ravaged the situation and later caused the CSOs to be powerless to engage deeply when the peace process resumed in 2005.

6.2 Government Elites: Transmitting peace ideas across governments

Whereas the civil society elites had a significant role in paving the way for the peace process, a factor that led the conflict toward the peace process was the role of

²⁰ The six civil society key figures invited by HDC to meet with GAM leadership on 29-30 October 2002 were Tgk. Imam Syuja', Dr Muhammad Isa Sulaiman, Prof Dr Hakim Nyak Pha, Prof Alyasa' Abubakar MA, Dr Daniel Djuned, and Dr Muslim Ibrahim MA (*Kontras*, 6-12 November 2002, 4).

²¹ Imam Syuja', *op. cit.*

government elites in transmitting the idea of non-military resolution cross-government. This effort began during Habibie's administration with new ideas to find a political solution and when Abdurrahman Wahid later took the dramatic step of holding a dialogue with GAM, some of these elites were able to continue developing these efforts. Their role as 'peace dream keepers' sustained even when the peace process was at the brink and when it eventually collapsed under Megawati's government. Later, a peaceful settlement was inevitable when these dream keepers became the top decision-makers in the government.

6.2.1 Initiating a Paradigm Shift in Managing Conflict

When President Habibie rose to power, he realised that he could not resist popular pressure for a more democratic political system (Habibie 2006, 47-49). Hence, amidst the political mess following Suharto's resignation, he attempted to build a transitional government that respected democracy. Besides being crucial in gaining domestic public support, a democratic government was also important in restoring international trust. However, Habibie realized that in promoting the democracy he could not simply rely on his "rainbow cabinet." Some cabinet members were new and lacked experience while some established members were losing public trust. Thus, in formulating government policy and response, he depended on his inner circle.

Habibie had a group of advisers (most of them academics) who worked with him for a long time. He brought this team to the Office of Vice President Secretariat when he served as a vice president. According to one of his closest aides, they actively gave input to Habibie and in dealing with a number of conflicts they convinced him that his government should adopt democratic principles in managing conflicts. Hence, under Habibie, the government sought a peaceful, stable, and prosperous Indonesia, and no longer considered the state above the society.²² This

²² This effort resulted in a change of the way of government determined solutions for conflict. This new way of thinking completely different to New Order approach which emphasized security, stability, harmony. If the old approach considered differences as an act against the state's power and therefore should be crushed, in the new paradigm there was a growing understanding that dissatisfaction was not simply public flaws. Inapt policies might cause discontent and the government, instead of repressing, should deal with and resolve it. Dewi Fortuna Anwar, interview with author in Jakarta, 27 February 2013.

paradigm shift also led to the emergence of a softer government approach and non-military solutions in managing conflicts.

General Wiranto's apology for military violence in the past and his decision to revoke Aceh's status as DOM on 7 August 1998 could be deemed as a consequence of this paradigm shift. As he mentioned in his memoir, he conveyed this apology to President Habibie as part of "a set of ideas in search for a solution for Aceh" (Wiranto 2003, 84). However, in his position as Armed Forces Commander, this decision was likely also as a consequence of self-transformation in Indonesia Armed Forces.²³ The apology came almost simultaneously with the adoption of the military's "New Paradigm" – developing under the auspices of one of "thinking generals" Lieutenant General Susilo Bambang Yudhoyono²⁴ – which was first announced in August 1998 (Rabasa and Haseman 2002, 25-26). Yudhoyono most likely had a significant role in this case. Being the *Kepala Staf Sosial dan Politik* (Kassospol, Chief of Staff for Social and Political Affairs) who led internal changes and the highest figure responsible for providing advice to the Commander, the apology was likely to have been suggested by Yudhoyono or, at least, being an institutional decision, it would never have been executed without his involvement.

This apology was a significant marker of the long road to peace in Aceh. Besides being the earliest governmental concern over Aceh in post-New Order era,

²³ The military internal reform had been discussed quietly among high-ranking military officer before the Soeharto's government collapsed. More intense discussions were held after Susilo Bambang Yudhoyono served as *Kepala Staf Sosial dan Politik* (Kassospol, Chief of Staff for Social and Political Affairs) in 1998. The need for internal reform appeared after the May reformation, the period when *Angkatan Bersenjata Republik Indonesia* (the Armed Forces of the Republic of Indonesia) was blasphemed extremely being perceived as anti-democratic forces. Armed Forces Commander General Wiranto ordered Yudhoyono to organize a preparatory meeting of the TNI internal reform to support democratization in Indonesia. As the result, in June 1998, Yudhoyono published a reform proposal that declared ABRI's commitment to democratic reforms. See discussion about this in Mietzner (2009) in particular chapter 5; Mietzner (2006, 6-15); Crouch (2010, 178-179).

²⁴ These Generals including Lieutenant General Susilo Bambang Yudhoyono (Chief of Staff for Social and Political Affairs), Major General Agus Wirahadi Kusuma (Expert Adviser on Politics and Security to the Armed Forces Commander-in-Chief), and Major General Agus Widjojo (Assistant for General Planning to the Armed Forces Commander-in-Chief). They were leading intellectuals who were keen to develop Indonesia military in a democracy era through internal reform and repositioning military and civilian-military relations. These Generals considered that in dealing with civilians, the military could no longer emphasize the security approach and the use of violence. The dialogue was not a weakness and it should be placed in priority. This attitude contrasted with the old approach that considered negotiation or talking with the enemy was taboo and a sign of weakness. Dewi Fortuna Anwar, *op. cit.*

this apology also derailed the conflict in Aceh from a security concerns which legitimated state's violence in the past to a new concern for human rights. Criticism to the government from academics, NGOs, and the media became possible after this apology and subsequently raised broader public awareness about the Aceh conflict. Inside government, this apology was seen as the onset of Yudhoyono's role to resolve Aceh's continuing conflict, but which eventually concluded when he was in power as President.

6.2.2 Institutionalizing Conflict Management Processes

The state's apology as expressed by Wiranto was the first time in the history of the republic. The government elites hoped that this apology would appease the Acehnese, convince them to suspend their armed resistance, and draw them into a reconciliation process. However, another demand immediately surfaced following this apology: human rights investigation. After the investigation by DPR, Komnas HAM, and some local NGOs, there was a public outcry for the establishment of a human rights court.

Habibie, who did not have enough power to force the military to accept the Acehnese demands, attempted to find a solution by involving community leaders and key figures in Aceh. Habibie's issued *Keputusan Presiden* (Kepres, Presidential Decree) No. 74/M and No. 97/M establishing Presidential Advisory Team for Aceh Affairs. The government assigned this team – which consisted of 12 members and was led by Usman Hasan – to find the root cause of the conflict and give feedback to the president on how to resolve it (*Kontras*, 24-30 March 1999, 14). During its term, the team proposed a number of measures to the government in order to win the hearts and mind of the Acehnese.

Habibie finally responded to the Acehnese demand a for human rights investigation a few months later. The brutal mass killings on 23 July 1999, when the military massacred 57 students and their teacher Tengku Bantaqiah at Beuteng Ateuh, forced him to issue Presidential Decree No. 88/1999 which led to the establishment of *Komisi Independen Pengusutan Tindak Kekerasan di Aceh* (KIPTKA, Independent Commission of Investigation for Act of Violence in Aceh).

The commission members comprised national and local figures nominated by Komnas HAM and local government.²⁵

KIPTKA maintained its role throughout Habibie's term and Wahid's presidency. However, due to military resistance, the government failed to completely implement its recommendation.²⁶ The Presidential Advisory Team ended in the Habibie government. Following the dialogue between Jakarta and the GAM which commenced in January 2000, Wahid considered that it was no longer important. He issued Presidential Decree No. 75/2000 to establish a more formal organization namely *Tim Terpadu Penyelesaian Masalah Aceh* (TTPMA, Integrated Team for Resolving Conflict in Aceh). This team consisted of high-level ministerial officials whose duties were related to politics and security. The Coordinating Minister of Political and Security Affairs Susilo Bambang Yudhoyono served as the Chairman.²⁷

The establishment of the Commission of Investigation and two teams during Habibie and Wahid government had a significant role for managing the conflict in Aceh. Through these teams, the government officially institutionalized the conflict management process. Further, besides demonstrating the government's concern to resolve the Aceh conflict peacefully, these teams also had a strategic importance as a medium for the pro-peace top governmental officials to continue voicing their stance within the government.

²⁵ See the list of commissioners on the annex of Presidential Decree No. 88/1999 regarding the establishment of Independent Commission of Investigation for Act of Violence in Aceh.

²⁶ KIPTKA established by Habibie following this incident executed its duties properly but Habibie's government failed to carry out a fair trial of the military officers who were most responsible. It was after this the resistance against Jakarta and support for independence among the Acehnese civil society groups grew stronger, especially among university students and NGOs (Jemadu 2004, 324)

²⁷ The establishment of this team was to ensure a coordinated and integrated process among ministers or non-departmental leaders and other agencies in achieving conflict resolution. In contrast to previous team during Habibie's term that only had a role to give feedback and advice, this Integrated Team was in charge of assisting the President in formulating the framework of conflict resolution between the Acehnese and the government and building the sustained reconciliation. See the text of Presidential Decree No. 75/2000 on the establishment of Integrated Team for Resolving Conflict in Aceh.

6.2.3 Raising a Conciliatory Approach

Based on the advice of the Presidential Advisory Team for Aceh Affairs, Habibie introduced a conciliatory approach in a number of socio-economic initiatives. The initiatives included: visiting Aceh and officially apologizing for the government's failure in the past; offering amnesty and rehabilitation to GAM's loyalists being detained and those decided by the courts; providing compensation and assistance for special education for the victims of violence and their relatives; enhancing economic development in Aceh to close the gap of the province to others by providing greater financial sharing derived from natural resources, such as gas, petroleum, forest, and sea; upholding Aceh's "three privileges" in matters of *sharia*, education, and culture or customs (Nurhasim et al. 2004, 50-52).²⁸

Though the Habibie government only lasted for a short time, he carried out the majority of the proposed measures while some were still at the stage of implementation. The one left was the prosecution of the perpetrators of human rights violations, although the investigation had occurred. The military resistance during Habibie's administration prevented the government from acting as a unitary driver towards conflict resolution. While Habibie favoured a more conciliatory approach to win the hearts and minds of the Acehnese, the Indonesian military continued to rely on their traditional practice of destroying any Acehnese who did not side with the government. Besides intensifying the use of force, the military refused to bring the perpetrators of past human rights violations to justice (Jemadu 2004, 324).

6.2.4 Preparing for a Political Solution

Habibie's government was very aware of the New Order mistakes in addressing problems in Aceh. In this circumstance, his inner circle aides in the Office of Vice President Secretariat intensively discussed a more strategic policy to ease regional unrest including Aceh.²⁹ They initiated a new policy to grant autonomy for all

²⁸ In order to uphold the "three privileges" as stipulated in Law No. 24/1956 on the Establishment of Province Special Region of Aceh, the Habibie's administration issued Law No. 44/1999 on the Implementation of the Privileges of Special Region Aceh Province.

²⁹ This advisory group, that led by Jimly Asshidiqi, worked as a think tank to formulate a more comprehensive policy. Jimly was the Vice President's Assistant during Habibie's

regional governments, later issued as laws in Wahid's presidency. The autonomy laws, aimed to prevent national disintegration by decentralizing extensive political, administrative and economic powers to district governments, were Law No. 22/1999 on Regional Government and Law No. 25/1999 on Fiscal Balance between the Central Government and the Regions. With all the measures that had been taken and the offer of autonomy, the government elites expected to gain sympathy of the Acehnese and derail the violence to peace. Within the government there was a strong perception that the GAM interests differed from the interests of Acehnese in general. Once the government had captured public sympathy, it would be easy to isolate GAM.³⁰ However, in fact, this was never to happen.

Regardless of this failure, the elites who worked behind and supported Habibie had successfully pushed the government into formulating a variety of creative measures to resolve the Aceh problem. These measures turned the government's policy toward non-violent options. Although they had not succeeded in stopping the ongoing repressive military action, their initiatives had shaped a new perception that the government in the reform era had taken a different approach to Aceh. The government had been more open in discussing the Aceh problem. Hence, it was not surprising that in August 1999 the government confirmed its approval to seek a political solution, not a military solution. Jakarta would implement this political solution through two processes: consultation and dialogue with all parties in Aceh and through the application of justice (*Kompas*, 3 August 1999).

6.2.5 Engaging the Government in the Peace Process

The transitional elite under President Habibie had a role in building a preparatory phase for political solutions. They introduced a peaceful approach to resolve conflict and attempted to achieve peace by drawing the Acehnese into a larger national democratic process. Unfortunately, Habibie could not exercise an effective control over the military, which limited his progress. The question of legitimacy as a transitional government also meant his administration could not negotiate face to

administration. Besides Jimly, among the team's members were La Ode Kamaluddin, Watik Pratiknya, and Sofyan Effendi. Dewi Fortuna Anwar, *op. cit.*

³⁰ *Ibid.*

face with the separatists because it was considered a violation of the constitution (Habibie 2006, 134).

Amidst all these constraints, the road to a peace process still emerged with the support of the government elites. It became possible when the People's Consultative Assembly elected Abdurrahman Wahid as President in October 1999. In January 2000, Wahid valiantly initiated a dialogue with GAM facilitated by the HDC. Besides having a great concern for humanitarian issues, Wahid's assertiveness was masking the fact he required an alternative peaceful resolution to ensure that the Acehnese demand for a referendum was diverted. Wahid also needed a distraction to reduce pressure from the national and international NGOs that had joined in to voice the Acehnese demand (Kivimäki and Gorman 2007, 6-8).³¹ For this objective, giving a space for dialogue with GAM would send an impression that Jakarta was seriously seeking a peaceful solution for Aceh. The dialogue was expected to slow and redirect the bustling referendum demand by the CSOs. In addition to this personal stance, Wahid agreed to work with the HDC because, at the time, the HDC was a small and new non-government agency. These characteristics suited Wahid's criteria as he attempted to avoid an international action that could put the GAM on the same level with the government.³²

Unfortunately, Wahid's initiative for dialogue came precisely at the time when the military was in no mood to lose Aceh and was in fact planning to relaunch a large-scale military solution. Hence, this decision was more to do with his personal tactical manoeuvring between opposing demands of the CSOs and the military. It also served his short-term survival efforts rather than long-term planning to establish peace in Aceh (Barton 2002, 292). Nevertheless, his decision had a strategic consequence that affected the whole process of resolving conflict in Aceh. It caused the government to not depart from this level of the peace process. For its

³¹ At the national level he needed to ease the pressure from his long time partner in national human rights struggle such as in Komnas HAM and Imparsial, and the strong demand from local CSOs in Aceh. Whilst at the international level, he had to address the pressures from international NGO such as the Human Rights Watch, Amnesty International, and International Crisis Group.

³² Gus Dur felt much more comfortable with an international NGO such as HDC rather than with countries such as Japan that actively promoted peace in Aceh or Finland that had been approached by the GAM splinter group (MP GAM) led by Husaini Hasan. For this criterion, HDC agreed to maintain a very low profile and stick to its role as a facilitator not as mediator (Kivimäki and Gorman 2007, 8-9).

opponents the choice was only restraining its progress, whereas for its supporters this was an opportunity to enhance the peace process.

6.2.6 Keeping the Light for Peace Dimmed Inside the Government

As noted previously, during the Wahid's presidency the government established TPPMA on 31 May 2000. The central figure in this team was the Coordinating Minister for Political, Social, and Security Affairs Susilo Bambang Yudhoyono. For Yudhoyono, this role was in line with his old desire, that he could contribute to the effort to resolve Aceh conflict peacefully (Hisyam 2004, 587). After the Humanitarian Pause I (2 June-2 September 2000), under his auspice the government reached two other agreements: the Humanitarian Pause 2 (3 September-2 October 2000) and the Moratorium (16 January-10 February 2001). Although after Wahid's impeachment the TPPMA disappeared, Yudhoyono remained a major figure in managing the Aceh conflict.

In the beginning of her administration, Megawati sought to retain the peace process under Yudhoyono's supervision. Her government even gave greater support by allowing the Office of Coordinating Minister for Political and Security Affairs to establish Aceh Desk. As mandated by the Special Presidential Directive No. 7/2001 and No. 1/2002, this task force had a role in providing information to support policy formulation and day to day responses.³³ With the support of Aceh Desk and a number of other departments, Yudhoyono gradually found the direction to embody a peaceful solution for Aceh as well as to support the delegation of Indonesia to negotiate it with GAM. As a result, the culmination of this process in COHA (9 December 2002-18 May 2003) seemed to bring a lasting solution to the Aceh conflict.

Unfortunately, many of political elites in *Partai Demokrasi Indonesia Perjuangan* (PDI-P, Indonesian Democratic Party-Struggle) and military top leaders such as Ryamizard Ryacudu and Bibit Waluyo considered Yudhoyono's centrality in governmental affairs as mixed with his personal ambition to run for the

³³ See the text of President Instruction No. 7/2001 on Comprehensive Measures to Resolve Conflict in Aceh and No. 1/2002 on the Acceleration of Comprehensive Measures to Enhance the Resolution of Conflict in Aceh.

presidency in the next election. They thought that Yudhoyono, as a minister during both Wahid and Megawati's presidency, was taking an advantage of his roles to build an image as a "key figure in the day to day government, intra elite negotiation, and media based policy discourse" (Mietzner 2009, 238).³⁴ His central role in leading the peace process with GAM was not immune from this suspicion. His political opponents thought that the ongoing peace process would become an excellent political stage for him to capture domestic and international sympathy as the future Indonesia leader. His success in resolving Aceh's conflict through a peace process which was underway, would make his image much better than the stock of self-interested politicians and other military ultra-nationalist figures.

Regardless of the validity of this perception, the context of intra-elite competition gave a serious consequence to the peace process. Megawati, who had been monitoring Yudhoyono's ambition since 2002, started curbing his efforts (Mietzner 2009, 239). She let the military ravage the implementation of the peace process results agreed to by the government and GAM. She also sought to isolate Yudhoyono from strategic government affairs, including not allowing him to become a hero of the Aceh peace process (Ombara 2007, 139-140). Yudhoyono later avoided being seen opposing Megawati and the nationalist camp in her government. Hence, he became the man behind the Special Presidential Directive No. 1/2002 on the Comprehensive Measures to Enhance the Resolution of Conflict in Aceh that allowed a security crackdown on the selected armed separatist movement. He also prepared the contingency plan to anticipate the collapse of COHA and when the negotiation to save it failed, Yudhoyono himself announced the end of the COHA and the enactment of martial law as its consequence (Hisyam 2004, 590-591).

Despite the failure of the peace process, the institutionalization of the conflict management process at the hand of the team (as mandated by Presidential Decree No. 75/2000, Special Presidential Directive No. 7/2001 and No. 1/2002) was very strategic for peace preservation inside the government. Such a team allowed the peace dream keepers in the government, like Yudhoyono or earlier

³⁴ Marcus Mietzner gives a detail explanation on this intra-elite competition. See Mietzner (2009, 237-239).

negotiators such as Ambassador Hassan Wirajuda (then Foreign Affairs Minister), to carry on the idea of peaceful settlement from one government to the next. As the team and Yudhoyono worked closely with many members of the government elites, the perceived importance of a peaceful settlement was becoming more widely accepted within the government. This social process was critical in building a larger peace constituency within the government including those in the departments³⁵, the government's delegates, local government, and even members of parliament.

6.2.7 Seeking Alternative Departure Points for the Peace Process

Wahid's initiative to hold a dialogue with GAM and Yudhoyono's attempts to secure it during Megawati's presidency finally collapsed with the failure of COHA. Only after COHA collapsed did it come to light that the effort to derail the peace process had been a measure to stop Yudhoyono taking advantage of it. Not long after martial law came into force, Megawati instead sought alternatives to resolve the conflict in Aceh, but, this time she assigned Jusuf Kalla (Husain 2007, 3).

Kalla, who later became an important figure behind the success of the Helsinki talks, had been familiar with the Aceh problem.³⁶ His position as Coordinating Minister of People's Welfare required him to directly engage in this restive area to carry out the relief and social rehabilitation.³⁷ As he learned that one of the major failures of the previous dialogues was that Jakarta and GAM never established trust from the beginning through to the end, Kalla secretly sent his long

³⁵ Such as the Department of Foreign Affairs, Department of Home Affairs, Department of Defense, Office of Coordinating Minister of Political and Security Affairs, and Office of Coordinating Minister of People's Welfare.

³⁶ In May 2002, Jusuf Kalla, as Coordinating Minister for People's Welfare, had worked to negotiate a peace with GAM, based on the idea of economic compensation from the government for Aceh in which GAM would share. This second negotiating track collapsed in March 2003 because Sofyan Ibrahim Tiba, Aceh-based GAM's negotiator who had gone to Malaysia to meet Kalla, had no authority from the leadership in Sweden to negotiate. See *Tempo*, 27 April 2003.

³⁷ Kalla faced two difficulties when seeking out an alternative to resolve the conflict. He realized that even if the previous peace process failed, the government could no longer degrade the process lower than the dialogue. See his thoughts as quoted in *Kompas* (4 June 2005). Besides paving the way to rebuild the trust of GAM to return to negotiating table, he needed to be able to offer a substantial peace that GAM would accept to stop its armed struggle. Kalla also understood three things: the root of conflict in Aceh was injustice, not an ideology; direct communication with the GAM would likely guarantee success in resolving the conflict; and the conflict resolution must be dignified and equitable (Husain 2007, 3). The first and third respectively was the idea about the cause and the resolution. The second was the process. With regard to the process, Kalla started an informal approach to bring GAM back to negotiating table.

friend in brokering peace for Ambon and Poso, Farid Husain, to pave the way to meet with the GAM leadership in Sweden with one clear purpose: regain their trust.³⁸ Kalla understood that the peace process would be sustained if it was based on building trust first.

Farid began this effort throughout June 2003 to March 2004. Despite the fact that Farid managed to meet with several figures close to GAM and to bring Kalla to meet with some of them, the effort to meet with the key leaders in Sweden failed. Besides GAM leaders were still traumatized by the failure of the COHA,³⁹ the reason for this failure was that Farid ignored GAM's representatives in Malaysia who had a role as "intermediary" and "gatekeeper" for any communication from ground to Sweden.⁴⁰ The only significant achievement at this stage was by Juha Christensen. Despite failing to broker a meeting with GAM's key leaders, Juha unexpectedly managed to bring Farid to meet with Martti Ahtisaari. Later, Martti became the mediator of the peace negotiations between the government of Indonesia and GAM (Husain 2007, 36-64). As the campaign period and elections in 2004 were coming, and Kalla was paired as Yudhoyono's candidate for vice president, the intensity of Kalla's lobbying toward GAM decreased.

The election result put Yudhoyono and Kalla as president and vice president respectively. Even before the presidential inauguration, Kalla resumed his efforts to approach GAM. His team met secretly with GAM's commanders in Aceh and Malaysia several times.⁴¹ After the meetings in Jakarta and Batam, in the last meeting in Kuala Lumpur, Malaysia, the participants agreed on nine points of concession offered by the government if GAM accepted it and was ready to lay

³⁸ Jusuf Kalla, interview with author in Jakarta, 22 March 2013.

³⁹ A former activist of GAM in Sweden, interview with author in Banda Aceh, 29 April 2013.

⁴⁰ Anyone who wanted to meet the leadership in Sweden must get a clearance from GAM's leaders in Malaysia. In order to protect the leadership in Sweden, GAM had a rule that there would be no communication with parties outside the organization without the approval of the whole group. A negotiator of GAM for Helsinki Round (1), interview with author in Banda Aceh, 10 April 2013.

⁴¹ The first meeting with some of GAM's key members was in Jakarta facilitated by Aceh Governor Abdullah Puteh. At this occasion, the participants brainstormed about how to solve problems in Aceh. The meeting continued in Batam and Jusuf Kalla was present. The number of participants increased with the presence of GAM's key members from Malaysia and Aceh. The meeting resulted in a number of points of agreement. Sofyan Djalil, interview with author in Jakarta, 16 March 2013; Syarifuddin Tippe, interview with author in Jakarta, 22 March 2013.

down their weapon.⁴² Jakarta expected that if GAM's Armed Forces Commander Muzakir Manaf accepted this MoU, the problem would resolve. However, in his reply to Kalla, Muzakir refused it and advised Kalla to get in touch with the GAM's leadership in Sweden. This revealed to Kalla that GAM's military faction was ready for peaceful solution, but the decision needed to come from the highest leadership in Sweden. It was also a clear message that an approach to negotiation through co-optation or split of GAM would not be workable (Aspinall 2005, 17-18).

The initiative to co-opt GAM's commanders failed at home. But, in the same month, optimistic news came from Juha Christensen who had succeeded in convincing GAM's leaders in Sweden that the government was serious in holding new peace talks (Husain 2007, 72). Both sides then carried out a number of further explorations. A new talk became closer after Kalla endorsed Ahtisaari as a mediator on 23 December 2004. On the same day, Juha received a positive signal from Malik Mahmud on Ahtisaari's role. The next day, Juha sent the preliminary invitation for both parties to meet at the end of January 2005 upon the condition that GAM accepted Ahtisaari's role as a mediator in a meeting planned on 8 January 2005. This meant that a "conditional agreement" had been reached by GAM and the government before the devastating tsunami hit Aceh on 26 December 2004 (Husain 2007, 74-75). Therefore, based on all these efforts, even without the tsunami, Jakarta and GAM have potentially returned to the talks.

6.2.8 Making a Safe Take Off and Landing for Peace

Following an exhausting process in approaching GAM, the government and GAM finally returned to the negotiating table in Helsinki in January 2005. After a long debate about the content of the peace deal and barely experiencing a deadlock, both sides eventually managed to put an end to the long conflict in Aceh by signing the MoU in Helsinki in August 2005. The world applauded this achievement as well as the role of the negotiators from both sides and Martti Ahtisaari as the mediator.

⁴² The document signed in Kuala Lumpur, dated 31 October 2004. It has a title "Points of Understanding between the Negotiators of Government and GAM" and signed by Hamid Awaluddin, Sofyan Djalil, Syarifuddin Tippe, Abdullah Puteh, Rusli Bintang, M. Daud Syah, and Harun Yusuf. Except point one stressing that the special autonomy law of must be implemented consistently, the other points are economic concessions (ICG 2005a, 2-3).

However, it is important to bear in mind that the negotiation would have continued swiftly to the end because behind the scenes, Kalla and the team, including Yudhoyono and his inner circles, prepared a safe runway for the peace process to take-off and landing.

Kalla played two roles at once during the process. While he attempted to secure the negotiation outside Indonesia from inside, he was also preparing a secure landing inside once the negotiation outside reached a peace deal. For this purpose, besides instructing the negotiator to keep confidential any results of the negotiation process, Kalla also actively lobbied anyone opposing the process, especially the civilian leaders including the politicians in DPR and some key political leaders. His eloquence in preparing the right answers helped him neutralize the negative opinions of those opposed. For example, as he well understood that the opposing politicians from PDI-P were very loyal to the party's leader Megawati, Kalla assured them that the ongoing peace process was to meet the Megawati's promise to the Acehnese that she would no longer shed tears and blood in Aceh. In various events where civilian or military leaders were present, Kalla tirelessly attempted to convince them that after the tsunami, the process of recovering Aceh would not be possible without stopping the war first.⁴³ Kalla's persistence in preparing a safe landing for the peace process reached its peak just a few days before the MoU signing. The Government and DPR held many consultation meetings with the final meeting lasting for 5.5 hours. The result was overwhelming relief because DPR finally endorsed the government's efforts to resolve the conflict in Aceh (Lebang 2006, 24-25).

While Kalla exerted all his capabilities to confront the civilian leaders opposing the peace talks, Yudhoyono was instrumental in changing the attitude of the military. Yudhoyono and his inner circle from top military leaders exerted their authority to navigate TNI that strongly opposed granting GAM any concession.⁴⁴ In order to ensure that TNI supported the negotiation outcomes, in his last meeting

⁴³ Jusuf Kalla, *op cit.* Megawati expressed this promise on 29 July 1999 in her first political speech after PDI-P became the winning party in the 1999 election (*Media Indonesia*, 30 July 1999).

⁴⁴ It is also worth noting that Yudhoyono could navigate TNI because under the Megawati presidency Laws No. 3/2002 and No. 34/2004 – which provided the basis for the restructuring of civil-military relations – were already passed by Parliament. This provided a legal basis for President Yudhoyono to exercise greater control over the military (Sukma 2012, 14).

with the negotiators, Yudhoyono as the Supreme Commander of the Indonesian Armed Forces firmly instructed TNI Commander-in-Chief General Endriartono Sutarto that TNI must be subject to the government's political decisions to resolve the Aceh conflict (Awaludin 2008, 257-259). As a follow-up to this directive, General Endriartono, who had previously been briefed directly by Kalla about the details of the Helsinki talks and indeed had always been involved in the discussion before and after each stage of the process, then summoned TNI high-ranked officers who were in strategic positions. He explained the ongoing negotiations and reiterated that TNI must support it.⁴⁵ After this briefing, although there were some who disagreed, TNI officially declared its readiness to secure the results of the negotiation in Helsinki (*Kompas*, 19 July 2005).

6.3 GAM's Civilian Elites: Ripening peace ideas inside elite circles

GAM's passiveness amidst the CSOs' efforts to promote a peaceful solution and the government's initiatives has raised questions about its sincerity to resolve the conflict in Aceh. A superficial reading of its inaction suggests that GAM leaders just took advantages of the civil society' and the government's initiatives, and never seriously sought peace in Aceh; in fact, some of GAM leaders were actively seeking a peaceful solution for Aceh. Their support for the CSOs' call for a political settlement, and also GAM's willingness to participate in the 2000 peace process, were a turning point in the building of peace ideas on GAM side; it prompted a fundamental shift in GAM's approach to the conflict.

The change took place almost simultaneously with the increased presence and activity of civilian elements in GAM, which was surely not a coincidence. Rather, it is suggestive that the rise of civilian leaders affected GAM's support for a political solution and fostered willingness to join in a dialogue with the government.

Since 1998, civilian elements had joined GAM in two phases. The first phase of entry was spontaneous. In the second phase, GAM actively recruited civilians. The first preceded the 2000 peace process. The disclosure of human rights

⁴⁵ Jusuf Kalla, *op. cit.*; Endriartono Sutarto, interview with author in Jakarta, 21 March 2013.

violations during DOM and the violence that continued thereafter caused a widespread loss of faith in the new government, and so many ordinary Acehnese flocked to join GAM as the only viable vehicle for change.⁴⁶ Those who joined in this wave were relatives of GAM leaders who had been detained, student activists, community leaders, urban intellectuals, and civil servants.⁴⁷ The majority of them maintained their profile as civilians, but some decided to join as combatants. Apart from being driven by discontent and frustration, some civilians joined GAM because they were simply attracted to the ideals of GAM and found its self-promotional messages appealing.⁴⁸ They also considered that throwing in their lot with GAM's struggle was a much clearer path than engaging in legal Indonesia politics, which had been characterised by domestic turmoil since the May 1998 reform.

The second phase of civilian entry into GAM started in 2000, when GAM began seeking out and recruiting key civilian figures. GAM leadership in Sweden did this to strengthen the ranks of civilians. Part of their purpose was to build a GAM version of civilian government that could replace the local government in Aceh (Ishak 2004, 71-72). However, the leaders in Sweden also wanted the civilian figures to assist GAM secure its interests at the negotiating table as well as in the implementation of its outcomes. To fill particular positions, *Meuntroe Neugara* (Minister of State) Malik Mahmud himself carried out the recruitment. One of the GAM negotiators who used to be a student activist said that Malik spoke directly to him via telephone. In this private conversation, Malik asked him directly to participate in seeking a settlement of the Aceh conflict by joining GAM as a negotiator.⁴⁹

Besides the recruitment drive, some key civilian figures, in particular some CSO leaders, felt compelled to join GAM due to the circumstance they faced. Since

⁴⁶ A negotiator of GAM for COHA (1), interview with author in Banda Aceh, 8 April 2013.

⁴⁷ One of GAM negotiators, for example, was a former leader of *Pemuda Pancasila* (Youth for *Pancasila* [state ideology]). He chose to join GAM because he disappointed having witnessed a number of security authorities persecute the Acehnese. *Ibid.* Regarding the local politicians, civil servants, and urban intellectuals who joined GAM see *Tempo*'s report (13 July 2003) entitled "*Meringkus GAM Kantoran*". Barter (2004, 2014) provides more detail about this issue in his analysis on civilians' strategy in Aceh during conflict.

⁴⁸ A former activist of GAM in Sweden, *op. cit.*

⁴⁹ A negotiator of GAM for COHA (3), interview with author in Banda Aceh, 27 April 2013.

its outset in 2000, the dialogue had been designed to take place between two parties: the government and GAM. Its setting did not provide a space for CSO leaders to have a stand-alone position; so, they had to choose a side – the government or GAM. Consequently, those who supported GAM in the dialogue and in implementing its outcomes were bound to GAM henceforth, even if they were not actually members of GAM.⁵⁰ When relations with the government and the military subsequently deteriorated many of them fled Aceh and continued their struggle from overseas.

6.3.1 Going Political

The rise of the civilian elites in GAM had two significant consequences. The first consequence was the civil characters that they introduced increased the chance of non-military options as part of GAM's strategy in pursuing its independence goal. GAM had always expected to gain its independence through negotiations and had never relied on armed struggle alone. However, with the rise of the civilians in its leadership, it slowly began moving towards a position whereby it considered political instruments as the prime tools in pursuing its goal.⁵¹ Even the first phase of the civilian recruitment had a discernible effect. In November 1999, GAM's combatants on the ground tacitly joined the CSO activists as they lobbied for a referendum, which could not have happened without the widespread influence of civilian elites at the local decision-making.

With the incorporation of the civilian elites, GAM also began to play with the ideas of democracy and human rights in a variety of media including the internet. They also copied civil society resistance actions: boycotts, strikes, and investigations of human rights violations. As a consequence, the government, especially the military, was unable to distinguish between the CSOs' initiatives and GAM activities. The military assumed they were the same and thought that a number of progressive CSOs were nothing more than the political wings of GAM (Ishak 2004, 71-72).

Although the activities of GAM's civilian elites complicated the position of

⁵⁰ Otto Syamsuddin Ishak (1), *op. cit.*

⁵¹ A negotiator of GAM for COHA (1), *op. cit.*

neutral CSOs, in the context of socializing the usage of political instruments inside GAM, this step was very important. GAM leaders in Sweden finally began to consider the effectiveness of political instruments as tools for their struggle and take them seriously. With the presence of the civilian elites, the CSO activists also had a partner in GAM who understood the political struggle; hence, making it easier for them to propagate their agenda to resolve Aceh conflict politically and without violence.

6.3.2 Promoting and Maintaining Dialogue Inside

The second consequence of the civilian elites' presence was that GAM became more accessible and open. It started to establish lines of communication with outside parties, especially with domestic and international CSOs. GAM's willingness to attend a number of seminars and workshops organized by IFA in 1999 was an indication of this new openness, which continued into the era of dialogue (2000-May 2003). During this period, GAM also actively made contacts with *ulama*, community leaders, student activists, and pro-democracy activists. As a result, GAM and civil society shared similar ideas to resolve the Aceh conflict through dialogues.⁵² The changes that were brought about by the civilian elites were evident here even though it was gradual. At this stage, GAM accepted the dialogue as a mechanism for resolving the conflict after previously agreeing to non-violence measure.

Among GAM leaders, a key figure who was greatly affected by civilian elites' endeavours, committing to a political settlement, was Malik Mahmud. One GAM negotiator described Malik's persistence during the process of the dialogue using a crying metaphor. "If the old man cries, there is certainly something serious had happened. Malik Mahmud shed tears constantly since the dialogue commenced." Yet Malik faced tough choices during the dialogue. In many occasions, he was confronted with the dilemma of choosing between combatants' interests and civilians' demands.⁵³

⁵² A negotiator of GAM for COHA (2), interview with author in Banda Aceh, 16 April 2013.

⁵³ A negotiator of GAM for COHA (3), *op cit*.

Malik was instrumental in recruiting both ex-Libya trained combatants⁵⁴ and civilian negotiators. Early in the dialogue, Malik was able to control both the civilian elites running the diplomacy and the armed combatants on the ground. Nor did he always choose to favour diplomacy. However, when the dialogue was showing signs of a deadlock and just as he needed the full support of combatants following the Stavanger Declaration on 21 July 2002 that put him as Prime Minister of “the state of Aceh” (*Kontras*, 31 July-6 August 2002),⁵⁵ Malik showed himself to be more concerned with the combatants’ interests who had real power on the ground. According to one of the negotiators, the failure of COHA was not only because Indonesia’s military sabotaged its implementation, but also because of the actions of combatants. They often ignored the decisions of the civilian negotiators and were trusted more on the decision of the field commanders. According to a GAM negotiator:

“What we had decided, when it reached the Commanders’ table and they checked it, the outcome must have changed. The combatants’ actions and their strong influence [on Sweden] made it difficult for the negotiator to propose effective claims, even foreign support for GAM in the dialogue was getting stronger.”⁵⁶

6.3.3 Seeking Alternatives to Independence

In addition to their role in making GAM more accessible to outside parties and in using non-military options as part of GAM’s strategy, when the limits of GAM’s old strategy (gaining independence through internationalization) became clear with

⁵⁴ Malik Mahmud’s career in GAM rose after Hasan Tiro gave him a mandate in 1989 to recruit young Acehnese to join military training in Libya. Most of recruits were young Acehnese in Malaysia and Singapore, and the rest were from various areas in Aceh (Schulze 2003, 244-255). For his role as a person in charge of recruitment, the alumni of Libya, including GAM Armed Forces Commander Muzakir Manaf, had a great respect for Malik Mahmud.

⁵⁵ On 19-21 July 2002, representatives of the Acehnese from all over the world gathered in Stavanger, Norway. At the close of the meeting, the participants issued the Stavanger Declaration. It was stated in the declaration that *Wali Nanggroe* Hasan Tiro promoted Malik Mahmud as the new Prime Minister of the “State of Aceh” and Zaini Abdullah as the Minister of Foreign Affairs. In addition to matters pertaining to state and citizenship, other important issues in the declaration were the “State of Aceh” to adopt the system of democracy, increase diplomatic efforts, and to call on the “Acehnese” to improve their knowledge in the fields of diplomacy and human rights. See complete document in UNPO (2002).

⁵⁶ A negotiator of GAM for COHA (3), *op. cit.*

the collapse of the COHA, the civilian elites improved GAM's readiness to consider alternative solutions to independence.

Signs indicating that some GAM leaders were interested in alternatives to independence had, in fact, already manifested themselves during the dialogue towards COHA. "What is autonomy about? What is its content?" Malik Mahmud asked Deputy Governor of Aceh Azwar Abubakar, one of Indonesian delegates, on the sidelines of Geneva Meeting before COHA. "When he asked me this, I was very excited," said Azwar. Malik's question and his acceptance of Azwar's reply provided the first hints that there was a serious chance of GAM accepting a political solution in Aceh. Azwar explained this to Yudhoyono when COHA was at the brink of collapse. The immediate opportunity for progress was lost because of strong pressure from the Army on Yudhoyono and GAM's combatants who were reluctant to fully comply with COHA. These factors led to the collapse of this agreement eventually,⁵⁷ but the seed had been sown, and we know with the benefit from hindsight that it took root and eventually flowered.

Before the COHA collapsed, Malik's was a lone voice on seeking alternative for independence.⁵⁸ GAM remained with its longstanding strategy of internationalization. While in the past, they lobbied the international community to force Indonesia in letting Aceh secede, later they used dialogue to maintain international concern on Aceh. At that time, there were three views among GAM leaders. First, Malik Mahmud considered the merits of a step-by-step strategy of decolonization by forming a political party and using it to pursue independence peacefully. COHA adopted part of this strategy. Second, Zaini Abdullah, who was not interested in any type of autonomy, even as an interim step, rejected this idea. Finally, GAM's Aceh-based negotiators, Amni Bin Marzuki and Kamaruzzaman as well as leading figures such as Irwandi Yusuf, saw the merit in the idea of going

⁵⁷ Azwar Abubakar's address before the Deep South Groups from Thailand in Jakarta, *op cit.*

⁵⁸ A human rights activist who became GAM's negotiator in the 2005 Helsinki peace process managed to talk privately with Hasan Tiro during the Humanitarian Talks in 2000. When he asked Tiro what the highest target to be secured if GAM was unable to achieve independence, he got simply reply, "Justice!" A negotiator of GAM for Helsinki Round (2), interview with author in Banda Aceh, 18 April 2013.

political, but had no trust that Jakarta would allow GAM to implement such a strategy (Schulze 2007, 94-95).

The limits of the old strategy became clear with the collapse of the COHA. It was now obvious that there was no international support for Acehese independence; not a single state supported GAM's appeals for international intervention when TNI ran a large-scale military operation in Aceh. The acknowledgement of this reality reopened an internal discussion within GAM. Among GAM's leaders in Europe "emerged a discussion about the independence demand and alternatives other than independence."⁵⁹ The internal discussion started to shift away from the old strategy supported by Zaini Abdullah to Malik's approach with a concern of how to secure the trust from the government (Schulze 2007, 94-95).

Kalla's maneuver emerged right on time when GAM was actually being hit by uncertainty concerning the future strategy of the movement (Aspinall 2005, 26-27). At this stage, GAM had not found the best way to retreat from their demand of independence because "the conflict had already created incredible suffering among the Acehese." This responsibility laid on GAM's leaders and left them unable to retreat. Retreat would be a retrograde step and meant they would have to face the rage of the Acehese and be considered to have committed historical fraud."⁶⁰ The situation finally changed after four community leaders from Aceh arrived in Kuala Lumpur in November 2004 to alert a number of authorities within GAM in Malaysia about the Acehese who had been tired of the conflict.⁶¹ Upon this advice, the GAM's leadership was more confident in accepting the offer of peace talks from the government (*Tempo*, 6 February 2005). A peace talk was welcomed with an expectation that there was an alternative solution which could satisfy all GAM's members and the Acehese.

⁵⁹ A former activist of GAM in Sweden, *op. cit.*

⁶⁰ A negotiator of GAM for COHA (1), *op. cit.*

⁶¹ Among GAM's leaders in Malaysia was M. Nur Djuli who later became one of the GAM's negotiators in Helsinki.

6.3.4 Making Peace at Last

A long internal discussion prior to November 2004 had matured GAM's readiness to propose demands that fell short of full independence. According to Kingsbury (2007, 102), in his discussion with GAM's senior political leadership in Stockholm, from 27 October to 30 October 2004, there was the impression that they had started to think about the "purpose [that] could be achieved by means other than independence." Alongside the tsunami effect, this factor made GAM more flexible when negotiating peace with the government from January to August 2005.

In the second round in February 2005, GAM's negotiator led by Malik saved the entire process of negotiation from a deadlock after they were willing to leave their claim as set out in Plan A. This plan proposed that Jakarta would allow Aceh to have a ceasefire for 15 years, during which Jakarta could develop Aceh economically, and then the Acehnese would be allowed to vote in a referendum on independence. The government rejected this plan based on the consideration that GAM would consolidate and at the end continue their pursuit of independence.

M. Nur Djuli and Nurdin Abdul Rahman described the rest of this breakthrough process as follows:

On the first day of the second round of talks, we decided that if we insisted on that proposal, the peace talks would collapse. That evening, we communicated with GAM field commanders, explaining that Plan A was not bearing fruit. We waited for about six hours to get a decision from the ground about Plan B. Plan B proposed 'self-government' for Aceh - terminology that allowed our delegation to venture into new ground in relations with Indonesia without accepting the unjust autonomy law. In many ways, self-government was another word for autonomy, but without the same abhorrent connotations (Djuli and Rahman 2008, 29).

GAM dropped its demand for independence after the combatants gave approval for Plan B. The long road to peace was increasingly unavoidable after Kalla relaxed the government's stance and gave approval to GAM's demand for local parties. Peace at last came to Aceh after almost 30 years of violence. On 15 August 2015, the Prime Minister of GAM, Malik Mahmud and Minister of Justice and Human Rights Hamid Awaludin on behalf of the government of Indonesia, signed a Memorandum of Understanding (MoU). Although the agreement pointedly avoids

using the terms “self-government” and “special autonomy,” it contains explicit principles for governing political relationships between Aceh and the national government, the powers of the Acehnese for self-governing, the establishment of Aceh-based political parties, economic rights, rule of law, human rights, and procedures and mechanisms for GAM demobilization, demilitarization, and monitoring. In short, as Aspinall (2005, 68) pointed, “[T]he Helsinki MoU provides the kind of solid framework for peace that has long eluded Aceh.”

6.4 Conclusion

This chapter suggests that the groundwork for peace in Aceh had been started long before the 2004 tsunami and the 2005 Helsinki peace negotiation. The civil society elites, the government elites, and GAM’s civilian elites have a profound role in this process. The ability to reach the agreement was the result of deliberate choices, policies, actions of the civil society elites, the government elites, and GAM’s civilian elites that came into place gradually since 1998

The role of the CSOs’ elites can be traced from the 1998 *Reformasi*. Alongside producing ideas to seek immediate therapy for the cruelty of military’s violence at that time, the CSOs’ elites had a role in breaking the Acehnese silence over this atrocity. The CSOs’ elites continued their role suggesting the idea of a referendum, which was then instrumental in derailing the government’s and GAM’s view from violence to political solutions. During the period of dialogue (January 2000-May 2003) they also had a significant role in transferring peace ideas between parties as well as giving peace a chance on ground. In summary, their role in producing the non-military alternatives to resolve the conflict amidst fighting on ground paved the way for the peace process.

The CSO’s activities pressed Jakarta to consider a non-military solution to the conflict. Although Jakarta might posit various factors as a pretext for policies issued, the pressures from CSOs often became the background to the government’s policy. As the result, the transitional elite under President Habibie built a preparatory phase for political solutions. They introduced peaceful approaches to resolve the conflict and attempted to achieve peace by drawing the Acehnese to a larger national democratic process. Unfortunately, Habibie could not exercise

effective control over the military, which limited his progress. Following the strong pressure from the CSOs, which demanded a referendum, Abdurrahman Wahid took the dramatic step of holding a dialogue with GAM. Some elite who worked for his government, such as Wirajuda, Yudhoyono, and later Kalla in Megawati's administration, were able to continue communicating the idea of non-military resolution to the next government and developing this idea. Their role as 'peace dream keepers' sustained even when the peace process was at the brink and when it eventually collapsed under Megawati government. Later, a peaceful settlement was inevitable when these 'dream keepers' became top decision-makers in the government.

GAM's passiveness amidst the CSOs and the government's non-military initiatives did not mean that its leaders never seriously sought peace in Aceh. In fact, some of them were fairly active in seeking a peaceful solution for Aceh. Their support for the CSOs' call for a political settlement, and also their willingness to participate in the 2000 peace process with the government, were actually a fundamental shift in GAM's approach. This shift took place almost simultaneously with the increasing presence and activity of civilian elements in GAM. The civilian elites brought in the opportunity for non-military options as part of GAM's strategy in pursuing its independence goal and made GAM more accessible to outside parties, especially the CSOs inside and outside of Indonesia. When the limits of GAM's old strategy (gaining independence through internationalization) became clear with the collapse of the COHA, these civilian profiles matured GAM's readiness to achieve its purpose of ceasing injustices by means other than independence. They were developing ideas within before the 2004 tsunami and made the peace process (January-August 2005) sustainable until GAM and the government of Indonesia signed a peace accord on 15 August 2005.

Whereas in Aceh the groundwork for peace had been started long before the 2004 tsunami and the 2005 Helsinki peace negotiation, the following chapter discusses the role of elites in cultivating peace in Patani also shows that the groundwork for commencing discussion for peace talk in February 2013 was a long process. The relentless and continuous attempts of elites who desire to resolve conflict made this process possible.

CHAPTER 7

PATANI: THE DESIRE FOR PEACE

“Nowadays there is an optimism ... [that] dialogue will succeed even in a prolonged period.”
(*Sekarang ini ada harapan yang optimis ... rundingan akan tercapai walaupun makan masa.*)
Ustaz Hassan Taib, BRN-C Chief of Delegates to Kuala Lumpur Talk (2013),
in his radio interview with Media Selatan on 19 June 2013.

The quote above is part of the Hassan Taib interview after the last round of Kuala Lumpur Talks held on 13 June 2013, which were designed to resume a peaceful dialogue between the government of Thailand and BRN-C. His statement affirms that the warring parties, at least from the perspective of BRN-C, which he represented, have stepped into a new stage that had never existed before. In this interview, Hassan also acknowledged that conflict would be far likely to have been present at the stage of dialogue had many of the elites not had a decisive role in persisting the idea of peace. Despite failing, the official talks in Kuala Lumpur gave grounds for optimism that an attempt to resolve the Patani conflict through a peace process was possible (Sulai 2013).

This chapter discusses the role of elites in derailing violence in Patani and steering it towards a peace process. Even though a peaceful settlement has not been reached – and the rise of elites capable of delivering this is still a basic requirement for progress – in this chapter, I argue that the relentless and continuous attempts of elites who desire to resolve conflict have made peace become a shared idea, paved the way for talk, and encouraged warring parties to become receptive to a peace process.

As in the Aceh case, three groups of elites had a role in propagating the idea of peace in Patani conflict: the civil society elites, the government elites, and the separatist elites. The chapter begins by discussing the role of the civil society elites. Their role in introducing and communicating ideas about the non-military approach to terminate the violence had extended the peace constituency at the grassroots as well as at elite levels. Following this is the discussion on the role of elites in governments. Amidst the shifting political tides in Bangkok and the inflexibility of the military’s non-negotiable position, conflict was nevertheless on the verge of

entering a meaningful peace process in 2013 because they had been seeking alternative approaches and the opportunity to talk with the separatists since 2005. Yet despite this hopeful situation, it was evident that the government initiatives were primarily intended to serve their short term political goals. The chapter concludes with the role of separatist elites. The old guard elites introduced the idea of achieving *hak pertuanan* and identity by means other than independence. Encountering with the CSOs elites in many programs made the separatist leaders began to consider achieving their goal by peaceful means despite prolonging the violence.

7.1 Civil Society Elites: Mainstreaming peace

When violence swept Patani throughout 2004, none thought that violent conflict could possibly be resolved by peaceful means. Before 2005, even the word ‘peace’ was alien and unthinkable. The civil society leaders were among the first to introduce the term.¹ With academics at the forefront of these elites, civil society raised national concern about the excessive of violence and called on the government to use peaceful methods to ease the unrest. Other civil society elites, such as the leaders of student groups and NGOs joined later after Bangkok responded to this call and eased its policy towards Patani. In subsequent years, the student movements, with the help of human rights and justice-oriented NGOs, broke the locals’ silence over the military atrocities by calling for justice for the victims and for de-securitization of the conflict. Following these efforts, the civil society elites continued their role by leading public discussion about the sorts of autonomy which was instrumental in reviving political solutions to the conflict. Lastly, their role in sharing the idea of peace with the respected figures and grassroots leaders, as well as mobilizing people towards it, was constructive in mainstreaming peace and extending the peace constituency.

¹ Srisompob Jitpiromsri, interview with author in Pattani, 20 November 2013.

7.1.1 Raising Awareness

The civil society role in mainstreaming peace in Patani conflict began when 144 lecturers from 18 universities nationwide (mostly from leading state-run universities) signed an open letter to PM Thaksin Shinawatra in early November 2004. This letter was a response to nearly a year of violence in the South and in particular to the Tak Bai tragedy in October 2004. They exhorted Thaksin to offer a formal apology for the brutal crackdown in this incidence which resulted in 85 Muslim deaths (Wiriyaphanongsa 2004). As a follow up to this letter, 24 academics representing the 144 signatories met with PM Thaksin on 14 November 2004 and delivered a proposal “*Khosanoe tuataen wichakan ruang kan khae panha paktai*” (Proposal to address the problem of the South from 144 academics). They called for: an apology of the prime minister to Tak Bai victims’ families, the use of peaceful methods to ease the unrest, and the government to involve community in resolving the problem (Pathmanand 2006, 84-85).

It was unknown whether at that time Thaksin really heeded this proposal. Yet, in the Appendix A of the National Reconciliation Commission (NRC) report that explains the Appointment, Mission and Composition, the academics’ proposal is highlighted as the driving force of the establishment of the NRC. The report explains:

When the violence in the southern border provinces began to spread in early 2004 and resulted in the Tak Bai tragedy, 144 university lecturers from around the country wrote an open letter, dated 14 November 2004, to Prime Minister Thaksin Shinawatra, calling for the government to review its policy regarding the southern border provinces, and turn its attention to peaceful means and civil society participation. Subsequently the Prime Minister invited former Prime Minister Anand Panyarachun to chair the Commission, endorsing his full freedom to appoint capable and knowledgeable persons from various sectors of society to serve as members of this commission (NRC 2006, 121).

Ultimately, we cannot be sure if there is a close relationship between the academics’ proposals and the establishment of the NRC, but this report suggests quite directly that academics led the way in emphasizing the possibility and importance of pursuing peaceful means. Before their initiative, there was no significant concern about peace among the ruling elite, but after Thaksin established the NRC and its

commissioners began to work, the Patani conflict became a national issue and the elites could no longer dismiss it.

As already discussed in Chapter 5, the NRC report itself was greeted indifferently both in Bangkok and in Patani; and the reconciliation efforts remained deadlocked. Despite failing to make an immediate and tangible difference to the outcome, the report and the Commission's approach to the problem were instrumental in bringing alternative perspectives to the level of the political elite in Bangkok. Post-NRC report, two broad perspectives to the conflict in Patani emerged. While in the security community the violence remained essentially a problem, for most of the NRC members along with academics, journalists, and activists, the conflict was becoming a political problem that demanded a rethinking of the Bangkok-Patani relationship. The latter approach emphasized a more nuanced understanding of Islam, Patani's distinctive history, and cultural differences (McCargo 2010b, 86).

Having succeeded in bringing the Patani question to Bangkok and urging government to consider a non-military approach to terminate the violence, some academics continued their efforts in raising awareness about the political dimension of the conflict. Academics such as Gothom Ariya sustained his efforts by supporting research, commenced in 2005 and aimed at exploring the possible forms of decentralization in the Southern border region. The lead researcher was Srisompob Jitpiromsri of the Prince of Songkhla University, Pattani and he was supported locally by Sukree Langputeh of Yala Islamic College. The primary funding came from Mahidol University's Centre for Peace and Development Studies, as an initiative of the Centre Director and the NRC member, Gothom Ariya. The project reflected the interests of certain commission members who were disappointed with the NRC and wished to gather evidence to support proposals for governance reform in the region (Jitpiromsri and McCargo 2008, 408). Later, in 2008 and years after, the results of this research project made a significant contribution to public discussion about the possible political solution for Patani.

Amidst this research, and with the intention of continuing the efforts to raise awareness about the conflict in Patani, Srisompob with some other local academics in association with journalists, medical professionals, and teachers established the

Deep South Watch (DSW) at Prince of Songkla University, Pattani Campus in 2006 (McCargo 2006, 31).² The DSW worked to provide in-depth information to challenge the biased media portrayal, government misinformation, and popular misconceptions about the Malay Muslims in Patani. Using information obtained from a range of sources and academic knowledge, the DSW attempted to provide reliable information for media, academics, politicians, and public. One of its significant contributions in raising awareness at that time was violence monitoring which was published periodically on their official website (www.deepsouthwatch.org) and in a number of media partners. This monitoring informed the public of the severity violence and its impact in Patani and, tacitly, demonstrated to the government and military that their coercive policies were not effective in stopping the violence. At the early stage of this initiative, as Srisompob described, “Many military and government officials disliked DSW’s findings.” However, after they observed that the DSW “collected information from many different sources including from the police and military, their confidence in this organization increased.”³

7.1.2 Breaking the Silence

With the help of the media, the academics’ effort to foster the political elites’ awareness to the conflict in Patani was relatively successful. Their call for the government to work out a more persuasive policy of terminating the violence also gained a response. PM Thaksin eventually established the NRC, though he did so half-heartedly. Even then his government made no attempt to implement the NRC’s recommendations, but after the 2006 coup, Prime Minister Surayud did make some effort. The efforts of organizations such as the DSW to build public awareness of

² Intellectual Deep South Watch (IDSW) is the original name of this organization. IDSW was a new project in 2006 pioneered by Thai Journalists Association (TJA) in association with local academics, medical professionals, and teachers. The establishment of IDSW aimed to continue and develop the work of the Issara News Centre to monitor the security situation in the South. The latter organization was established by the TJA in August 2005 but since September 2006 its editorial team were to be based in Bangkok following the decision to broaden its operation to national level. The Issara News Centre received support from newspaper groups: The Nation Group, Post Publishing, Matichon, and Phujatkan; along with support from Dr Prawase Wasi (the vice-chair of the NRC) and the NRC’s members towards its parent organization the TJA (McCargo 2006, 24-25, 31).

³ Srisompob Jitpiromsri, *op. cit.*

the brutal effects of violence in Patani were successful from 2007. Amidst the government's post-2006 shift towards a persuasive approach, other civil society players ventured to address the impact of violence and break the culture of silence.

One of the earliest civil society groups working to break the silence of the Patani Malays was Muslim Attorney Centre Foundation (MAC).⁴ Besides working to raise awareness on human rights issues and the law, MAC carried on three main tasks, namely: legal aid, legal education, and legal training of cadres. In its first task, the organisation provided access to justice processes for those treated unjustly, such as victims of violence and those accused by the government to be involved in the insurgency. For the second task, MAC worked to educate locals (in particular community leaders and *ulama*) about basic civil and political rights, including knowing how to protect their rights from injustices and if necessary seek legal reparation. In order to ensure these two tasks were maintained, MAC carried on the third task: the legal training of cadres.⁵

The activities of local human rights and the law concerned CSOs such as MAC who encouraged locals to escape from fear and take risks by revealing the injustice they had experienced. Even though injustices were still happening, the disclosure of many violations by human rights activists, made the security authorities more cautious in carrying out their duties. People became more confident in taking legal actions to defend their rights.⁶ The disclosure of human rights violations under special laws (Martial law and Emergency Decree) was also helpful in making Bangkok's elites aware of poor implementation of the law and justice in Patani. Local CSOs' reports about torture, delayed justice, and impunity which amplified by international NGOs such as Amnesty International (2006), Human Rights Watch (2005, 2006b, a), and International Crisis Group (ICG) (2005c), encouraged the government to invest in a more persuasive approach to Patani. In 2006, PM Surayud declared what he called "historical injustice" as the main issue to be resolved through a conciliatory approach he was developing (Pathan 2006a).

⁴ This organization was initially led by Somchai Neelaphaijit under the name Muslims Lawyer Club of Thailand (established in 2003) before he disappeared in 2004

⁵ A lawyer of MAC, interview with author in Pattani, 24 October 2013.

⁶ *Ibid.*

Taking advantage of Bangkok's conciliatory approaches, academics such as Srisompob and colleagues stepped forward encouraging the Malays in Patani to vocalise a solution. They conducted a survey in April 2007 inviting around 200 sub-district administrative organization (SAO) heads and religious leaders for a day-long seminar before asking them to complete questionnaires at the end of the event.⁷ Srisompob described that the courage of participants to talk during the event was far better. Before, the Patani Malays were reticent in mentioning the cost of conflict. They were also afraid to express their interests. Yet, at this event and afterwards they became more comfortable to talk about a political solution.⁸ The survey demonstrated that there was a substantial interest among the Malay-Muslim local elites to reform the administrative system (Jitpiomsri and McCargo 2008, 411-412).⁹

In following month, the rise of consciousness within the Malay population encouraged participation in a large demonstration at the provincial mosque in Pattani on 31 May to 4 June 2007. Though on the surface, the prime mover of this demonstration was the Student Network for People's Protection Coalition led by students from Bangkok and Patani, standing behind them was a large group of people who urged students to voice their plight.¹⁰ At the request of people gathered around the mosque, the students later called for ten demands with justice for the victims and de-securitization as its core.¹¹ Despite being under the security

⁷ The research was commenced in 2005 to explore the possible forms of decentralization in the Southern border region and led by Srisompob.

⁸ Srisompob Jitpiomsri, *op. cit.*

⁹ However, the result of the survey showed that there is a big discrepancy between the views of religious and SAO leaders. Over 45 percent of SAO heads supported limited decentralization (the existing system), in contrast to 12 percent of religious leaders. Almost 84 percent of religious leaders supported some form of special administrative zone, but only under half of the SAO heads. More than 60 percent of religious leaders chose a special administrative zone using the existing structure, while more than 23 percent preferred a special zone using a new structure (Jitpiomsri and McCargo 2008, 411-412).

¹⁰ Tuan Danial (Tuwadaniya Tuwaemuanga, Chairperson of the Student Network for People's Protection) disclosed that the student groups initially intended to participate in workshops led by human rights activists, lawyers, and academics from 29 May to 5 June in the mosque's hall. The workshops aimed to educate villagers and students from various institutions in Bangkok and local provinces. After this event they would participate in field trips to gather information from local villagers. The information would be compiled and submitted to the authorities. However, thousands of villagers who were dissatisfied by the state abuse (detention, torture, extrajudicial persecution) in previous years and, in particular, for the last six months, had been waiting for their arrival in the mosque's courtyard and expected the students to voice their plight (Panjor 2007).

¹¹ The ten demands are as follows: (i) The government shall immediately withdraw troops from the South; (ii) Lift the curfew; (iii) Lift the emergency decree; (iv) The government has to

authority pressure and the possibility of facing a counter demonstration, this protest disbanded peacefully on the fifth day after the government and military showed their willingness to establish the Commission to Investigate Cases of Injustice (Sombatpoonsiri 2013, 54-59).

The courage of NGOs, academics, and student groups in breaking the silence of the Malays informed three significant factors for potential change. First, the NGOs and students' determination had made the public aware that Bangkok's policy to quell militants' violent actions by using violence caused serious problems of justice and human rights. The disclosure of state abuse by NGOs and students later stirred Bangkok under Surayud's government to apology (Pathan 2006c), renewed inquiry over the death of South-Muslim (*The Nation*, 5 March, 2007), and promised to establish the Commission to Investigate Cases of Injustice (ICG 2007b, 12-13). Though PM Samak downplayed this issue in 2008, the Abhisit's administration brought it back. Since early 2009, Abhisit repeatedly expressed his commitment to justice on many occasions (*The Nation*, 18 January, 2009). However, in reality his achievement was minimal because, apart from its complexity, the case was hampered by a legal system that was still conservative.¹²

Second, academics' attempts to encourage local Malay leaders to voice their opinion brought new expectations which were different from either government or the separatist groups' end-goal. The civilian elites in Patani preferred reforming the political relationship of Bangkok-Patani to independence. Unfortunately, the thrust of their reform was inconsequential for Bangkok who focussed on what they saw as bigger injustice issues. When the DSW made public the issues of decentralization and autonomy in 2007 and raised it as a potential solution to the conflict, negative reaction came from the military.¹³

Third, the student-led mass demonstration sent a strong symbolic message to government and the military that the Patani Malays were not militants at all; thus,

sentence wrong doers; (v) Report truthfully; (vi) Not block any kind of media; (vii) Any media has to report what has really happened; (viii) The government has to release immediately the innocent people; (ix) Not imprison innocent people; (x) The government must give the people the opportunity to openly express their opinions (Nonviolence International Southeast Asia 2007).

¹² Abhisit's government spokesperson, interview with author in Bangkok, 25 November 2013.

¹³ Srisompob Jitpiromsri, *op. cit.*

a more peaceful government policy was necessary to accommodate them. On the other hand, the government's conduct during the demonstration, which was willing to refrain from any violent response, had restored public confidence that nonviolence was still a viable alternative method of bringing their demands to the government.

7.1.3 Reviving the Search for a Political Solution

In December 2008, the pro-Thaksin governments led by the People Power Party (PPP) collapsed after the Constitutional Court decided to disband the PPP. Following this, the Democrat Party took over the majority in parliament and formed a new government under PM Abhisit Vejjajiva. The better political stability since 2009 encouraged the CSOs to resume the debate about a political solution in resolving the Patani conflict. Before 2009, a political suggestion for stopping the violence in Patani had previously emerged, but unfortunately, the government had refused to consider it. The government's reluctance continued to be sustained in Abhisit's administration. Yet, at this time academics grasped the opportunity and made an effort to revive the discussion.

Taking advantage of the growing freedom of speech between 2009 and 2010, academics made public a number of scientific papers and research regarding models of political solutions. Two most prominent proposals were the research results from the same university, Prince of Songkhla University (PSU), Pattani campus, but investigated by two different teams. One of the reports was the result of research entitled "Problems in the Three Southern Border Provinces."¹⁴ This research proposed two local governance models, which were considered as conservative. Apparently, neither the first that suggested "local administration must be in accordance with the constitution, working through state machinery," nor the second that proposed "there must be some forms of administrative decentralization while some power must remain with the central government" gave extensive opportunities for local people to exercise their authority (Satha-anand 2013, 144-145). As a result, both models did not receive much response.

¹⁴ The research led by Piya Kitthaworn, Dean of the Faculty of Political Sciences and was published in early 2009 (Satha-anand 2013, 144-145).

Another report was the result of research entitled “Models and Special Local Governance in the Three Southern Border Provinces.”¹⁵ The main result of this research was the proposal to create a new ministry for the South and a set of consultative mechanisms. The proposal sought to modify the elements of existing Thai bureaucratic structure and create governance institutions that are specific to the locals. It contained some provisions for decentralization of state power, and some new representative and consultative mechanisms to fit local conditions. The proposal was modest. Though it engaged the notion of autonomy (which was previously considered taboo), as it did not include a devolved, elected assembly, or even elected provincial governors, it was fully compatible with maintaining Thailand as a unitary state (Jitpiromsri and McCargo 2008).¹⁶

The public discussions about a political solution attracted public attention. As it became popular, politicians in Bangkok began to pay attention as well. Hence, by 2009 the discussion of more specific political solutions for Patani also began to develop within political elites.¹⁷ MP Najmuddin Ummar, who led The Parliament Special Committee for the Study of the Problem of Unrest in the Southern Border Provinces, considered Srisompob’s proposal and later adopted it. When he switched parties to join a small, newly formed political party, Matubhumi, the proposal for a ministry of the South became official party policy. On 11 August 2009, supported by 21 MPs, Najmuddin submitted to parliament a draft bill for the creation of the new ministry (McCargo 2010a, 276). In November 2009, Chavalit Yongchaiyudh who had become the Chairman of *Pheu Thai* Party (the descendant of the *Thai Rak Thai* Party) brought back his old similar proposal for granting a form of self-rule which this time he dubbed *Nakhon Rat* (Principality) Pattani (*The Nation*, 3 December, 2009).

¹⁵ This research, that commenced in 2005 and made public first on 30 June 2008, explored the possible forms of decentralization in the Southern border region. The lead researcher was Srisompob Jitpiromsri of Prince of Songkhla University, Pattani and supported locally by Sukree Langputeh of Yala Islamic Colleges (Jitpiromsri and McCargo 2008, 408).

¹⁶ Yet, the rejection emerged from both sides. From the perspective of conservative bureaucrats and Thai-Buddhists in general, the proposal gave too many concessions to Malay-Muslim demands. The Patani Malays considered the proposal had not addressed the core problem. With such a proposal, the Malays would not be able to participate fully in their own governance (Jitpiromsri and McCargo 2008).

¹⁷ Srisompob Jitpiromsri, *op. cit.*

The proposal for a political solution was more often heard throughout 2010 and the 2011 election campaigns. During the campaign, *Pheu Thai* candidate Yingluck Shinawatra (who became Prime Minister) promised to transform the three southernmost provinces into a special administrative area similar to Bangkok Metropolitan Administration and Pattaya City Administration (*The Nation*, 15 June, 2011).

When Yingluck's government was later reluctant to be seen to be at odds with the military regarding the idea to change the political relationship between Bangkok and Patani, the CSOs at large came forward to revive the discussion. To fill this vacuum, the Public Policy Programme for the Deep South Self-Governance ran 146 public forums between September 2012 and March 2013. Its objective was to gain an understanding of the locals' expectation to the change of administrative and political structures if it would resolve the conflict.¹⁸ Based on the results of these hundred forums, the Public Policy Programme for the Deep South Self-Governance revealed six options of "self-governance" comprising current SBPAC, ministry for the south, three *Nakhons* (provinces) with two-tier administrative structure, three *Nakhons* with one-tier administrative structure, two-tier *Mahanakhons*, and one-tier *Mahanakhon*. Their proposal was more adventurous than the academic's recommendation as they included modes of direct election of provincial leaders for options No 3-6. When these last four options, which had a common key of focusing on the election of governor option, were put together in one group, a total of 51.8 percent of participants chose this option (Panjor 2013).¹⁹

With all the options offered by CSOs throughout 2009-2013, the government did neither decide which alternative they would choose nor give serious concern to those options. The main separatist group BRN-C showed a similar gesture. Its stance remained vague, either progressing with the struggle for independence or accepting the option of self-governance. However, despite these

¹⁸ The forums, which covered the areas within Yala, Pattani, Narathiwat provinces, and certain districts of Songkla, were co-organized by the Civil Society Council of the Southernmost Thailand and the Office of Thailand Reform. It was supported by 17 working groups from civil society organizations, which were members and non-members of the Council (Panjor 2013).

¹⁹ The result of these hundred public forums was officially published in 2013. The report was written by Romadon Panjor under the title "Choosing the Future: A Synthesis of Deliberation on Political and Administrative Possibilities held by the Public Policy Programme for the 'Deep South Self-Governance'" (in Thai).

drawbacks, the CSOs' efforts to revive the discussion about political solution had brought the conflict a step forward. The discussion dismantled the old taboo in Thailand to talk about political solutions other than the current system (Boonpunch 2015, 260-262). Meanwhile, in Patani, though the violent attacks by the armed separatist groups continued, the public discourse shaped by the CSOs gradually derailed the Patani separatists onto a political track and encouraged them to consider political solutions. As the means to resolve the conflict was already available, public expectation that Bangkok to hold talks with armed separatist groups was also growing.

7.1.4 Sharing Peace Ideas

Aware of the absence of genuine initiatives to change the situation on the ground either from Bangkok or by the separatist groups, and along with their efforts to raise government and public concern of the political solution, the CSOs banded together to start working for peace building 2011 (Iglesias 2013, 7). As a broad overview, there were two leading CSOs' umbrellas working towards this effort: the Pat(t)ani Peace Process (PPP) and the Patani Forum.²⁰

The PPP started with the DSW's efforts to transform the conflict situation into a process more disposed toward peace. Once people were receptive to a political solution, the DSW considered that the time to talk about a peace dialogue had come. At first, the DSW worked alone before this organization established the Center for Conflict Studies and Cultural Diversity (CCSCD) in 2009. Later, the CCSCD succeeded in building networks with other CSOs, including human rights NGOs, women's movements, and community radio. The networking of these 20 CSOs was the forerunner of The Civil Society Council of Southernmost Thailand established in 2011. Following this establishment, the DSW then introduced the PPP and installed the Council as the core group to support it.²¹ The PPP was officially launched on 7 September 2012. It was concerned with the peacebuilding

²⁰ The PPP put another 't' in bracket under the word Patani to express its inclusive approach. The government officially name the region as Pattani (with double 'tt') whereas the Malays prefer to call their historic homeland as Patani (with single 't').

²¹ The Council had three main agendas: justice and rule of law, decentralization, and peace dialogue. With its networking, this organization would secure large peace constituents and guarantee the designed peace program sustained. Srisompob Jitpiromsri, *op. cit.*

process on track 2.²² It aimed to create a space and foster cooperation among leaders of all interested stakeholders, including civil society groups, media, academics, research institutions, local representatives, religious organization as well as state agencies, to band together in analysing the conflict and proposing a roadmap to peace (Samoh 2012).

The most significant program related to the PPP's aim is the "Insider Peace-builders Platform" (IPP) which was established in the beginning of 2011 as a collaboration of several academic institutes in the Conflict and Peace Studies field, one state-based institution, and several academics and CSOs.²³ Initiated by Dr Norbert Ropers and supported by Mathus Anuvatudom,²⁴ the IPP gathered 50 respected Thais of various backgrounds and political affiliations who shared a desire for a peaceful resolution of the conflict. The IPP was proposed as a means of creating a neutral space for peace-builders and politically active stakeholders within the conflict (hence called "insiders") to collectively analyse the conflict and explore ways to transform it. In this program, the fifty selected persons participated in five workshops and several working groups between September 2011 and June 2012.²⁵

Another program created was People's College (PC). About 20 human rights volunteers established this forum in 2010. Public closely associated the PC to the PPP because it gained support for funding, expertise, and facilities from the DSW and the PSU. PC is not a formal education institute, but only a forum. Its main activity is organizing training for peace leaders and public forums. The PC aims to build political and peace awareness among the community and student leaders. The

²² In peacebuilding process, track 2 is an unofficial dialogue and uses problem-solving activities aimed at building relationships and encouraging new thinking that can inform the official process. Track 2 activities typically involve influential academic, religious, and NGO leaders and other civil society players who can interact more freely than high-ranking officials. As it involves state agencies' officials it is called track 1.5. See Lederach (1997, 37-55)

²³ The group comprised the Center for Conflict Studies and Cultural Diversity (CCSCD) and the Institute for Peace Studies (IPS) at Prince of Songkla University (PSU), the Center for Peace and Conflict Studies (CPCS) at Chulalongkorn University, the Peace Information Center (PIC) at Thammasat University, the Institute of Human Rights and Peace Studies at Mahidol University, the Office of Peace and Governance at King Prajadhipok's Institute (KPI), Deep South Watch (DSW), and the Berghof Foundation Liaison Bangkok (Ropers and Anuvatudom 2014, 294).

²⁴ Norbert Ropers is Senior Research Fellow, Center for Conflict Studies and Cultural Diversity, Prince of Songkla University, Pattani, Thailand, and Program Director, Asia, Berghof Foundation, Bangkok/Berlin. Mathus Anuvatudom is based at the Office of Peace and Governance, King Prajadhipok Institute, Bangkok, Thailand.

²⁵ Mathus Anuvatudom, interview with author in Bangkok, 8 October 2013. For detail of the program implementation, see also Ropers and Anuvatudom (2014, 277, 280).

end-goal of its program is that a critical mass of leaders available to promote peace, and when peace comes they are ready to participate in local politics and policy-making. Up until 2013, more than two hundred leaders had joined this program.²⁶

The second umbrella, the Patani Forum, has recruited a number former student leaders, NGO workers, academics and writers. According to its profile in many publications (Patani Forum 2012, 2014), it works to create an environment conducive for a rigorous and meaningful debate about the nature of the conflict in Thailand's Malay-speaking South and how best to address and resolve these issues. The Forum is involved in three main activities: advocacy, civic participations, and in-depth analysis of the dynamics of the region and of the ongoing conflict. Its main goal is to convince the Thai society and the state that the road to peace and peaceful coexistence must be firmly rooted in the acknowledgement that the Malays of Southern Thailand have an historical and cultural identity of their own and that their narratives do not undermine Thailand's statehood.

The Forum and the PPP share belief in the importance of a peaceful means in resolving conflict in Patani, but work with different goals and audiences. Most of the Forum's activists have been exposed to peacebuilding processes in other Southeast Asian countries, especially in Indonesia and the Philippines. Hence, along with its aims to draw as wide as possible public concern toward a peace process, they also encourage the government and the separatist groups (track 1) to emulate the success of peace processes in Aceh and Mindanao (Iglesias 2013, 7).²⁷ The activists in this group, like the journalist Don Pathan, have repeated constantly that since 2009 "the Thai state mistakenly thought that quelling violent attacks, massive development, and good intent was enough to reconcile the historical mistrust between the region and the state." In order to change the situation on the ground, this group have urged Bangkok to learn from Aceh and Mindanao, to take

²⁶ Wae Ismael Naesae, interview with author in Pattani, 19 November 2013.

²⁷ Track 1 in peace-building process is an official discussion involving high-level political and military leaders and focusing on cease-fires, peace talks, and treaties and other agreements. There is another track, which is called track 3, focusing at the grassroots level and undertaken by individuals and private groups to encourage interaction and understanding between hostile communities and involving awareness raising and empowerment within these communities. See Lederach (1997, 37-55)

part in a peace process, and allow other countries as well as NGOs to participate (Pathan 2009).

Despite have different objectives, audience, and activities, PPP and Patani Forum share a common pattern. Both emphasize the persuasive approach and attempt to disseminate the idea of peace in resolving conflict. They also mobilize people for peace by working with either respected figures or at the grassroots. Such approaches are certainly constructive. The CSOs' efforts to mobilize peace on the ground and articulate local perspectives in resolving conflict are instrumental in enlarging peace constituency. Their movement, reinforced by popular participation, is also a breakthrough. It has broken down the stagnant binary opposition of state and the separatist movements in Patani and paves the way for mainstreaming peace process within the Thai state and society at large.

While in Patani the PPP and Patani Forum became the prime movers of efforts to facilitate conflict stakeholders in drawing a peace road map, beyond the Thai borders, Penang based academic institution the Research and Education for Peace, Universiti Sains Malaysia (REPUSM) is a key civil society group that reaches and shares peace ideas to separatist leaders.²⁸ Under the leadership of Prof Dr Kamarulzaman Askandar, REPUSM found that peace in Patani would likely be achieved if all conflict actors would engage in dialogue. With such this view, REPUSM had taken the initiative to talk with main separatist groups BRN and PULO and facilitated them to meet with many civil society groups (Askandar 2013). The REPSUM initiative was certainly instrumental in spreading the seeds of peace among the separatist group leaders. While a peacebuilding program in Patani had made a significant contribution in preparing wider numbers of stakeholders to welcome Bangkok's peace talk initiative, late 2013, the REPSUM program was instrumental in encouraging the separatist leaders, especially BRN-C, to be receptive to and involved in the talk.

²⁸ REPUSM has worked since 2004 to help resolve the Patani conflict. Using an academic approach which is considered the most appropriate one, the institution organized a number of peacebuilding activities such as peace trainings and "dreamkeepers" workshops/seminars for youth and students. This organization also had a role in building networks among higher education institutions in Patani under the name Southern Thailand Peace Network (STPN) which later became Southern Thailand Universities for Peace (STUfPeace) (Askandar 2013).

7.2 Government Elites: Paving the way for talk while quelling violence

While the CSOs had a significant role in mainstreaming peace, another factor that led the Patani conflict to the verge of a peace process was the role of elites in government. The military position in Patani case was made clear; they would never engage in a peace process unless the separatist groups lay down their weapons first. The military (officially and institutionally) persisted with its position throughout the conflict. Yet, amidst this military's non-negotiable position and the continuous political tides in Bangkok that cause instability within the government and discontinuity of policies, there are some leaders within government (regardless of their background, military or civilian) whose decisions and actions, intentionally or unintentionally, derailed conflict toward a peace process. They built foundations to resolve the conflict peacefully through the conciliatory approaches they adopted, policy adjustments they made, talks with the separatist leaders they held, and the greater freedom they made available to discuss a solution. Despite those roles being likely to serve the ruling elite's short term political goals, they have been instrumental in paving the way towards peace.

7.2.1 Raising a Conciliatory Approach

The first block in building foundations for peace began with the Surayud government. In contrast to PM Thaksin, who half-heartedly established the NRC and then led a lukewarm approach to the report, PM Surayud attempted to adopt some policy changes following the NRC's recommendation. In his first press conference after assuming the post of prime minister, Surayud immediately made an attempt to reach out to the South by showing a conciliatory gesture (Pathan 2006a) which resembled the NRC's proposal to overcome violence through the power of reconciliation (NRC 2006).

Religious leaders, businesspersons, and academics in Patani welcomed Surayud's conciliatory gestures. They expected that he would engage civil society and extend people's participation in resolving the conflict, as well as unifying the functions of the various organisations that worked individually in their own direction. They felt he would implement the NRC's recommendations earnestly

(*The Nation*, 3 October, 2006); despite generally meeting the NRC's report with indifference as it evaded their demand for special administrative arrangement (Noi 2006).

It is likely Surayud would have listened to people's expectations from the South. He formulated a conciliatory approach, which consisted of three main elements: an apology to gain support for reconciliation, a reinstatement of institutions to improve governance, and an improvement to the standard of welfare by promoting regional economic development. Surayud originally aimed this conciliatory approach to winning the hearts and minds of the Malays in Patani. If this approach was effective, the government expected the militants' violent actions to gradually vanish, as increasingly, they were losing popular support. While he encapsulated this approach in Prime Ministerial Order 206/2549 (2006) entitled "The Policy to Promote Peace in the Southern Border Provinces" and issued on 30 October (Askew 2010a, 136), it can be seen that Surayud had left legacies laying foundation for the use of non-violent methods to resolve the conflict (Satha-anand 2009, 97).

Marc Askew, who conducted in depth studies of Thai government policies towards Patani from 2004-2009, called Surayud's role in issuing the Prime Ministerial Order 206 as a success in "naming the problem" (Askew 2010b, 238). Thaksin's government just quoted "sustainable peace" in the Prime Ministerial Order 68/2547 (2004) entitled "The Policy for Promoting Peace and Happiness in the Three Southern Border provinces" and did not propose any real steps to achieve peace, except using military measures to quell violence. However, Surayud's Order 206/2549 indicated that the government was gradually arriving at an understanding that the conflict was not a simple issue of violence and, hence, required alternative approaches to restore state authority and legitimacy (Askew 2010a, 133, 136). Despite the fact that the Order had not mentioned a peace process to resolve conflict, it did emphasize the importance of "justice," "peaceful methods," "reconciliation," and "people's participation," in line with the King's earlier mantra (understand, access, develop) to be adopted by government in its effort to stabilize Patani (Askew 2008, 139).

In terms of official performance, Surayud's attempts to win hearts and minds were unsuccessful in the end. He failed to harmonize the government actions with his rhetoric, which caused public confidence in him to decline. Lack of time and bureaucratic inertia became the main causes of this failure. The national-level political issues, such as: the manoeuvrings of the exiled former PM Thaksin, framing a new constitution, reforming the police, and economic problems, had seized his attention. This caused Patani to slip from his priorities and in the end he relied on military security measures to end the violence. Meanwhile, Thai bureaucrats were largely indifferent to Surayud's conciliatory policy. They still perceived a conciliatory approach as weakness and only brought benefit for separatists (Pathan 2012a, 3-4, Storey 2008, 44). Yet, in spite of the bureaucracy strongly rejected this approach, Surayud had succeeded bringing conciliatory ideas into government. Since Surayud, a more peaceful means was drifting into government cognizance; despite its ultimate goal which remained at quelling the violence, not resolving the conflict.

7.2.2 Re-establishing Conflict Management Institutions

Another significant legacy of Surayud's government called by Askew (2010b, 238) was "framing the policy." In his attempt to winning the hearts and minds of Patani, Surayud's government was determined to regulate the institutions dealing with the southern problem. Hence, along with Prime Ministerial Order 206/2549, he issued the Order 207/2549 which re-established the SBPAC and the CPM-43 as well as establishing a new army-based ISOC Region 4 Forward Command (Askew 2010a, 136). Later, Surayud's effort to re-establish these organizations, in particular the SBPAC whose authority and function was further enhanced during Abhisit's government, provided a great foundation for the SBPAC under Yingluck's government to manoeuvre and contribute in bringing the conflict to the verge of a peace process.

Under Prime Ministerial Order 207/2549, the SBPAC and the CPM-43 were re-established, but placed in the new structure under the Internal Security Operations Command (ISOC) headed by General Sonthi. This re-establishment was unlike the first launching of these two organizations in 1981, in which they came

under the Fourth Army Region commander, or in the 1996 restructuring when both were under the direct control of the interior ministry. According to the Order, the National Security Council (NSC) has policy-making power to draw up a five-year national policy (covering both development and security issues) for peace building in the far south. All other government agencies were to follow this master policy. ISOC had strategy-setting power to translate the broad policy into sub-sections of development and security issues, and to provide concrete strategies and tactics. SBPAC was responsible to design, integrate, and implement programmes and projects related to development work, while CPM-43 had responsibility for security issues.²⁹ Another organization stated in the Order, was the Fourth Army, whose duty it was to encourage and support the integration of programmes and projects by all agencies on the ground (Poocharoen 2010, 188-189).

Having decided to employ a soft approach, to some extent, this policy was a step backwards because the military regained its primacy over both police and civilian officials in managing the South (ICG 2007a, 3). In this respect, Surayud (a retired General) backtracked because his government was just an interim one and in fact, was under the military junta. However, through the Prime Ministerial Order 207/2549, it was obvious that Surayud, while serving his 'military master' (creating ISOC under the military), also took a chance to rebuild SBPAC (a civilian institution).

Surayud's policy that put the SBPAC under the ISOC remained in place until 2009. Under PM Abhisit, Bangkok designated the SBPAC to become the agency in charge of ensuring justice and strategic coordination over the restive areas (*The Nation*, 18 December, 2008). To this purpose, the government made an improvement by enlarging the role of the SBPAC. Initially, as this organization was firmly subordinated to the ISOC 4 from which it drew its budget, the SBPAC was rather like a development organization to support military-security policy than an

²⁹ On 1 May 2002, PM Thaksin dissolved SBPAC and this was a catastrophe (McCargo 2007b, 45-49). This institution was a vital intelligence network that had good links to community leaders and had a role as a channel for people to express their grievances. The SBPAC also helped in maintaining a delicate balance between the security and intelligence agencies operating in the south (ICG 2005b, 32-36). The demise of intelligence, along with Thaksin's decision to transfer internal security responsibilities to the police, an institution that is generally regarded as being heavy-handed than the army, had caused the Thai government policy toward Patani under PM Thaksin was dreadfully hawkish (Pathmanand 2006, 74-78).

institution which functioned to manage political matters in promoting peace. The Southern Border Provinces Administration Act that came into force after the Senate approved it in December 2010 put the SBPAC directly under the prime minister.³⁰ The Act also required the appointment of an SBPAC secretary-general as well as the establishment of a committee on development strategies for the southern border provinces, chaired by the Prime Minister (Nerykhiew 2010).

The re-establishment of the SBPAC in 2006 and the stronger power this organization has had since 2010, provided opportunities for a ‘creative’ secretary general Thawee Sodsong to manoeuvre and bring the Patani conflict closer to a peace process. Thawee, a former policeman and Thaksin-loyalist, was appointed as the secretary general of the SBPAC on 18 October 2011 (*The Nation*, 18 October, 2011). Many locals saw his appointment as a political move by *Pheu Thai* Party to increase their influence in the region. Although there remained those who disliked him, in general his populist policies and approaches received praise from the local elites in Patani, especially among *ulama*.³¹ He drew popularity notably after providing compensation for victims of violence, promising to revoke the emergency decree, and convincing people that the current government was discussing a type of autonomy for the South (McDermott 2013, 122).

The first Yingluck’s government attempt to reach out to the separatist leaders took place with the help of Thawee. Using his power and influence, Thawee recruited leaders from Patani and sent them abroad to approach the exiled separatist leaders. Eventually, in March 2012, Yingluck’s brother, former PM Thaksin, had an opportunity to meet with about 17 separatist leaders in Kuala Lumpur, Malaysia and he asked them to help end the conflict (Patani Forum 2012, 109-110). There was no result of this meeting. Thaksin only took the opportunity to apologize for his harsh tactics in Patani, claiming to have been misinformed of the situation by authorities. He asked all participants to bring peace back to the region (Pathan 2012b).

³⁰ A Major General (former Deputy Commander of the Region 4 ISOC), interview with author in Bangkok, 7 November 2013

³¹ A reformist Muslim leader, interview with author in Yala, 21 October 2013; A senior leader of Islamic Council of Pattani Province, interview with author in Pattani, 19 November 2013.

The meeting was officially boycotted by BRN-C, but Hassan Taib, who later signed the General Consensus on Peace Dialogue Process on 28 February 2013, and a young BRN-C representative sent by the DPP were nevertheless present, along with 15 other separatist leaders (Pathan 2013). The presence of Hassan in this meeting and later his role in talks about a peace talk in 2013 showed that Thawee's effort to organize the March 2012 meeting was of some use. He laid a first step towards confidence building. However, it was hard to imagine that, under Yingluck's government, the secretary-general of the SBPAC could contribute in bringing the conflict to the verge of a peace process had PM Surayud's not re-established this organization and the Abhisit's government not given it more power.

7.2.3 Re-building Foundations for Talk

The Surayud administration also laid the foundation for renewing the government's initiative to talk to separatist leaders. During Surayud's tenure over 2006-2007, the government admitted that using military means to quell violence was not an answer. His government then attempted to reach the Malay leaders to understand their voice in formulating the best approach to resolve the conflict.³² For this purpose, Bangkok planned to organize talks to the Patani Malay leaders into two tracks: "peace talk" between Thai government and the separatist leaders, and "workshops" in which government and military officials, the separatists and their supporters, and civil society leaders discussed the problem to find common ground.³³

Before Surayud was in government, Bangkok had carried out several talks with the separatist leaders. In the 1990s, the governments had repeatedly sent the Army officials to know the separatist grievances and, if possible, co-opt their leaders. Bangkok started its first secret talk in 1991 when the Army sent officials to talk to the BRN's leaders. As the purpose of the meeting was to know the separatist

³² A former high-level official of the NSC and adviser to the Prime Minister, interview with author in Bangkok, 13 September 2013. According to a middle-ranking officer who was often involved in these workshops, presently many officers are aware that dialogue is the best process to resolve conflict in Patani. However, they are not yet in position of key decision makers in the military. A Colonel (Royal Thai Armed Forces Headquarters), interview with author in Bangkok, 12 October 2013.

³³ A General (former Royal Thai Army liaison to talk with the separatist groups), interview with author in Bangkok, 14 November 2013.

grievances, there was no outcome at that stage. The Army officials just returned to Bangkok with their demands.³⁴

In 1994, the Thai Army sent officials again to talk to the separatist groups. This approach led to two informal meetings with PULO in Cairo and Damascus.³⁵ PULO raised autonomy as the conflict resolution. Doubting whether this solution was a real demand of the Muslim Malay in Patani, in their reply the government representatives suggested PULO to ask people in Patani first and present the result at the next meeting. In the second meeting in Damascus, PULO failed to provide convincing evidence that autonomy would be a comprehensive and permanent solution desired by the Malays in Patani.³⁶ After the Damascus meeting, the talk was halted due to PULO's action in taking advantage of the minutes of the meetings endorsed by Thai representatives when they filed a report to the Organisation of Islamic Conference (OIC). The resentment in the military and government circles prompted the Army to call off the talks with PULO (*ISRA News*, 18 May, 2013).³⁷

Under PM Chuan Leekpai in 1995, but this time with the help of Malaysia, the Fourth Army Region re-explored the opportunity to resume talks (*ISRA News*, 18 May, 2013).³⁸ In this process, the Army representative almost succeeded in co-opting certain BRN leaders (considered by government as the most influential group) after the meeting on 8 April 1995 in the Hotel Perdana, Kota Bharu

³⁴ At that time, BRN representatives had submitted demands which were similar to the latest demands in 2013. As the insurgency was not strong at that time the government did not consider conflict in Patani as a priority and, therefore, Bangkok did not have a clear policy to respond to the separatist demands. Their demands ended up on the table of the ISOC 4 that assigned by the Army to study it. *Ibid.*

³⁵ In the first meeting in Cairo, the Army officials met with PULO's founder Tungku Bira Kotanila. In Damascus, PULO was accompanied by BRN, some Patani students studying overseas, and other groups. In contrast to PULO's demands, BRN stuck to the demand to restore "*hak pertuanan*" and the recognition of "Patani Darussalam," whereas other groups raised "justice" issue. *Ibid.*

³⁶ This inability raised suspicions within the Thai government that PULO was no longer fully controlling separatism on the ground. *Ibid.*

³⁷ After the second talk, the government representatives realized and reported two important issues for any further talk with the separatist groups. First, due to the fragmentation of the separatist groups, any talk in the future must be with the most influential group that fully controlled separatism on the ground. Second, having observed that the majority of active and influential separatist leaders resided in Malaysia, any talk would only be effective if the Malaysian government was involved. Later, these two issues became two important principles whenever government held talks with the separatist leaders. *Ibid.*

³⁸ The Malaysian role rose to the surface when during his visit to Thailand in 1995, the Malaysian Police Chief urged PM Chuan Leekpai to revive talks with the separatist leaders. The Malaysia Special Branch police and the Fourth Army Region then established a joint working committee to explore the peace talks (*ISRA News*, 18 May, 2013).

Kelantan.³⁹ The Talks were eventually suspended after an extensive publicity in Thailand of Kuala Lumpur's role caused an embarrassment for Malaysia (*ISRA News*, 18 May, 2013) and the new Thai government under PM Banharn Silpa-Archa wanted to stop the process.⁴⁰ When Chuan returned to the Prime Minister and issued order 127/2541 in July 1998, it was too late.⁴¹ The order was aimed at convincing the insurgents to surrender, undergo re-education, and attend vocational job training programs to become productive citizens, but not many of them accepted it (Moore 2010, 209-210).⁴²

During Thaksin's government, Bangkok managed to repeat the 1990s process by sending Army officials to two rounds unproductive talks with the PULO and BIPP in Switzerland. It was revived in 2006 but the process failed to make any progress (*ISRA News*, 18 May, 2013). Between mid-2005 and early 2006, despite reluctance to be officially engaged in a new dialogue, Bangkok let former Malaysian PM Dr Mahathir Mohammed navigate the Langkawi process secretly (Patani Forum 2012, 75) and sent the Armed Forces Security Centre Chief Lieutenant General Vaipot Srinuan and the NSC Chief General Winai Pathiyakul to join the talk (Levett 2006).

If the previous governments were barely in contact while the talks carried out, Surayud's approach to 'peace talk' was different. In Surayud's era, though the process remained in secret, the government contrived to make it more organized and involve parties other than the military. Surayud himself was also ready to talk to the separatists. Despite this new approach, Surayud's efforts to renew talks in track 1 were relatively unsuccessful. Even though the government liaisons had met

³⁹ BRN representatives led by Lukman and the Army representatives agreed to amend Prime Minister Order 66/2523 to allow the separatists got amnesty and participated in managing economic development in the South (BRN 2012). Both also agreed to draft terms of reference, which would detail the solution to the question of education, justice and identity, in 3-4 years. A General (former Royal Thai Army liaison to talk with the separatist groups), *op. cit.*

⁴⁰ *Ibid.*

⁴¹ Chuan issued this order to enable amnesty in Prem's 66/2523 policy, which specifically aimed at communists, applying to the Malay insurgents (Moore 2010, 209-210).

⁴² Meanwhile, worried over Thai peace talk strategy would break up separatist groups, in July 1995 the leaders of seven separatist groups (BRN-Congress, BRN-Coordinate, BRN-*Ulama*, BIPP, GMIP, PULO, and New PULO) attempted to make a common platform. These groups agreed to form a tactical alliance to redraw national and regional attention on Patani's struggle. Under the banner of *Bersatu* (united) led by Wan Abdul Kadir Che Man, in August 1997 they carried out a coordinated operation code-named "Falling Leaves" and conducted bombing, arson, and shooting attacks (Chalk 2008, 8, Gunaratna, Acharya, and Chua 2005, 122-123).

in several places (Philippine, Jakarta, Yogyakarta, Singapore), the movement leaders who controlled the ground retained an attitude still immersed in violence and refused to join.⁴³ The insurgents considered no other incentive for them to engage in any process as the violence produced results on the ground (HRW 2007a, 8). Added to the fact that this “die hard faction” did not want to join any talk, another cause of why the talk failed at that time, was that Malaysia did not compel the insurgent leaders to join.⁴⁴

The only progress during Surayud’s administration was when Thai delegates, under the leadership of Dr Mark Tamthai in collaboration with the Henri Dunant Center for Humanitarian Dialogue (HDC), successfully sponsored a meeting between PM Surayud and the separatist groups BRN-C and PULO in Bahrain, 10-12 December 2007 (Boyce 2007a). At this meeting, Surayud met with Kasturi Mahkota, a Sweden-based senior PULO leader (Patani Forum 2012, 88) and four BRN-C leaders. This was the first time the leaders of the BRN-C, the movement which was suspected of having influence over the *juwae* (fighters) in Patani, met face-to-face with the highest Thai political leader (Boyce 2007b).

Surayud was unsuccessful to engage the separatist leaders behind the violence in a productive talk, but he left a legacy laying the groundwork for a meaningful peace process for Patani in the future. His meeting with the separatist leaders including from BRN-C was important in confidence building. The most profound one was in the dismantling of the old taboo which prohibited Bangkok’s active top political leaders to talk to the separatist leaders. Along with the extensive media disclosure of the secret talks in the past, Surayud’s move could be seen as one of the triggers that led to Bangkok refining its policy about peace talk in the Abhisit government. Talk was no longer a taboo, but the government required a palladium to carry it out.

During the PM Abhisit Vejjajiva era, the government had a general policy to resume the Talk.⁴⁵ Hence, the Geneva Process (because it was directed from the HDC’s Headquarter in Geneva) suspended by PM Samak Sundaravech in 2008, was later revived by Abhisit in 2009 (*ISRA News*, 18 May, 2013). While the process

⁴³ A General (former Royal Thai Army liaison to talk with the separatist groups), *op. cit.*

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

was running, the government also refined its policy about peace talk. The policy became clearer in 2010 when the NSC formed a peace dialogue committee. The government also promulgated a two level policy in managing the Southern unrest. The first was a national security policy. This was a political policy endorsed by the NSC under the NSC Act and bound by all parties and governments. The second level was government policy, which was temporary. The prime minister issued this policy and it ended when the government changed. In the NSC policy, peace talk was addressed “to create an environment that is suitable and favorable for discussion of conflict resolution and to give active participation to those involved and the stakeholders of peace building by first encouraging dialogue among the stakeholders (including people, civil society, religious leaders, all sectors).” It aimed at “discussing an appropriate decentralization,” but “the form of local administration must be under the spirit of the constitution and must provide dignity and collective security of all ethnics living in the South.” The second dialogue was “the dialogue with the undercover groups.” As the undercover group was just one of the stakeholders, any decision reached with them was not a final solution.⁴⁶

Before 2010, there was no policy and, consequently, the government officials contacted and held a dialogue based on the ruling government initiative. With the NSC policy, Thai officials were permitted to explore ways to carry out dialogue with the separatists and as it became national policy, every government had to comply.⁴⁷ This policy, whose emergence could not be separated from the breakthrough Surayud made and the desire to sustain dialogue in the era of Abhisit, gave legal protection for Yingluck’s government to initiate an overt and official talk to real people behind the violence. A key change towards this process occurred when the NSC released a new national security policy entitled “Policy for Administration and Development of the Deep South, B.E. 2555-2557 (2012-2014 AD)” in March 2012. This policy contained provision for “... creation of an environment which facilitates dialogues to find a solution out of the conflict and

⁴⁶ A former high-level official of the NSC and adviser to the Prime Minister, *op. cit.*

⁴⁷ *Ibid.*

provide guarantees to those involved and the stakeholders in the peace process” (Jitpiromsri 2012).⁴⁸

7.2.4 Providing Freedom for Discussing a Political Solution

The process towards dialogue under Yingluck’s government was surging due to the greater political freedom in the South since Abhisit’s government.⁴⁹ The freedom gave the public opportunities to discuss political solutions, and increasingly exposed them to peaceful means of conflict resolution. With the variety of options available from the discussions, the demand for the government to revive talk with the separatist leaders became more urgent.

It cannot be denied that the Democrat-led government under PM Abhisit rose to power and put an end to the opposition-led (Red Shirt) mass protest in 2009 and 2010 with the help of the army. Yet, though the government was dependent, it distanced itself from the army (Askew 2014, 241-245). Abhisit comprehended that violence in Patani had economic, cultural, and education dimensions which were beyond the military measures (*The Nation*, 18 December, 2008). Hence, his government established a more liberal policy.⁵⁰ He came to power with the borrowed slogan of the Cold War’s counter-insurgency strategy ‘*karnmuang nam karn thahan*’ (politics lead the military)⁵¹ in which he pledged to take back policy oversight for Patani from his ‘friends in arms’, the military, and shift policies from a security-oriented approach towards development and justice (ICG 2009b, 1-2). At the end, regardless of the little progress he had made in translating his promises into

⁴⁸ The policy was actually drafted and arranged by the National Security Council (NSC) during the Democrat-led government. Later, the Yingluck government approved it in March 2012.

⁴⁹ The Abhisit government apparently had a special political treatment for people in the South who were renown for their loyalty to the Democratic Party. While his government directed “the closure of more than 1,000 websites, a satellite television station, online television channels, printed publications, and more than 40 community radio stations for allegedly threatening national security or broadcasting material deemed offensive to the monarchy” from 2008 to 2011 (HRW 2012), people in Patani relished greater access in discussing political solution.

⁵⁰ Abhisit’s government spokesperson, *op. cit.*

⁵¹ This strategy was developed in the 1970s by General Prem Tinsulanonda, General Harn Leenanond, and General Chavalit Yongchaiyudh based on their observation that insurgency “arose from various causes: exploitation by local influential people, poverty, social injustice, corruption, and abuse of power by the authorities. Politics, then, became the main weapon in” the counter-insurgency. The military must “cooperate with the people, improving governance, bettering the people’s lives, and providing security from CPT [Communist Party of Thailand] intimidation and violence” (Moore 2010, 898-90).

actions, there was an important development during his government. While sustaining the emergency decree to appease the security authority (which was a reversal after originally revoking it), he revived the discussion of a political solution for Patani from 2009 onwards. The security authorities were uneasy with his idea, but he let the discussion developed at the hands of academics.

On 28 December 2008, Abhisit's cabinet agreed to revoke the emergency decree and martial law in Songkhla's four districts and Pattani's Mae Lan district. His government used these districts as a pilot program before revoking the special law in other areas in Pattani, Yala and Narathiwat (Etna 2008). However, the military and police were uneasy with this policy. When the April 2009 quarterly review of the emergency decree came around, it coincided with the Red Shirts demonstration in Bangkok; and between these various fronts of unrest, the Abhisit's cabinet was no longer able to resist the pressure of the security authorities.⁵² Following the advice of the NSC, the government dropped its plan and extended the decree in all districts of the three southernmost provinces, except in Mae Lan (ICG 2009b, 11).

The Abhisit's government attempted once again to convince the security authority to revoke the special law. This time, the government used scientific research to justify its policy planning. Before the next renewal in July 2009, the government asked the Prince of Songkhla University to carry out a public opinion survey on the emergency decree and martial law. The research found that Muslim leaders, youth, NGO groups and security related detainees wanted the special laws revoked, while most Buddhists, police and the military thought it was advantageous (ICG 2009b, 11).⁵³ This was an unexpected result for Abhisit's government in his planning to revoke the special laws, but at the same time, it was a good excuse for his government to extend it.

⁵² In order to sustain or to revoke the emergency decree, the government must conduct a review first. The review is due every three months.

⁵³ Questions concerning security measures for the region revealed responses as follows: 23.6 percent strongly disagreed; 21.8 percent disagreed; 15.7 percent agreed; 4.8 percent strongly agreed; and approximately 24 percent expressed moderate support for the government's decision to continue to use a large number of military and police forces. Based on the data from this question, when the two groups that opposed the government policy are combined, they make up 45.5 percent of the total number of respondents. However, more than 50 percent remained expecting the government carried on the existing policy (Jitpiromsri 2009).

The government's effort to de-securitize Patani eventually failed, but the 'courage' of the government to have a different view to the military at this time encouraged public in becoming more vocal. The academics and media took advantage of the moment to revive as well as expand discussion on a political solution for Patani. On 18 January 2009, Deep South Watch and the Southern Thai Journalists Association started this effort by organising a brainstorming session on the "Five-year Southern Violence: What's next?" The participants urged Abhisit's government to use political means to end the current conflict rather than focus exclusively on military force as previous governments had done (Pathan and Chongkittavorn 2009). Following this, throughout 2009, the political and military leaders' rejection for any discussion of political solutions, as they claimed it was as a first step towards independence or violation of the core principle of the unitary Thai state, became wane. Several more public seminars were organized to discuss a new form of political administration suitable for Patani. PM Abhisit himself became embroiled in this discussion. In his closing remarks in a seminar on "Politics must lead the military: sustainable solutions to solve southern violence," Bangkok, 30 June 2009, Abhisit said that he was ready to discuss a special form of local governance. He cited Bangkok and Pattaya as examples of administrative areas governed by elected leaders, but doubted a new political structure alone would resolve the conflict.⁵⁴

Abhisit seemingly backtracked on his position to avoid being at odds with the military by suggesting that the government was only interested in enlarging local participation rather than inventing a new political structure. However, it was apparent the discussion around a political solution could not be longer ignored and it needed to expand. The political discourse of the more specific political solutions

⁵⁴ According to Duncan McCargo (2010a, 269), until 2009 the political solution for Patani can be grouped into three alternatives. First, "regionalization" in which Thailand as a unitary state allows the creation of new regional administrations. This alternative was best represented by Prawase Wasi who called for the implementation of a modern version of "monthon" system in February 2007. Second, "administrative reform" which emphasizes the way power is organized at the level of the state and the creation of special governance arrangements at the national level. Srisompob proposal represented this alternative. Third, "devolution" that proposes the establishment of a new local or regional government, including the idea of electing provincial governors or creating provincial or regional assemblies. Deputy Prime Minister Chavalit Yongchaiyudh proposal in June 2004 to create a single administrative region called *Maha Nakhon Pattani* (the Pattani Metropolis) and Interior Minister Chalerm Yoobamrung idea in February 2008 designating the Deep South as a special administrative zone were examples of this alternative.

developed. On 11 August 2009, supported by 21 MPs, MP Najmuddin Ummar submitted to parliament a draft bill for the creation of a new ministry for the South (McCargo 2010a, 276). In November 2009, Chavalit Yongchaiyudh who had become the Chairman of *Pheu Thai* Party (the descendant of the *Thai Rak Thai* Party) revived his proposal for granting a form of self-rule, which this time named as *Nakhon Rat* (Principality) Pattani. The proposal that tended towards autonomy was more often heard throughout the 2010 and the 2011 election campaigns.

The Abhisit administration kept a distance from the growing discussion of political solutions, but on the other hand it did not forbid it. Along with his government's attempt to fulfill his promise of 'politics leads the military,' this step was inseparable from the Democratic Party's target to secure its traditional voters in Patani. For this purpose, the Abhisit's government did not want to look at odds with the growing discourse in Patani. With this tactic, the Democratic Party secured its supremacy in the South in the 2011 election. Yet, this tactic, which Abhisit and the Democratic Party might consider served their short term political goals, provided greater consequences than they expected. Having allowed the discussion of political solution to escalate, public expectation of the incoming government to hold a dialogue with the separatist group was also growing. Yingluck Shinawatra and *Phue Thai* Party that won the election nationally captured this desire and conceded to a dialogue to ingratiate them to the Patani Malays. The widespread discussion about types of 'self-rule' for Patani, which was a core separatist demand since Haji Sulung, also enforced the separatist groups behind the violence to consider growing public expectation for a peaceful political settlement. With a potential loss of popular support, the separatist group reluctantly accepted Bangkok's initiative for a peaceful dialogue while testing the government's sincerity towards the process.

7.3 Separatist Group Elites: Reversing the violence

The separatist groups had never declared that they had relinquished their demand for independence, but amidst violence ongoing since 2004, their desire for independence was also becoming feeble. On many occasions, either in the secret meetings with Thai officials or in their response to the development on the ground,

the separatist leaders introduced the idea of achieving *hak pertuanan* and identity by means other than independence. Later, an encounter of some separatist leaders with the CSOs elites in many programs made them consider a political solution in achieving their even while violence continued.

7.3.1 Going Political

Signs that the separatist leaders, especially the older leaders, were more attracted to a political settlement other than their own became clearly visible as did their willingness to attend a number of secret meetings; either initiated by the Thai government or any third party, with or without Bangkok's official consent. While discussions of political solutions appeared to have been sparked among academics and politicians since 2008, the suggestion for this had initially come from the separatist groups. In 2005, the Chief of the Patani Bersatu movement, Wan Kadir Che Man called the Thai government to implement decentralization based on the 1997 constitution. In his interview with Dr. Farish Noor, he suggested the need for "the government to truly and effectively implement articles 282 to 290 of the 1997 Thai Constitution, which makes allowances for local government and limited self-control" (*The Nation*, 24 June, 2005).⁵⁵ Unfortunately, not long after his statement Wan Kadir resigned from Bersatu (*The Nation*, 4 July, 2005). His proposal that fully handed the solution to Bangkok apparently did not represent the view of the separatist groups.

The separatist leaders required that the political settlement be subject to discussion through dialogue process and agreement. Therefore, regardless the pressure or incentives from the third party (Malaysia, HDC, Indonesia), they joined several secret meetings to discuss the solution. In the Langkawi Meeting between mid-2005 and early 2006, which was brokered by former Malaysian PM Dr

⁵⁵ Articles 282 to 290 deal with local government, the power and authorities of local municipalities, local elections, etc. The aim of these articles was to secure some form of local political representation at the regional, provincial and district levels and it added to the decentralisation of power. John Fuston (2009) discussed the possibility of implementing this idea and concluded that the proposal would not alleviate tension. Funston (2009, 131) pointed "the influence of local elites (expressed particularly through vote-buying) and the reluctance on the part of the central authorities to relinquish financial control" as the main factors that would hindered the process.

Mahathir Mohammed (Patani Forum 2012, 75), the insurgent leaders⁵⁶ agreed to a plan that called for an end to injustice and focused on economic development, better educational opportunities, and greater Muslim representation in the provincial government administration. However, they demanded a blanket amnesty for insurgents, the optional use of Malay in schools, and a regional body with which people could register complaints (Levett 2006). During Surayud's administration, senior leaders of Sweden-based PULO Kasturi Mahkota and four BRN-C leaders attending the meeting with PM Surayud (Patani Forum 2012, 88). The meeting was facilitated by the Henri Dunant Center for Humanitarian Dialogue (HDC) in Bahrain, 10-12 December 2007 (Boyce 2007a). On 20-21 September 2008, facilitated by Indonesian Vice President Jusuf Kalla, the Thai Muslims leaders represented by the Patani Malay Consultative Congress (an umbrella organization of southern Thailand's insurgent groups) met with a group of Thai representatives led by General Khwanchart Klahan in the Presidential Palace, Bogor (Khalik 2008a).⁵⁷ In all these unsuccessful meetings, the old separatist leaders did not mention independence as a solution they expected. Despite no clear statement that they already renounced this goal, they embraced the other political option as long as it was contained their two traditional demands *hak pertuanan* and identity.

Signs indicating ongoing internal strife in the separatist groups toward a political settlement were also obvious from the description they developed to identify themselves and their struggle: from "*kumpulan pemisah*" (separatist group) to "*gerakan pembebasan*" (liberation movement). Among the largest groups active in Patani, the Sweden-based PULO was the first to show this change. In 2006, one of its leader Kasturi Mahkota indicated that his group was willing to compromise. He said, "Our initial goal was independence for Patani. But the world has changed and we are willing to discuss solutions other than a total breakaway. The main thing

⁵⁶ From the exiled groups, representatives attending the meeting included President of Gerakan Mujahideen Islam Pattani (GMIP) Mohammed Bin Abdul Rahman, Vice President of the Patani United Liberation Organization (PULO) Razi Bin Hassan, President of Barisan Revolusi Nasional-Congress (BRN) Abdullah Bin Ismail, Vice President of BRN Abdullah Bin Idris, and President of BERSATU Wan Kadir Che Man. the BRN-Coordinate was absent, although a few low ranking members were allowed to attend in a personal capacity (Pathan 2006d).

⁵⁷ The 16 separatist leaders attended the meeting representing BRN, GMIP, BIPP and Shamsuddin Khan's faction of PULO. They were led by Wan Ahmad bin Wan Yusof of GMIP, and the main negotiators were Wahyuddin Mohammad, Sa'adul Maliki, Bachtiar Che Teh (all BIPP) and Mr Mohammad Fatah Abdul Aziz (Patani Forum 2012, 91-92).

is to get the Thai authorities to the negotiating table” (Lintner 2006). A year later, in his call for the Thai government to enter into a dialogue with sincerity, Mahkota said in his statement, “We would also like to stress to the Thai authorities that we are not separatists but liberators. We therefore do not intend to acquire even an inch of Thai soils, but to liberate our inherited ancestors’ territories, [which are] now occupied by the Siamese who are dominated by Thai nationalists” (Mahkota 2007).

BRN-C, which was suspected of having a strong influence with the perpetrators of violence, also identified itself as a ‘liberation movement’ after the signing of General Consensus on Peace Dialogue Process on 28 February 2013. In an explanation for the first of the Five Demands that BRN made known on YouTube on 28 April 2013, it mentioned that the organization was a ‘liberation organization,’ not a ‘separatist organization,’ representing the Malay Patani (BRN 2013c). An in depth elaboration of this term by a close source to BRN Abu Hafez Al-Hakim (pseudonym) (2013) indicated that the term ‘liberation’ was the result of long internal deliberation to make BRN more flexible in adopting any political instruments besides violence without sacrificing its goal for ‘independence’. According to Abu Hafez, fifty years of struggle gave leaders more matured thought where, for some ‘independence’ was rather understood as a ‘freedom’ from Thai’s control and oppression than an attempt to separate Patani from Thailand. The leaders did not abandon the demand for ‘independence’, but it became an option which BRN reserved under ‘the right for self-determination’ when explaining the fourth demand (recognition of the Malay Patani sovereignty (*hak pertuanan*) over their homeland).

7.3.2 Seeking Alternatives to Violence

While other groups such as PULO, BIPP, and GMIP that had been active in Patani were ready to engage in a dialogue with Thai representatives throughout 2005-2012, the strongest group BRN-C seemed to be reluctantly participants. BRN-C passivity during the CSOs’ efforts to promote a peaceful solution and Bangkok’s initiatives to renew talks, raised questions as to whether its leaders thought about resolving conflict other than with violence. A superficial reading of its inaction

suggests that BRN-C never seriously sought peace in Patani, but in fact, this movement did attempt to find an alternative to violence.

In 2007, when PM Surayud attempted to reach the insurgent leaders behind the violence, BRN-C defiantly remained unwilling to talk, other than attending meetings for the purpose of observing the situation and conveying its demands. Its leaders still believed in physical force and refused to join any substantial talk.⁵⁸ As their stated goal was to liberate Patani from Thailand, senior members of BRN-C told the Human Rights Watch that at that time they were not interested talking to the Thai authorities. They had no plans to give up the armed struggle for Patani. They still needed time at least three to five more years before they were in a strong enough position before participating in any kind of political process (HRW 2007a, 8).

There was a strong perception among BRN-C leaders that a peace talk with Bangkok would only be productive if the Thai government and the military were in a weak position. They believed that the Thai government's effort to reach the separatist leaders from 2005 only came about because of violence in 2004. Hence, they were keen to perpetuate the situation and perceived that the time to negotiate would be when the Thai government overstrained in Patani and Bangkok would be sincere to resolve conflict, not just to quell violence. At the same time, the BRN-C's effort to unify all groups under its banner would also be successful and gain a strong influence in the region,⁵⁹ including adequate control of the *juwae* (fighters) cells on the ground (Patani Forum 2012, 79-80).

This position indicates that BRN-C will continue the strategy of violence, while at the same time think of a peaceful exit strategy in anticipating future negotiation. In doing so, as Abu Hafez Al-Hakim (2013) explained, the leaders have been re-evaluating the movement's strategy to make them compatible with the current political situation. Despite independence as the end goal and liberation as the means to achieve it has not been abandoned, the BRN-C leadership seeks alternatives apart from the armed struggle. There is a growing awareness among them that a settlement to conflict, even if they wage war for another fifty years,

⁵⁸ A General (former Royal Thai Army liaison to talk with the separatist groups), *op. cit.*

⁵⁹ Pak Haji (pseudonym), interview with author in Pattani, 13 November 2013.

remains to be decided at the negotiating table. This consciousness has encouraged them to begin considering a dialogue despite sustaining violence. An indication of this shift appears in the presence of Hassan Taib and a young BRN-C representative sent by the DPP in Kuala Lumpur meeting with Thaksin in March 2012, despite this event being officially boycotted by BRN-C (Pathan 2013).

Although it is difficult to provide strong evidence, it is likely that this shift, from a non-compromise approach to a flexible one, is partly due to the BRN-C's leaders and cadres encounters with the peace concerned CSOs on many occasions. One of the leading academic institution outside Thailand that has had long term dealings with the Patani issue, the Research and Education for Peace, Universiti Sains Malaysia (REPUSM), divulged that it had taken the initiative to talk with the main separatist groups BRN and PULO together with civil society groups in many programs (Askandar 2013).

Even though a heightened consciousness occurred within the BRN-C towards seeking alternatives to violence, the dialogue announced in Kuala Lumpur 28 February 2013 was considered by the BRN-C as violating its basic principles of peace talks. It was an enforced process by Malaysia at a time, according to *Dewan Pimpinan Parti* (DPP, Party Leadership Council) of BRN-C, was yet a moment to start a dialogue. In order to escape from this strain, the BRN-C attempted to close the loophole so that the failure of the talks was not imposed upon them. This led to the BRN-C proposing *Lima Tuntutan Awal* (Five Initial Demands) as requirements to continue the talks.⁶⁰ Bangkok, in fact, had never aspired to meet these demands until the Yingluck government collapsed in 2014. Hence, the peace process, which is now not impossible, has to wait for another moment as envisioned by the BRN-C.

7.4 Conclusion

This chapter suggests the groundwork for commencing talks about peace talk in February 2013 was a long process. The CSOs elites, the Thai government elites, and the separatist leaders have a profound role in this process. Their desire to

⁶⁰ A person close to BRN-C's sources, interview with author in Pattani, 22 October 2013.

resolve conflict in Patani has made peace become a shared idea, paved the way for talk, and encouraged warring parties to become susceptible to a peace process.

The role of the CSOs elites can be traced from the end of 2004. Academics, who were at the forefront of these elites, raised national concern about the excesses of violence and called on the government to use peaceful methods to ease the unrest. The other civil society elites, such as the leaders of student groups and NGOs joined later after Bangkok eased its policy towards Patani. In subsequent years, the student movements, with the help of human rights and justice-concerned NGOs, broke the locals silence over military atrocities by calling for justice for the victims and de-securitization. Following these efforts, the civil society elites continued their role by leading public discussion about the sorts of autonomy, which was instrumental in reviving political solutions to the conflict. Lastly, their role in sharing the idea of peace with the respected figures and grassroots leaders, as well as mobilizing people towards it, was constructive in mainstreaming peace and enlarging the peace constituency.

The CSO's activities pressed Bangkok to consider a non-military solution to the conflict. The academics' proposal to address the Patani question became the background of the establishment of the NRC. The disclosure of state abuse by NGOs and students stirred Bangkok under Surayud's government to wrap an approach in a more conciliatory gesture. In his attempt to winning hearts and minds of Patani, Surayud's government determined to re-establish the SBPAC whose secretary-general later would contribute in bringing the conflict to the verge of a peace process under Yingluck's government. The Surayud administration also laid the foundation to organize talks to the Malay leaders. Later, the National Security Council (NSC) under the Democrat-led government drafted the policy of dialogue and Yingluck's government approved it. The process towards dialogue under Yingluck's government surged due to the greater political freedom in the South since Abhisit's government. The freedom gave the public opportunities to discuss political solutions, and increasingly exposed them to peaceful means of conflict resolution. With the variety of options available from the discussions, the demand for the government to revive talk to the separatist leaders was becoming greater than before. Yingluck Shinawatra and *Phue Thai* Party who won the election

nationally captured this desire and later held a dialogue to ingratiate them to the Patani Malays.

The separatist groups' passiveness amidst the CSOs' efforts to promote a peaceful solution and Bangkok's initiatives to renew talks did not mean that their leaders never seriously sought peace in Patani. In fact, some of them were active in seeking a peaceful solution for Aceh. The old leaders' role in introducing the idea of achieving traditional demands of *hak pertuanan* and identity by means other than independence, and their willingness to participate in several unproductive talks with the Thai representatives, indicated that they were attracted to a peaceful political settlement. Along with the unsuccessful talk about talk in 2013 between Bangkok and BRN-C in Kuala Lumpur, it came to light that among the BRN-C leaders there was a great concern of the limit of the strategy of violence. This consciousness, which was partly due to the BRN-C's leaders and cadres encountering the peace concerned CSOs on many occasions, encouraged them to become interested in a dialogue despite sustaining violence. If the leaders who are concerned with the peace process are successful in developing this idea from within and the time frame fits with the vision of the BRN-C, together with emerging leaders who have the desire, sincerity, and capability in the Thai government, a true peace process is likely to appear soon.

Having discussed elites' ideas and roles in the last two parts, the following chapter – which is the last substantive chapter – discusses factors that have pushed towards and away from the peace process in Aceh and Patani. The analysis aims at assessing what ideas and roles have worked in certain circumstances, why they have worked, and what we can learn that can be adapted elsewhere.

CHAPTER 8

ELITES' IDEAS AND THEIR ROLES: LESSONS FROM ACEH AND PATANI

“Indonesia has set a model in solving the conflict in the Aceh province successfully. The Aceh model is a good example to bring peace to southern Thailand.”
A Thai government Web site, www.thaigov.go.th, quoted PM Surayud Chulanont as telling Indonesian media after meeting President Susilo Bambang Yudhoyono in Jakarta, 21 October 2006.

“The fact that a long bloody conflict was resolved at all, and in a very speedy way, that in itself should be able also to help our brothers and sisters in southern Thailand realize that a peaceful solution is possible anywhere in the world.”
Press statement of Indonesian presidential spokesperson, Dino Patti Djalal, after PM Surayud meeting with Indonesian President Susilo Bambang Yudhoyono in Jakarta, 21 October 2006.

On 15 August 2005, the government of Indonesia and GAM signed a peace accord in Helsinki to end the separatist conflict in Aceh. The world applauded this success. The government of Thailand, which had faced a resurgence of violence in Patani a year earlier, also joined the chorus in hailing the peace deal. In a visit to Indonesia in 2006, the interim military-backed Prime Minister Surayud Chulanont even expressed his interest in following Indonesia’s success as indicated in the quotation above. For its part, the government of Indonesia has attempted to present the peace process in Aceh as a model for resolving separatism conflict in the region. That this ambition expressly includes Patani can be seen from the statement of Indonesian presidential spokesperson Dino Patti Djalal in the quotation opening this chapter. The message is clear: if peace is possible in Aceh, it is also possible in Patani.

Yet, a decade later, Bangkok’s attempt to follow the success of Aceh peace process has not yet come to fruition. In 2008, Indonesian Vice President Jusuf Kalla and team prepared a plan for a peace process between Bangkok and the Patani separatist groups. Kalla’s effort collapsed at the first round. Before and after this process, a number of meetings have been held. The climax was a deal in Kuala Lumpur, February 2013 that seemed to steer Bangkok and the leading separatist organization BRN-C towards a peace process. Unfortunately, the process collapsed and a peaceful settlement has yet to be achieved.

In previous chapters, it has been argued that the elites' ideas and their roles matter in making conflict in Aceh and Patani prone to a peace process. Based on the role of elites and their ideas, this chapter discusses factors that have pushed towards and away from the peace process in Aceh and Patani. The chapter begins by comparing the variations of separatism. The separatism in Aceh shares many elements with Patani, but in terms of ideas and the role of elites in stirring up conflict they are different. Consequently, this distinction leads the cases on different trajectories of conflict and peace.

The second section contains a comparison of the ideas proposed by elites in Aceh and Patani during their respective conflicts. Based on discussions in previous chapters, it is obvious that in Aceh, there was always a chance for ideas to be implemented, and this became the foundation in making conflict stakeholders prone to peace. In Patani, there have been many ideas proposed to resolve the conflict, but there has been little chance to employ them.

The chapter concludes with a consideration of the role of elites in both conflicts. In each case, I argue that many CSOs, government, and separatist groups' elites participate in propagating peaceful alternatives to resolve conflict. Yet, the cases go in different directions. In Aceh, elites were successful in propagating peace inside the warring parties and making it a widely accepted idea. When there were elites who were capable of translating it into action, eventually peace had a chance of being achieved. In Patani, efforts to popularise peace as a shared idea have only just begun. The number of elites who desire peace is growing, but the discontinuity of peace initiatives – caused by political instability – has hampered progress towards peaceful solution. Despite political stability improving in the future, the capable and decisive leaders are still awaited to make a peaceful settlement achieved.

8.1 Separatism: Between managed and unmanaged¹

The separatism in Aceh and Patani are examples of how separatism, is the fighting of opposing peace ideas. In Aceh, GAM's elites defined peace as ending injustices by reclaiming the province's independence. They proposed this idea as a reaction to the centralization policy, which was deemed paramount by the New Order regime to maintain order in the unitary state of the Republic Indonesia, but perpetuated injustices in Aceh.² In Patani, the main ideas of peace revolve around questions of sovereignty and identity. The separatist groups demanded independence after they observed that the official idea of the Thai state and nation-building process – considered by Bangkok as being completed during Pibul Songkram's government at the end of 1930s – obstructed their chance to restore the sovereignty and the identity of the Malays in Patani.³

I contend that the fundamental issue in Aceh is injustice, and this underlies the idea of separatism. As the issue is tangible, consequently, the path to resolve separatism in Aceh is less problematical than in Patani. Once the government elites met GAM's pursuit of justice, which was claimed by GAM as an imperative on the basis of the Acehnese distinctiveness, peace prevailed. Patani is different. The desire of the separatist groups to restore sovereignty and identity, which has been rejected by Thai government to date, means warring parties in Patani have no exit strategy. The different ideas on how to restore peace have caused the separatist groups to splinter. Elite competition within and among groups occurred and complicated the course of conflicts as well as weakened the struggle. The Thai government also suffers from similar problem of disunity and discontinuity. The unmanaged separatism in Patani contrasts with the managed separatism in Aceh. Though GAM had suffered from a split, in the end, it remained a strong organization, and the peak leadership's control over the organization remained effective. The strong position of GAM's elites, along with the sustaining role of

¹ This chapter uses in-text citations for new information and quotations only. To indicate information and evidences from previous chapters which are presented here again, cross references in footnotes are provided.

² Chapter 2, sections 2.2.3, 2.3.1, and 2.3.2

³ Chapter 3, sections 3.2.2, 3.2.3, and 3.3.1

some government elites during conflict, led efforts to navigate conflict towards peace in Aceh a less arduous than in Patani.

8.1.1 Making History as a Reason versus a Cause

One of the prominent similarities between the idea of separatism in Aceh and Patani was the role of history. In both cases, history matters. History is exploited as a foundation for the invented separatism. The advocates of separatism in Aceh and Patani are fully aware of ‘the utilitarian’ function of history which Francis C. Gordon (1971, 3-5) explained as “to serve the collective interest ... makes for unity among those who accept the same myth, inspires people to act in concert” Yet, who and how the elites incorporate it to their ideas and roles makes conflict and peace in both cases go in different direction.

The separatism in Aceh developed at the hand of Teungku Hasan Muhammad Tiro who invented the idea. Tiro was the central figure in encapsulating the Acehnese’s grievances. He packaged the glorious Acehnese history into the rationale of the contemporary separatism and proposed a successor state to the independent kingdom in the pre-colonial era as his self-realization of desirable peace for the Acehnese.⁴ Unlike Aceh, in Patani there was no central figure who developed the idea of separatism and then established a movement. The most respected figure, Haji Sulung, never called for secession from Thailand. His *Tujuh Perkara* was, in fact, a demand for autonomy and the separatist movement then grew five years after his disappearance.⁵ The separatist historical narrative had only evolved in the 1950s in conjunction with the efforts of the Patani separatist circles in Malaysia to transcribe oral history of the Thai subjugation over Patani. This effort was made to gain the sympathy of the Malay community for the number of separatist movements established (Jory 2013, xv).

The issue of a central figure has led to the development of separatism to grow differently in each place. The centrality of Hasan Tiro in GAM gave him a great opportunity in building the narrative of struggle and navigating internal change including developing tactics and strategies. The changes he carried out

⁴ Chapter 2, sections 2.2.2 and 2.2.3

⁵ Chapter 3, sections 3.2.2 and 3.2.3

proved effective. His efforts to commence the struggle by using a political strategy, then to proceed with the military strategy, and lastly to combine the military strategy with a campaign using international norms allowed GAM to survive for almost 30 years and drew support from the larger Acehnese as well as international sympathy.⁶ Tiro's charisma and GAM's loyalty towards him can also be considered as one of the contributing factors that facilitated the success of the peace process in Aceh. In Patani, the absence of a central figure caused separatism to grow in the hands of a number of groups with different ideologies and purposes. Inside each group, the leader who was regarded as the key figure seemed less than charismatic. As a result, almost at every attempt of making internal change, the group suffered splits.⁷ This situation, of course, made the struggle move up and down, and was contrary to the separatist groups' objective of achieving independence that, in fact, required unity to make it successful. The nature of sporadic movement in Patani did not only debilitate the struggle, but it also obscured any efforts towards peace efforts.

Both Hasan Tiro and the Patani separatist circles use history in raising separatism. Yet, its usage in Aceh is narrower than in Patani. Hasan Tiro used history for a reason. He proposed a historical argument on the importance of a successor state for Aceh only after observing that the long-term injustices experienced by the Acehnese would never vanish if Aceh remained under Indonesian centralized control.⁸ The Patani separatist groups of the 1950s pointed to history as the main cause. The history of the painful process of Patani's incorporation into Thailand caused the Malays to lose their sovereignty and identity.⁹ In this regard, history is much more vital to the Patani than the Acehnese. The main driver of separatism in Patani is the loss of sovereignty and identity, which overlays their history. In Aceh, the separatism is a matter of devolution of power and Tiro refers to history just to substantiate his claim to secede.

History's role has been different in each case. In Aceh, the idea of a successor state planted by Tiro managed to draw widespread popular support when

⁶ Chapter 2, section 2.3

⁷ Chapter 3, sections 3.3.1 and 3.3.2

⁸ Chapter 2, section 2.2.3

⁹ Chapter 3, sections 3.1 and 3.2.1

Jakarta's politics of exploitation and centralization in the 1980s caused the Acehnese to suffer injustices. He claimed that Indonesia's colonization of Aceh justified secession.¹⁰ However, when the injustices slowly vanished after the 1998 *Reformasi*, his secession demand and his call to establish a successor state lost its foundation. Hence, it was a reasonable expectation that gradually Hasan Tiro and GAM would step up to the peace process if the government was able to offer them justice. In Patani, the living history of Thai subjugation has been reinforced by injustices for hundreds of years.¹¹ Even if the government were to end injustices for Patani in the future, historical claims about the subjugation would remain a hot issue. Patani exemplified what James D. Fearon and David D. Laitin (2011, 200) call a "sons-of-the soil" (SoS) case. In SoS conflict "the minority group think of their group as indigenous, and as rightfully possessing the area as their group's ancestral (or at least very long-standing) home."¹² Due to the core of conflict is control over territory, the SoS conflicts typically have long duration though much less deadly than other type of civil wars. Another thing, a solution to the conflict, without considering the history of losing power and territory and restoring Patani as the homeland of the Malays, will likely be worthless.

8.1.2 Flexible versus Inflexible Strategies

Another similarity between the idea of separatism in Aceh and Patani was the role of Islam. Both cases exemplify "where the confluence of religious [Islam] and atavistic sentiment has been reflected in insurgent groups" as Peter Chalk (2001, 242) explained. Yet, the ways the separatist groups in Aceh and Patani link themselves to the idea of Islam, give them different strategies and consequences.

Hasan Tiro raised the issue of separatism in Aceh after his federalism project for Indonesia failed. Having considered 'Indonesia-Java' as a myth, Tiro moved forward to reinvent a new real nation for himself. He found it in the ethnic

¹⁰ Chapter 2, section 2.3.2

¹¹ Chapter 3, section 3.2.1

¹² A sons-of-the-soil (SoS) conflict has two core features. According to James D. Fearon and David D. Laitin (2011, 200), the first feature is it involves conflict between members of a minority ethnic group concentrated in some region of a country, and relatively recent, ethnically distinct migrants to this region from other parts of the same country. The second feature, the members of the minority group think of their group as indigenous, and as rightfully possessing the area as their group's ancestral (or at least very long-standing) home.

group from which he originated, the Acehnese. In the declaration of Aceh's independence on 4 December 1976, he wrote that the purpose of Aceh's independence was reclaiming the past. It aimed to "protecting our [Aceh] historic right of eminent domain to our fatherland" considering "illegal transfer of sovereignty over our fatherland by the old, Dutch colonialists to the new, Javanese colonialists" (Tiro 1984c, 15-17).¹³ In this respect, it is obvious that since its inception GAM had been an ethno-national movement. Yet, Tiro did not ignore Islam in this case. As he said, "Islam is an inseparable part of Acehnese identity ... If Aceh is a coin, Islam is the other side of that coin" (Tiro 1984c, 124). In other words, Tiro claimed that without waging Islam in GAM's campaign, the Acehnese struggle is definitely for Islam.

While the separatism in Aceh was more ethno-nationalist in character, most separatist groups in Patani have nevertheless had strong affinity to Islam since their inception in the 1950s and 1960s; the main exception to this was BNPP, which was dominated by the remnants of Patani's ruling elite and clung to the idea of reinstating the sultanate. BRN started as an underground movement spreading the three principles: anti-colonialism and anti-capitalism; Islamic socialism; and Malay nationalism. Though PULO was more accurately characterised as ethno-nationalist than Islamist, its aim was to establish an independent Islamic state.¹⁴

During the 1980s, almost every Patani movement used Islam or its associated terms in their names, even in BNPP. When the religious-educated leaders were more dominant in this group, they moved closer to the global current of Islamist radicalism. Some militant leaders broke off in 1985 to establish *Barisan Bersatu Mujahidin Patani* (BBMP, the United Patani Mujahidin Front). BRN emerged as more Islamic when its leaders Ustadz Abdul Karim Hassan and "Haji M" dropped "Islamic socialism" in favour of pure Islam. *Ulama* who renounced violence and focused on religious activities joined BRN-*Ulama* (also known as *Gerakan Ulama Pattani* or Pattani *Ulama* Movement) led by Ustadz Abdul Karim Hassan. Some leaders, who committed to a long-term political strategy of expanding support in Islamic schools with only limited guerrilla activity, joined

¹³ Chapter 2, section 2.3.1

¹⁴ Chapter 3, section 3.3.1

BRN Coordinate (BRN-C) led by “Haji M.” In PULO, when a more militant faction led by Hayihadi Mindosali gained more control, they wanted to maximise harassment of the Thai state and targeted symbols representing Buddhism to give the impression that they struggled against the enemies of Islam. This strategy change was one among other reasons causing PULO to suffer a split by 1992.¹⁵

GAM’s ethno-national character made this organization more open. It eased GAM in aligning itself to international norms. As a result, GAM’s relentless campaigns using norms such as the right to self-determination and human rights, made the Acehese separatism attractive to countries, international organizations, and international NGOs concerned with human rights enforcement. Moreover, the exposure of GAM to these ideas led them to slowly realize that there was an alternative strategy to achieve their goal. The 1998 *Reformasi* reinforced their expectation that independence might be possible to be achieved with political means and international support.¹⁶ By contrast, the post-World War II struggle in Patani was led by *ulama*. The Malay Patani also considered that they would not gain support from western countries as those countries had close ties with Bangkok. For these reasons, the separatism in Patani leaned to some Muslim (Arab) countries and faltered to capitalize international norms.¹⁷ Consequently, while the Acehese separatism was successful in drawing international sympathy, in particular from international NGOs, the Patani separatist groups only gained support from only a few Muslim countries and gained little international concern before the resurgence of violence in 2004. In this regard, the widespread violence since 2004 can be considered as an attempt to draw national and global concern as well as an expression of frustration caused by the isolation and the absence of an exit strategy.

8.1.3 Solid versus Diverse Organizations

Besides developing the idea of separatism, elites also have a role in building separatist movements in Aceh and Patani. Yet, their background and their

¹⁵ Chapter 3, section 3.3.2

¹⁶ Chapter 2, section 2.3.3

¹⁷ Chapter 3, sections 3.2.3 and 3.3.1

subsequent roles in separatism led the nature of movements to be different in Aceh and Patani.

The separatism in Aceh could not be separated from Hasan Tiro who proclaimed the independence of Aceh in 1976. Tiro's declaration of independence was an attempt to exercise the right of self-determination based on three key arguments: history, international law, and decolonization principles. The declaration shows that as a former diplomat with a background in Political Sciences, Tiro put high expectation on the success of the struggle for independence through diplomacy and international support. His declaration was clearly far from incitement to armed resistance. Tiro led GAM, which originally comprised of the remnants of DI/TII and their families. While most of his compatriots imagined an armed struggle, Tiro refused the request and convinced them that "the gun is neither the first nor the last thing!" (Tiro 1984c, 48).¹⁸ In the 1980s, the movement was drawn into an armed struggle for two reasons: as a strategy of self-defence against Jakarta's militaristic approach, and as an attempt to build the structure of self-proclaimed government. Tiro never believed that GAM would win the struggle solely by developing their military capability (Aguswandi and Zunzew 2008, 9). Hence, since its inception, GAM was more receptive to a political solution to the conflict.

Hasan Tiro's background and the fact that he remained in the role until the end of the conflict, solidly established the separatist movement in Aceh under GAM and the movement became more open to a political solution. However, the movement in Patani grew diverse and since their inception have been caught in armed struggle. Separatism in Patani was developed by a generation of leaders that were strongly disenchanted with the Thai government and post-war regional politics after the setbacks in the ways they took to change the destiny of Patani, ranging from submission, autonomy, to irredentism. These leaders then established several separatist movements. Despite their different ideological, organizational, and operational outlooks, all movements advocated the establishment of an independent Patani state. They observed that independence was the only way forward and that the political options were over. In pursuing this goal, all the

¹⁸ Chapter 2, section 2.3.1

separatist movements used the same strategy from the outset. They shared violent actions, such as conducting ambushes, kidnappings, assassinations, extortion, sabotage, and bomb attacks. Despite the movements knowing that they could never match the military strength of the Thai army, their objectives to destabilise the region, create a sense of insecurity among Thais living there, and to press Bangkok to accede to their political demands caused armed resistance to slowly become the norm.¹⁹ Later, despite a change in the first generation leadership and some old guards scaling down their demand for independence, two aspirations remained unchanged in the movements: the desire to restore sovereignty and the Malay identity, and the sustaining of violence. The latter was even more lethally organized than before.

8.1.4 Strong and Cohesive Elites versus Fractured Elites

Separatism in Aceh and Patani were both led by elites. It began with what Stuart J. Kaufman (1996, 109) explained as ‘belligerent leaders.’ These leaders came to power when mass hostility was low and used their influence to encourage the growth of discontent. In Aceh, Hasan Tiro started planting the idea of separatism in Aceh in 1974. Initially, his invitation to secede did not draw much support. It was estimated that GAM had only about 70 loyal followers join him in the mountain before he escaped from Aceh in 1979.²⁰ In Patani, the struggle for independence rose after the attempt for irredentism and to gain autonomy failed. Following the decline of demand for autonomy after the death of Haji Sulung, the Malay leaders began to uprouse Malay Muslim sentiment by the end of the 1940s and put forward secession as a solution for Patani in the 1950s.²¹

How the leaders in both cases developed their leadership and built the cohesiveness amongst themselves to manage separatist ideals lead the conflicts to develop differently. In Aceh, Hasan Tiro and his circle exemplified strong leaders and cohesive elite. The sustainability of GAM and its struggle was due to Tiro’s strength in leadership and the cohesiveness of GAM’s leaders. Tiro was aided by

¹⁹ Chapter 3, section 3.3.1

²⁰ Chapter 2, section 2.3.2

²¹ Chapter 3, section 3.2.3

only a handful of close friends and relatives in organizing GAM from Sweden after leaving Aceh in 1979.²² Yet, the cohesiveness of its core leaders in Aceh and Malaysia made GAM, despite suffering splits three times, successfully developing networks on the ground and even becoming a stronger rebellion group.²³

In contrast to Aceh, the Patani separatism was led by fractured elites. Since the 1950s, several armed separatist groups had emerged to fight for independence. In order to draw widespread support and sympathy for their struggle, the separatist leaders propagated “the Malay nationalism” in 1950-1970, took advantage of “Islamic revival” in 1980, and have badgered with “Jihad” since 2000. Yet, how the leaders incorporated these ideas into the movement caused the division between and within the separatist groups. The Malay nationalism in the 1950s to 1970s was absorbed differently by each group. The remnants of royalty in BNPP envisioned the Malay nationalism would result in the establishment of the Malay Sultanate. In favour of leftism, BRN fervently intended to establish an independent republic of Patani. PULO aimed to establish an independent Islamic state. During the era of Islamic revival in the 1980s, the desire of a number of leaders to draw a stronger marker between the Thais and the Malays by linking their movement to Islam caused internal splits in almost every group. The splits reappeared when the militant separatists continued working underground in early 2000 to reconsolidate the struggle under the sacred fighting term in Islam ‘*jihad*,’ where argument for and against evolved over the violent tactics used by militants.²⁴

²² Chapter 2, section 2.3.2

²³ GAM suffered three split. The first was in 1984 when GAM’s staunch supporter from *ulama*, Teungku Hasbi, and his son, Teungku Fauzi Hasbi, left the movement because they considered Tiro’s ideas was more inclined to ethno-nationalism rather than Islam (Putra 2000). Since 1985, Minister of Education and Information of GAM, Dr. Husaini Hasan, was excluded from GAM. This decision was deemed to be related to his criticism towards Tiro’s strategy, besides his personal disputes with other GAM’s leaders of Tiro’s family such as Zaini Abdullah. Husaini Hasan always commented that this discord was because he and some colleagues attempted to be loyal to the original ideology that developed during the early days of the uprising in Aceh’s forest (Hasan 2015, 335-344, Sulaiman 2000, 61, Missbach 2011, 129). Along with a number of dissidents who moved away from the circle of GAM top leaders, Husaini Hasan founded *Markas Besar* GAM Eropa (MB-GAM Eropa, Headquarters of GAM in Europe) in Sweden. Later, Husaini Hasan was alleged as the key figure responsible for the emergence of *Majelis Pemerintahan* GAM (MP-GAM, Governing Assembly of GAM) in Kuala Lumpur in 1999 led by Teuku Don Zulfahri as Secretary General (Hasan 2015, xix). Of all these splinter groups, none could match GAM. The last two groups even continued to show its loyalty to Hasan Tiro despite established a separate organization from GAM.

²⁴ Chapter 3, sections 3.3.1, 3.3.2, and 3.3.3

Strong leadership and cohesive elites did not just matter in developing separatism, but also in resolving conflict by political means. In Aceh, these two factors sustained GAM until post-1998 *Reformasi* and they are believed two of the factors that facilitated the resolution of conflict. The strong leadership and cohesive elite in GAM meant that the government only needed to deal with one organization and could rely on the influence of its elite over all members and supporters.²⁵ On the government side, it was the fact that after the 1998 *Reformasi*, strong and cohesive government elites showed the way to a peaceful resolution.

The Patani separatism is led by fractured elites, and furthermore it operates in a state led by fractured government elites. During the 1990s, the Royal Thai Army (RTA) carried out a series of secret meetings overseas in order to discover separatist demands, persuade them to give up their armed struggle, and co-opt them to join the national development programme. Sadly, all the meetings failed. Among the causes was government's insincerity. Thai government held talks not to seek a permanent solution, but to serve their short-term goal of controlling the situation on the ground. The discontinuity of government made the talk difficult to achieve progress. The results achieved by the outgoing government were often annulled by the incoming government. Within government there were also disunity and disinterest, which caused most results to end up on the table of authorized officials.²⁶

Different characteristics of elites lead the separatist movement in Aceh and Patani on different development paths. In Aceh, strong leadership and cohesive elites within government and GAM ensured efforts to navigate separatism into a resolution was within reach. In Patani, besides causing the movement to be far from successful in achieving their objectives, splits between and within groups led separatism to grow more complex. Its root causes were no longer the first critical factor to deal with and caused efforts to resolve the conflict more problematical. Meanwhile, fractured government elites caused Bangkok to be neither able to quell the violence nor able to move towards peace.

²⁵ Chapter 4, section 4.3.2

²⁶ Chapter 7, section 7.2.3

8.2 Peace Ideas: Between shared and scattered

The separatism in Aceh was less problematical than it has been in contemporary Patani. Yet, regardless of this issue, warring parties' elites in both cases were keen to see an end to the conflicts. Hence, while the conflict was underway, the non-violent alternatives to end separatism also evolved. In previous chapters that discuss a collection of ideas proposed by elites, it is argued that ideas had a contribution in derailing conflict to the peace process. Yet, four conditions meant the contribution of ideas had different results in Aceh and Patani. They are awareness of alternate ideas; concern for a (political) solution as reflected in the ideas; willingness to take advantage of available political opportunities to implement the ideas; and the readiness to learn from failures in implementing the ideas. The four conditions had been in favour in making peace a shared idea during the conflict in Aceh. In Patani, the conditions began favouring peace, but the final result is yet to be determined. Consequently, while in Aceh ideas that emerged had brought warring parties to engage in the peace process and successfully reached a peace settlement, in Patani the ideas are just shaping the parties' inclination to a peace process.

8.2.1 Level of Awareness

Following the resumption of armed separatism in Aceh and in Patani, non-violent ideas to end conflict also grew. In Aceh, amidst the growth of GAM's military resistance after the 1998 *Reformasi*, the CSOs called for desecuritization and justice for the victims of military atrocities. In its response to the escalation of conflict, the government of Indonesia generated ideas to change the situation ranging from reconciliation, raising *ulama* participation and the implementation of *sharia*, to winning the hearts and minds of the Acehnese by accelerating development.²⁷ In Patani, following the resurgence of violence in 2004, the Thai government produced a number of persuasive ideas to stop violence, ranging from suggesting reconciliation, making apologies, restructuring the governance in Patani, to

²⁷ Chapter 4, section 4.1

enhancing the development. Later the CSOs called for justice and desecuritization.²⁸

In both cases, the emergence of ideas that focused on resolving the conflict's excesses – but with an expectation it would restore peace – had raised awareness of conflict stakeholders on the importance of peaceful alternatives in managing conflict. However, the degree of awareness was different in Aceh and Patani. Recognition of a peaceful alternative had been at the forefront in Aceh since 1998 while it was tenuous in Patani throughout 2004-2010.

The timing of when ideas emerged made this difference. Summarizing Daniel Béland's (2005, 10) explanation, timing is a particular political condition under which political actors have an interest in promoting ideas. Timing is crucial in determining the sustainability of an idea. This explains why similar ideas may be received differently in different places. In Aceh, the CSOs calling for desecuritization and justice for the victims emerged in parallel to the time when the transitional process of democracy in Indonesia began. The CSOs' request was responded to as the transitional government under President Habibie was trying to adopt democratic principles in managing conflict. This paradigm shift led to the emergence of a softer government approach towards the upheaval in East Timor, Papua, and Aceh. The government's first response to the demand for desecuritization was ultimately not as the CSOs expected. It simply ended with the revocation of DOM and the government's apology, while justice for the victims gained a very slow response due to strong military resistance. Yet, a number of measures to resolve the Aceh problem that later were adopted by Habibie's administration – amidst distraction from several concern on the national reformation agenda – demonstrated that the government were focussed on peaceful alternatives since the resumption of armed separatism in 1998.²⁹ The subsequent governments only needed to develop their strategies from the foundation that the Habibie government had laid.

In contrast, ideas to change the situation in Patani emerged while democracy was deteriorating in Thailand. Following the resurgence of violence in Patani in

²⁸ Chapter 5, section 5.1

²⁹ Chapter 4, sections 4.1.1 and 4.1.3; Chapter 6, sections 6.2.1, 6.2.2, 6.2.3, and 6.2.4

2004, Thaksin Shinawatra issued a Prime Minister's Office Order No. 104/2548 to establish the National Reconciliation Commission (NRC) in March 2005. Yet, this decision was considered as an effort to maintain political support for his government after the growing national and international criticism over his heavy-handed approach and the failure to contain violence in Patani. Thaksin never wanted to implement the Commission's recommendations, and even if he had wanted to do so, there was no opportunity because his democratically elected government was paralysed throughout 2006. The military coup in September 2006 installed the transitional government (2006-2007), but it lacked both legitimacy and time. Consequently, the government's ideas of reconciliation and restructuring governance in Patani failed to be fully implemented. The sustaining of political struggle between the pro and anti-Thaksin elites at national level throughout 2008-2010 drained the government and CSOs concern. Thus, efforts to enhance development, empower local administrations, and improve justice in Patani did not last long. The situation also led to the CSOs' calling for justice and desecuritization did not get a serious response from the government.³⁰

The different political conditions led to different levels of awareness. During the transition to democracy in Indonesia, the political environment included ideas of adopting democratic principles in managing conflict and a softer government approach, supported peaceful alternatives in Aceh. In contrast, the deterioration of democracy in Thailand, the protracted crisis of government legitimacy, and the weak backing of government made such support in Patani tenuous. Consequently, when peace gained traction in Patani despite of the three factors above, the opportunity to discuss a peaceful alternative was narrower in Patani than in Aceh. This caused doubts as to whether the conflict could be managed by peaceful alternatives in Patani, while strong awareness in Aceh raised hopes that separatism could be resolved peacefully.

³⁰ Chapter 5, section 5.1

8.2.2 Concern for a Political Solution

Besides the ideas to change the situation, amidst violence on the ground, the ideas involving political solutions also emerged in Aceh and Patani. Yet, how the conflict stakeholders in each case, in particular the government, executed the ideas – indicating their level of concern – compounded the difference between the two cases and made the progress towards a peaceful solution occur at a different pace.

Towards 1999, local students, civil society, and political elites in Aceh issued a more radical idea for resolving the conflict. Their previous demand for desecuritization and justice for the victims shifted to suggesting a change to the relationship of Jakarta-Aceh. With this more structural concern, they sought a political solution and demanded a referendum for self-determination with the alternatives of independence and extensive autonomy. The issue of referendum, that began to claim extensive support among the Acehnese, encouraged Jakarta to consider a power sharing arrangement for Aceh. Initially, the government issued a new national policy on autonomy in conjunction with its efforts to accommodate the nationwide demand for change in central-local government relations. In order to give more power to regions experiencing conflict, such as in Aceh and Papua, based on the local government and political elites' initiatives, the government also approved a special autonomy for Aceh under the Law of NAD.³¹

In Patani, greater political freedom throughout 2008-2012 created the opportunity for more substantive discussion about how to resolve conflict. During this period, the discourse within government and civil society (in particular the academics) shifted from resolving the conflict's excesses to seeking a structural change. There was a growing expectation that violence would gradually disappear if the political relationship between Bangkok and Patani changed. The political solution imagined would remove the impression among the Malay-Muslim Patani that they were being colonized which would then end violence permanently. Various proposals then emerged. All ideas, either under decentralization, special administrative zones or autonomy, departed from recognizing the political underpinnings of the violence.³² In Aceh, the government addressed the civil

³¹ Chapter 4, section 4.2

³² Chapter 5, section 5.2

society demand for a referendum by formulating and implementing alternative political solutions, namely autonomy, whereas in Patani, unfortunately, all worthy ideas about a political solution ended up as discourses. The government had no willingness, capability, and support, in particular from the military, to transform any single ideas into a real policy.

The implementation of autonomy by the Indonesian government showed that Jakarta's concern towards the Aceh conflict had been at the stage of searching a solution, while in Patani, all political alternatives ending up as discourses, indicated Bangkok remained at the stage of imagining solution. The pace of progress in Aceh was much faster than it is in Patani because Jakarta's elites had higher level of desire for a political solution than elites have in Bangkok. The government's idea of special autonomy, which was followed by the government's willingness to implement it, showed the Acehnese and GAM that Jakarta was in the process of change. This fostered their confidence so that it was possible to resolve the Aceh question politically. In a political atmosphere like this, of course, the door to a peace process was much more open. By contrast, the Thai government's requirement of the cessation of violence before it would engage in any discussions of a political solution and the absence of efforts to make political change closer to the separatist groups' desire resulted in a slowing towards the peace process. Bangkok policy ultimately strengthened the separatist groups' old suspicions that the government was only interested in ending the violence and not in resolving the conflict.

8.2.3 Political Opportunity for Dialogue

The variation in the level of awareness and concern for a political solution meant that the pace towards a peace process was different in Aceh and Patani. In Aceh, it took only three years for the Indonesian government and GAM to commence a dialogue, while in Patani it has required nearly a decade before an official talk between Bangkok and BRN-C's representatives began. In both cases, 'a shift in power relations' or 'the rise of new leaders' (Berman 2001, 234-235) gave a political opportunity to launch the idea of dialogue.

In Aceh, the road to a dialogue emerged parallel to the Indonesian democratic transition. It eventually became possible when in October 1999, the first democratically elected People's Consultative Assembly voted for Abdurrahman Wahid as President. Wahid, who had long experience working with CSOs, inherited the conflicting ideas of the autonomy and the referendum from the Habibie government. Although he commiserated with the CSOs' demand for a referendum, independence as an option forced Wahid to seek a solution to avoid being at odds with his fellow activists and *ulama* in the CSOs. Initially, he emphasized a domestic solution for Aceh through a personal and informal talk while sustaining efforts for autonomy. His encounter with the HDC changed his idea to an informal dialogue between the representatives of the government and the GAM on humanitarian issues. In January 2000, feeling confident with his mandate as the first president elected by a democratically-elected People's Consultative Assembly, Wahid valiantly initiated dialogue with GAM facilitated by the HDC. Along with his great concern for humanitarian issues, Wahid's boldness was based on his need to divert the Acehnese demand for a referendum. He thought that giving a space for dialogue with GAM would create the impression that Jakarta was seriously seeking a peaceful solution for Aceh. The dialogue was expected would slowly and indirectly move away from the referendum demanded by the CSOs.³³

In Patani, talk between warring parties was not a brand new. In the 1990s, Bangkok had carried out a series of secret talks with the exiled separatist leaders. When violence swept Patani in 2004, the Thai government attempted to resume the talks. Unluckily, several meetings held failing to gain much traction. The so-called real Talks only emerged when the 2011 democratic election put Yingluck Shinawatra and *Phue Thai* Party in power. Before the election, the escalating discussions of a political solution allowed by the Abhisit government had raised public expectation that the incoming government would hold a dialogue with the separatist groups. Therefore, Yingluck Shinawatra and *Phue Thai* Party – that won the election nationally, but lost heavily in Patani – captured this desire and later commenced a dialogue with BRN's representatives in February 2013 to ingratiate them to the Patani Malay. For Yingluck's government, talking to undercover groups

³³ Chapter 4, section 4.3.2; chapter 6, section 6.2.5

was becoming easier under the NSC's policy approved by parliament in 2012. The Southern problem had become a national policy, and it was a duty of every government to engage in a dialogue to resolve conflict.³⁴

The first real dialogues in both Aceh and Patani failed. In Aceh, even in its failure, the dialogue did have incremental achievements. It managed to present noticeable agreements. Yet, distrust among warring parties on the ground, disunity within their elites, and the different goal of parties caused its implementation to either rise or slump before it eventually collapsed in 2003.³⁵ In Patani, the Talks ended up as 'talk about talk.' In a matter of months, the process collapsed following the wide gulf in party aspirations, distrust among them, and disunity within their elites.³⁶ The process totally collapsed when the military coup in 2014 eventually toppled Yingluck government from power.

Regardless of their failures, the dialogues in Aceh and Patani should be noted as critical relational moments for the peace process. This was the first encounter between Jakarta-GAM in Aceh and Bangkok- BRN-C in Patani to share ideas in a sense discussing their differences and learning from each other. In both cases, the dialogue was initially a half-hearted process. In Aceh, it was held as a part of Jakarta's dual approach – talking peace while waging war – and GAM departure to seek international legitimacy, while in Patani it was a part of the Thai government's dual approach – imagining peace while curbing violence – and BRN-C departure to gain recognition as a liberation movement representing the Malay Patani. Yet, the warring parties' shared experiences during the dialogue proved to be a foundation for a more advanced process. Dialogue became a learning process that made parties and general public accept that it was possible to resolve conflict through a peaceful means. As a consequence, while in Aceh the dialogue raised readiness of parties for a peaceful solution, in Patani it drew wider constituencies who spoke out more actively about peace.

The era of dialogue in Aceh (January 2000-May 2003) and in Patani (February-June 2013) was also a chance event. It was a major breakthrough in warring parties' approach to conflict. The dialogues and talks demonstrated that

³⁴ Chapter 5, section 5.3; chapter 7, section 7.2.3 and 7.2.4

³⁵ Chapter 4, section 4.3.5

³⁶ Chapter 5, section 5.3.2

they moved from a unilateral solution. The only difference between Aceh and Patani was the transition of democracy in Indonesia had increasingly enlarged the political space for the idea of peace, so that the early failing dialogue later became the basis of a more profound peace process. In Patani, the narrowing of political space in connection with the deterioration of democracy caused the talks merely to lay the cornerstone for resolving the conflict through a peace process in the future.

8.2.4 Learning from Process

While in Patani the opportunity to advance peace after the failing dialogue in 2013 was more remote, in Aceh the continuing of democratic transition, that later put the first directly-elected President Susilo Bambang Yudhoyono and Vice President Jusuf Kalla in power in 2004, had increasingly enlarged political opportunity, the natural environment for fostering the idea of peace. Yet, along with this opportunity, another contributing factor to a peaceful settlement in Aceh was the change from the idea of dialogue to negotiation; a change that was possible due to government's readiness to learn from the failure of dialogue. This applies to what Sheri Berman (2001, 234) found in literature of ideas that "experience of failure created the space for a new conception." Unfortunately, a similar situation was not found in the case of Patani. Consequently, despite the Thai government holding many talks with separatist leaders in the past, there was no progress towards peace.

After the dialogue failed and martial law was imposed in Aceh in 2003, it was inconceivable that Jakarta and GAM would return to the peace process. One key factor that led GAM willing to return to the negotiating table was the approach that Kalla and his team espoused. Having observed the failures of the previous dialogue, Jakarta's initiative under Kalla embedded several improvements. If previously the idea of dialogue appeared due to a chance of event, under Kalla and team it was well-prepared. The process gained more attention than just proposing the solution as in the past. Talks without trust in the previous dialogue were improved with building trust first before substantial talks began. The government's new approach under Kalla's direction sought a dignified, comprehensive, and permanent settlement for Aceh, based on a mutually beneficial compromise that involved no loss of face. Included in the approach was a deliberative discussion on

the substantive issues and face-to-face interaction, which increased the possibility of the parties reaching an understanding. Mutual exchanges of proposals – which had taken place in the previous dialogue – were converted into real negotiation.³⁷

The idea of negotiation, which was mediated by an internationally reputed mediator, raised GAM leaders' willingness to participate. For GAM, it was not just an occasion to reopen the dialogue, but also the long-awaited opportunity to negotiate their position with Jakarta. With this kind of approach and the willingness of GAM to join in the process, Kalla and his team believed the peaceful settlement was a matter of time. In fact, the time came earlier than expected. The devastating effect of the 2004 tsunami urged both parties to race against time to reach a lasting solution. It encouraged GAM to consider an option other than independence. It also pressed the government to give greater concessions rather than simply forcing GAM to accept the existing special autonomy package. However, the process to resolve this protracted conflict would not be swift unless both parties learned from the previous process and had secured a willingness to negotiate before the tsunami.³⁸

8.3 The Role of Elites: Between vector and vender of ideas

Ideas need carriers to get a wider political resonance. As Sheri Berman (2001, 235) expressed there are many carriers – individual leaders or group of leaders capable of persuading others to reconsider the ways to think and act – who have a role in embedding the ideas into larger groups, society, and political institutions. The explanation relating to the role of carriers is also evident in Aceh and Patani.

In both Aceh and Patani, I found that many CSOs, government, and separatist groups' elites had participated in propagating peaceful alternatives to resolve conflict. Yet, the cases progress differently. In Aceh, the elites had been successful in propagating peace inside the warring parties and making it a widely accepted idea. When there were elites who were capable of translating it into action, peace had a chance to be achieved. In Patani, efforts to popularise peace as a shared

³⁷ Chapter 4, sections 4.4.1 and 4.4.2

³⁸ Chapter 4, section 4.4.3

idea have only just begun. The number of elites who desire peace is growing, but the discontinuity of peace initiatives has hampered the peace process.

Three inherent characteristics of the elites – resources, power, and political longevity (Berman 2001, 235) – made this difference. Resources here suggests the means that can be used by elite to influence, condition, and modify the behaviour of conflict's stakeholders. These include a great variety such as: reputation; support; position; information, knowledge, and skills; relationships; networks; and material possessions. Control of resources gives elites a power base to impact significantly on the other conflict's stakeholders. Their roles have a stronger influence when they have political longevity or the ability to survive in their position of power for a relatively long time. Those characteristics – resources, power, and political longevity – had enabled the elites in Aceh together with the ideas they introduced to gain a better, longer, or more profound responses from larger political establishments than the elites in Patani. Consequently, whereas in Aceh the relentless attempts of elites and their passion for peace had led the conflict towards a lasting peaceful settlement, Patani is still awaiting a peace process towards a peaceful settlement.

8.3.1 Civil Society Elites: Progressive versus moderate

The civil society elites were the first to contribute to finding a non-military solution in resolving conflict in Aceh and in Patani. In Aceh, students and NGOs leaders were at the forefront, and had worked even before the 1998 *Reformasi*. In Patani, the role of civil society began when 144 lecturers from 18 universities nationwide signed an open letter to PM Thaksin Shinawatra in early November 2004. Later, they submitted a proposal to address the resurgence of violence by peaceful means. In both cases, the role of civil society elites in the search for peace came to different ends. In Aceh, their copious roles – from raising local *reformasi*, breaking the silence, raising awareness, derailing violence to a political solution, internationalizing the Aceh question, promoting the idea of dialogue, to giving dialogue a chance – made a significant contribution in paving the way for the peace

process.³⁹ In Patani, the CSOs' roles – raising awareness, breaking the silence, bringing back a political solution, and sharing peace ideas – managed to mainstream the idea of peace, but could not go further.⁴⁰ The difference between these two outcomes may be attributed to the extent to which the civil society elites in Aceh and in Patani commanded resources and influenced other stakeholders with more direct power.

The civil society elites in Aceh controlled more resources than did their counterparts in Patani. They had broad support at multiple levels of society; access to information about human rights violations; networks at local and international levels; access to national and international media; working relationships with GAM's leaders and political leaders; and skills to deal with the grassroots.

When their roles began in 1998, the civil society in Aceh had gained strong popular support. After participating in the 1998 *Reformasi Nasional*, local student movements secured broad backing from local Acehnese to continue *reformasi* at the local level. They even gained widespread acclaim of the Acehnese when they demanded the revocation of DOM, revealing that the military had committed gross human rights violations in Aceh. Effective networking among local NGOs, national NGOs, and the media gave rise to extensive reports of the violations. The media exposures meant that the military and the government could no longer deny the human rights violations in Aceh with the result that DOM was revoked.⁴¹

Student movements and local NGOs also had a valuable network with international media and international NGOs. The Support Committee for Human Rights in Aceh (SCHRA) established on 24 July 1999 was one example. This network consisting of 19 NGOs and people's organizations from Aceh, Indonesia, Asia, and Britain was instrumental in bringing the silent tragedy of Aceh to the international community and calling on the media as well as international NGOs to expose the lack of human rights in Aceh.⁴²

Along with the uncertainty of the political situation in Jakarta, the civil society elites gained popular support; and with their strong network, access to

³⁹ Chapter 6, section 6.1

⁴⁰ Chapter 7, section 7.1

⁴¹ Chapter 6, sections 6.1.1 and 6.1.2

⁴² *Ibid.*, section 6.1.5

information, and the capacity to disseminate their complaints and ideas via the mass media, they were in a strong position to manage issues in Aceh conflict. Hence, when they were disappointed with the government's policies, a number of progressive elites were able to propose a referendum and have it taken seriously. Local Acehnese widely acclaimed the referendum. With this agenda, civil society elites built strong support at the grassroots. They also had good relationships with GAM's leaders, in particular the combatant leaders, enabling them to convince GAM of the merits of referendum leading to a political solution of conflict. Their relationship with Abdurrahman Wahid, who also had an NGO background, made Wahid receptive to their ideas, and as a consequence he too expressed his support for a referendum in September 1999, before being elected president of Indonesia. Later, when Wahid found himself in a political complication, he agreed to hold a dialogue with GAM as part of his strategy to curb the demand for a referendum.⁴³

During the era of dialogue, the CSOs large network on the ground and the skills of their leaders, leading to the implementation of the dialogue's outcomes much depended on civil society elites. Unfortunately, their strategic position during the dialogue era ended with the collapse of COHA in 2003. The military offensive resulted in the collapse of civil space. During martial law, the military classified anyone opposing government policies as a potential rebel and thus an enemy of the state. Hence, along with GAM, students, activists, human rights defenders and community leaders also became the military prime targets.⁴⁴

Unlike in Aceh, where CSOs gained a strong popular support from the beginning, the efforts of academics as the prime mover of the civil society roles in Patani only secured minimum support from the outset. Their proposal to address the violence was eventually taken up by PM Thaksin who established the National Reconciliation Commission. However, the Commission's report was greeted indifferently both in Bangkok and in Patani. The Cabinet acceptance of it was lukewarm as indicated in its 6 June 2006 resolution to broadly follow the NRC's recommendations. In Patani, the Malay moderates were dissatisfied as the NRC evaded their perennial demand for a special administrative arrangement. Despite

⁴³ *Ibid.*, section 6.1.4

⁴⁴ *Ibid.*, section 6.1.7

these setbacks, using their skills and networks, some Commissioners continued their efforts to steer the government awareness to a political dimension of the conflict. They sponsored research to gather evidence to support proposals for governance reform in the region.⁴⁵ Despite in 2009 the outcomes of this project contributed significantly to public discussion about possible political solutions for Patani, it had little impact in raising the government awareness which was its original objective.

At local level, some academics in Patani continued to increase public awareness by establishing a network of journalists, professionals, and academics such as seen in the Deep South Watch (DSW). With mass media help, their efforts to foster the awareness of political elites were relatively successful. The government adopted a more persuasive approach at the end of 2006. With this change, other NGOs and student movements provided information which addressed the impact of violence. Yet, with lack of a coordinated international network and in the presence of strong military control, their efforts did not have a large impact. The disclosure of state abuse from the NGOs and students only managed an apology from Bangkok under Surayud's government, a renewed inquiry over the death of South-Muslims, and a promise to establish the Commission to Investigate Cases of Injustice.⁴⁶

Better political stability in 2009 encouraged the civil society elites to revive the debate of a political solution. Capitalizing on their relationship with some politicians, the political elites managed to discuss specific political solutions for Patani. Throughout the 2010 and 2011 election campaigns, these political solutions were often proposed. Unfortunately, when Yingluck's government came to power, she was reluctant to be seen at odds with the military, and the idea of a political solution slowly submerged.⁴⁷

Perhaps, the most important role of civil society in Patani was sharing peace ideas. Being aware of the lack of genuine initiatives to change the situation on the ground emerging either from Bangkok or from the separatist groups, the civil society elites have worked together to build peace since 2011. They developed

⁴⁵ Chapter 5, section 5.1.1; chapter 7, section 7.1.1

⁴⁶ Chapter 7, section 7.1.2

⁴⁷ *Ibid.*, section 7.1.3

networks and built local capacity to disseminate the idea of peace to resolve conflict. Such approaches were certainly constructive. The CSOs' efforts to mobilize peace on the ground and articulate local perspectives in resolving conflict extended the peace constituency. Their movements also broke down the stagnant binary opposition of state and the separatist movements in Patani, and paved the way for mainstreaming the peace process to resolve the conflict. Yet, the real result of this role is still to be seen.⁴⁸

The broader public recognized and, it seems, welcomed the fact that progressive civil society elites in Aceh commanded great resources and were offering a radical approach. As a consequence, though neither the government nor GAM gave their official approval to the civil society ideas, neither could they ignore them. A number of government policies even referred to the demands of the CSOs. The government policies also increasingly leaned towards a political solution through a peace process. GAM monitored CSO's agenda making this group was increasingly familiar with the ideas of peace. Meanwhile, because of the civil society elites in Patani had limited resources and used a moderate approach, the separatist groups were not very interested in their ideas and actions. Government and political establishments in Bangkok were attracted to the civil society ideas for political kudos and ignored them once they ruled. Consequently, despite the civil society's efforts to promote peace, the peace process is yet to occur in the near future.

Along with enabling them to use a radical approach in Aceh, civil society's resources also helped sustain political longevity and continuity. Even under constant military pressures, they sustained their roles for five years. Political longevity allowed them to leave a significant peace footprint: paving the way towards a peace process. The dialogue between Jakarta and GAM would never have commenced without the contribution of civil society elites. In Patani, limited resources and domestic political turmoil made the role of civil society elites volatile. Due to the strong grip of the military, their opportunity to maneuver was increasingly narrow with little freedom only available to academia and the media. This is the reason for why the civil society movements in Patani are dominated by

⁴⁸ *Ibid.*, section 7.1.4

academics and media workers; not students and NGOs such as in Aceh. Yet, despite these constraints, civil society elites in Patani still survive. Although they move at a much slower speed than in Aceh, the sustainability of their role is expected to make a significant contribution to a genuine peace process between Bangkok and the separatist group in the future. This is something which was missing in Aceh where civil society elites continue to be censured. Their radical resistance throughout 1998-2003 was costly and encouraged the military to put to an end to their role during martial law in 2003-2004. As the civil space collapsed, they failed to participate when a peace negotiation between Jakarta and GAM was held in Helsinki in 2005.

8.3.2 Government Elites: Sustaining versus survival

Both in Aceh and in Patani, the demand of civil society elites became the background of government elites' roles. In Aceh, amid students' efforts to sustain *reformasi* at the local level and the NGO activists to expose the atrocities of military operations throughout 1998, some top advisors in Habibie's administration began encouraging the government to adopt democratic principles in managing the conflict. This led to the emergence of a softer government approach and non-military alternatives towards conflict. After initiating this paradigm shift, Habibie's administration sustained its role by institutionalizing a conflict management process, encouraging a conciliatory approach, and preparing a political solution.⁴⁹ In Patani, with academics at the forefront, civil society elites raised national concern about the ongoing violence and called for government to use peaceful methods to ease the unrest. Though half-heartedly, Thaksin's government responded to their call by establishing the NRC in 2005. While his government accepted the NRC report with indifference, the next government made some of the recommendations in the report as the foundation of conciliatory approach.⁵⁰

The continuity of the government elites' roles since 1998 was one of the factors that contributed to a peaceful settlement in Aceh, but it was the opposite condition in Patani. In Aceh, despite a change of government from Habibie to

⁴⁹ Chapter 6, sections 6.2.1, 6.2.2, 6.2.3, and 6.2.4

⁵⁰ Chapter 7, section 7.2.1

Abdurrahman Wahid, some critical government elites sympathetic to a non-military solution to conflict were able to retain their roles, providing continuity in the ongoing process of peace building. When President Abdurrahman Wahid later took the dramatic step of engaging Jakarta in a dialogue with GAM, the role of those from previous administrations, such as Yudhoyono grew even larger. Along with other key figures – such as Wirajuda and Kalla from Wahid’s administration – Yudhoyono had transmitted the idea of non-military resolution across governments. As Yudhoyono, Wirajuda, and their teams worked closely with many government elites, the perceived importance of a peaceful settlement became more widespread within the government. This social process was critical in building a larger peace constituency in departments,⁵¹ government’s delegates, local government, and even members of parliament. When the peace process collapsed during Megawati’s government, the role of these ‘peace dream-keepers’ continued; but, this time, Kalla and his team took over the role and sought a new start for the peace process. A peaceful settlement took on an air of inevitability when these ‘dream keepers’ became the government’s top decision-makers. With power in their hands, President Yudhoyono, Vice President Kalla, and Foreign Minister Wirajuda were able to prepare the government for a safe take off and landing for peace.⁵²

Unlike in Indonesia, post-Thaksin political turmoil in Bangkok caused the lingering instability within the government. Yet, while they were in power, the ruling elite such as Surayud, Abhisit, and Yingluck managed to build the foundations of a peaceful means to resolve the conflict. Throughout 2005-2013, their roles were instrumental. Surayud introduced conciliatory approaches and adjusted government policies towards Patani. Abhisit allowed more freedom to discuss political solution. Yingluck prepared a new dialogue with the separatist leaders. Despite their roles indirectly contributing to paving the way towards a peace talk in 2013, the unpredictable role of government elites will continue to hamper a genuine peace process in the future.⁵³

⁵¹ Such as Department of Foreign Affairs, Department of Home Affairs, Department of Defense, Office of Coordinating Minister of Political and Security Affairs, and Office of Coordinating Minister of People’s Welfare.

⁵² Chapter 6, sections 6.2.1, 6.2.2, 6.2.5, 6.2.6, 6.2.7, and 6.2.8

⁵³ Chapter 7, sections 7.2.1, 7.2.2, 7.2.3, and 7.2.4

Political longevity matters in sustaining the role of pro-peace government elites. Sadly, the political longevity of pro-peace elites in Patani is not as good as in Aceh. The power base of elites and their political environment cause this difference.

In Thailand, though the government elites individually have a wide variety of resources, the opportunity of their roles and ideas to survive largely depend on party rule. Once their roles and ideas are contrary to the party's interest of retaining power or the party itself is no longer in power, they also vanish. In such conditions, it is barely possible for government elites to convey their ideas and sustain their role across governments. Making the political opportunity tapered is the strong grip and influence of the military in politics. The pro-peace elites will find themselves difficult to survive, especially when their roles and ideas are against the military interests.

In Indonesia, political activism was more open and more determined by individuals' access to resources. Figures such as Susilo Bambang Yudhoyono, for example, could remain in power, even with a change in government, because of his reputation as thinking general and his wide-ranging connections with various parties. Hassan Wirajuda had knowledge and expertise as a career diplomat and Jusuf Kalla had an effective cross-political party network. With this kind of resources, their existence in government did not rely on a single political organization. The decline of military influence in politics and an ongoing democratic transition, made it easy for the pro-peace elites to manoeuvre. In such condition, they were just waiting for the political legitimacy was in their hands to make a dramatic change.

8.3.3 Separatist Elites: Ripening peace within versus reversing violence within

Although the roles of civil society elites and government elites were more obvious in searching peace in Aceh and in Patani, this does not mean that the separatist groups' elites did not play a role in this process. Their role in introducing internal changes encouraged the groups to embrace peaceful alternatives to conflict.

In Aceh, civilian elites in GAM had a role in propagating the idea of peace and making it widely accepted. They instituted non-military options as part of GAM's strategy in pursuing its independence goal, encouraged GAM to accept dialogue as a mechanism for resolving conflict, sought alternatives to independence when armed resistance was in decline, and came to a consensus when a decision was made to move away from the notion of independence.⁵⁴

In Patani, encounters of some separatist leaders with CSO elites encouraged change within the separatist groups. The old leaders introduced the idea of achieving traditional demands of *hak pertuanan* and identity by means other than independence. Their willingness to participate in several but unproductive talks with the Thai representatives showed that they are ready for a peaceful political settlement. After almost a decade of violence, some leaders of BRN-C – the separatist group suspected as having a strong influence on the perpetrators of violence – looked for ideas other than the strategy of violence and accepted participation in a dialogue despite sustained violence.⁵⁵

The role of GAM's civilian elites had made a significant contribution for the success of the peace process, while the role of pro-peace elites among the separatist groups in Patani, in particular inside BRN-C, is still questionable as to whether it will survive or not. The issue of political longevity matters again, here.

Civilian elites in GAM were widely influential because they survived in the organization for a relatively long time. The presence of civilian elements in GAM increased after 1998. Violence and a widespread loss of faith in the Indonesian government was the reason they flocked to join GAM in the first instance. The second phase of civilian entry started in 2000. GAM leadership actively recruited a number of key civilian figures to strengthen their version of civilian government and to assist GAM to secure its interests at the negotiating table as well as in implementing its outcomes.⁵⁶ The role of civilian elites suffered a setback when GAM's Prime Minister Malik Mahmud – a key figure who was greatly affected by the idea of civilian elites for political settlement – became more concerned with the combatants' interests because they had real power on the ground. Malik leaned in

⁵⁴ Chapter 6, sections 6.3.1, 6.3.2, 6.3.3, and 6.3.4

⁵⁵ Chapter 7, sections 7.3.1 and 7.3.2

⁵⁶ Chapter 6, sections 6.3

their direction when the dialogue was showing signs of deadlock in 2003, while at the same time he needed their full support following a split in GAM after the Stavanger Declaration on 21 July 2002 that made him as Prime Minister. However, when the armed resistance suffered a major setback following the military offensive in Aceh in 2003, the civilian elites regained their influence. GAM's leaders began discussing alternatives to independence. According to Kingsbury (2007, 102), in his discussion with GAM's senior political leadership in Stockholm, 27-30 October 2004, there was the impression that they had started to think about the "purpose [that] could be achieved by means other than independence."⁵⁷

Unlike Aceh, political longevity of elites becomes an issue in Patani. Lack of support, poor relationship among separatist leaders, and weak networking meant they neither had enough power to maintain their positions in their own organization, nor had influence on other separatist groups. For example, in 2005, the Chief of the Patani Bersatu movement Wan Kadir Che Man asked the Thai government to implement decentralization based on the 1997 constitution. Unfortunately, not long after his statement Wan Kadir resigned from Bersatu. His proposal that fully handed the solution to Bangkok, apparently, did not represent the view of the separatist groups; subsequently, he lost support and his position. The separatist leaders demanded that the political settlement be subject to discussion through a dialogue process and agreement. Yet, while other groups that had been active in Patani such as PULO, BIPP, and GMIP were ready to engage in a dialogue with Thai representatives throughout 2005-2012, the strongest group BRN-C seemed to participate reluctantly. Only recently, certain BRN-C leaders have been re-evaluating the movement's strategy to make them compatible with the current political situation. There is a growing awareness among them that a settlement to the conflict, even if they wage war for another fifty years, would be decided at the negotiating table. This consciousness has encouraged them to consider a dialogue despite sustaining violence. Yet, as the dialogue is proposed by an older generation of leaders in BRN-C and the quantity of resources they have to introduce this change is unknown, it is uncertain how long their role will survive.⁵⁸

⁵⁷ *Ibid.*, sections 6.3.3 and 6.3.4

⁵⁸ Chapter 7, sections 7.3.1 and 7.3.2

8.4 Conclusion

This chapter suggests that the elites' ideas and their roles matter in making conflict in Aceh and Patani prone to a peace process. However, the difference in the nature of separatism, the chances of peace ideas would be adopted, and the success of elites in propagating peace lead the cases towards different trajectories.

The underlying causes of separatism lead conflict in Aceh to be more manageable than it is in Patani. As the root cause of conflict in Aceh, injustices, were tangible, consequently, its prospect for resolution was less problematic than in Patani where the separatists claimed history of losing sovereignty and identity as the main cause of their struggle. The ethno-national character of the separatist movement in Aceh made it easier for GAM to align itself to international norms – such as the right of self-determination and human rights – and in turn, these norms fostered GAM's acceptance to achieve independence through political means with international support. By contrast, their strong affinity to Islam led the separatist groups in Patani to rely more on Muslim (Arab) countries and failing to capitalize international norms. The absence of an alternative strategy due to this isolation made violence being the only norm among the separatist groups and caused efforts to search for peace more difficult in Patani than in Aceh.

The elites' background and the longevity of their roles led the separatist movements in Aceh and Patani in different directions. In Aceh, Hasan Tiro's background as a former diplomat and his education in Political Sciences gave him confidence to lead GAM's struggle for independence through diplomacy and international support. Hasan Tiro and his circle exemplified strong leadership and cohesive elite in managing separatism. Their roles, sustaining until the end of the conflict, kept the movement solidly under GAM's leadership. Another consequence of this longevity was that a political solution to conflict also survived. In Patani, separatism was developed by the Malay leaders who had a strong disenchantment with the Thai government and post-war regional politics after their steps ranging from submission, autonomy, to irredentism failed to change the destiny of Patani. Their ideas to restore sovereignty and identity caused the movement to suffer splits since their inception, but all shared the same strategy, armed resistance. The Patani separatism was led by fractured elites where elite competition within and among

groups occurred and exacerbated the splits. Sadly, as violence became the only established norm among the separatist groups, elites who attempted to put forward the idea of non-violence lost support and were expelled from the struggle.

The managed separatism in Aceh, which is in contrast to unmanaged separatism in Patani, led efforts to navigate from conflict towards peace in Aceh less arduous than in Patani. The trajectory of both cases was different as four conditions provided a better chance for peace ideas to exist in Aceh than in Patani. The degree of elites' awareness was constantly high in Aceh from 1998 to 2005, while it was tenuous in Patani throughout 2004-2010. Progress towards a peaceful solution has been much slower in Patani than it was in Aceh because Bangkok's elites had a lower level of desire for a political solution than had the earlier elites in Jakarta. The transition to democracy in Indonesia increasingly extended the political space for the idea of peace and made possible dialogue that initially failed to become the basis of a more profound peace process. In Patani, the deterioration of democracy narrowed the political space and caused the talks merely to be laid as the cornerstone for resolving the conflict through a peace process in the future. A peaceful settlement in Aceh was within reach due to government's readiness to learn from the failure of dialogue and then change it to a negotiation. This is not the case for Patani and despite the Thai government holding many talks with separatist leaders, there has been no significant progress towards peace.

The roles of elites made the difference in the patterns of progress towards peace in Aceh and peace in Patani more distinct. In both cases, many CSOs, government, and separatist groups' elites participated in propagating peaceful alternatives to resolve conflict. In Aceh, the elites had been successful in propagating peace inside the warring parties and making it a widely accepted idea. When there were elites who were capable of translating the idea into action, peace had a chance of being achieved. In Patani, efforts to popularise peace as a shared idea have only just begun. The number of elites who desire peace is growing, but the discontinuity of initiatives has hampered a peace process to commence. The three inherent characteristics of elites – resources, power, and political longevity – enabled Aceh elites and the ideas they introduced, to gain a better, longer, or more profound responses from the larger political establishment than the elites in Patani

did. Consequently, whereas in Aceh the relentless attempts of elites and their passion for peace had led the conflict towards a lasting peaceful settlement, in Patani a peace process towards a peaceful settlement is still awaited.

As this is the last substantive chapter, the following final chapter summarizes the main findings of the research, explicates lessons learned, and considers the broader implications of the research.

CHAPTER 9

CONCLUSION

“There is always a time for the rain to stop, and there is always a time for a war to end.”
(*Pat ujeuen han pirang, pat prang tan reda.*)
An Acehese proverb,
quoted by Hamid Awaluddin (2008, 316), chief of the Indonesian Government delegation,
at the signing of the MoU with GAM, 15 August 2005.

Conflict and war are human-made disasters. They exist because of human activities. The perennial question regarding conflict and war is when and how they can be resolved peacefully. John Darby and Roger Mac Ginty (2003) call for serious inquiry on “how to identify, or cultivate, moments in which political rather than military initiatives might be fruitful” in resolving conflict.

In answering the questions above, there have been various explanations as discussed in Chapter 1. This thesis did not set out to rebut the existing explanations, but to enrich our understanding of how the separatist conflict can be led down the path of a peace process. In previous studies by Kaufman (1996, 2001), Nordlinger (1972), Schneckener (2002), and Peake, Gormley-Heenan, and Fitzduff (2004), leaders and other influential people, who I call elites, have proven to have had a great role in the whole process of conflict. Other studies have recognized the vital role of elites in conflict resolution, especially relating to the peaceful settlement of conflict; however, their roles in peace building are less well documented. As a consequence, the elites’ ideas also remain too far in the background of the discussion.

This concluding chapter recapitulates the findings of this study of separatist conflicts in Aceh and Patani, which give us an understanding about how elites’ ideas and their roles overcoming obstacles to end conflict. I have offered answers to four main questions: What peace ideas did matter among warring parties’ elites during conflict? In what ways did those ideas contribute to a peace process? What did the elites do to end conflict? In what ways did their roles derail conflict towards a peace process?

This is followed by an outline of the lessons learned from both cases to explicate circumstances in which elites' ideas and their role are about to be effective in derailing conflict to peace. Lastly, I take a critical look at the analysis, including presenting the implications of this research for discussion about the road to peace in Aceh and Patani, the elites, ideas, and the peace process; and address the limitation of the research and unresolved issues which are important for further research.

9.1 Summary of Findings

This study finds that the potency of separatist conflict ends with a peace process is related to elites' ideas and their roles. The first finding of this research is that the chance event of warring parties to be on the verge of a peace process is inseparable from the non-violent ideas that elites produce while the conflict is still raging. Each idea makes a significant contribution to gradually shaping the opposing parties' inclination towards a peace process.

Throughout the conflict in Aceh (1998-2005) and in Patani (2004-2013), three groups of ideas developed before opposing parties reached the point of genuine engagement in a peace process. They included ideas to change the situation; to change the nature of the relationship between central (Jakarta, Bangkok) and local entities (Aceh, Patani); and the idea of dialogue or talk. This study found that in Aceh's case, these ideas evolve in a linear fashion following a chain reaction pattern. Elites moved on to other ideas as they consider the risk of failure of the previous one. In Patani, the evolution of ideas is more like a spiral. Elites raised the ideas altogether almost at the same period, but it is significant that the elites only supported ideas when the political situation was in their favour and they would allow that support dwindle in an unfavourable political situation.

Despite the reality that all three groups of ideas failed, they make a substantial contribution in shaping the warring parties' inclination towards peace. The first category of ideas is based on seeking a simplistic shortcut to peace by bringing about a one-dimensional change to the situation without fundamentally changing the relationships between the parties. In Aceh, this phase included proposals of desecuritization; justice for the victims of military atrocities;

reconciliation; increasing *ulama* participation and the implementation of *sharia*; and accelerating development. While in Patani, this stage comprised reconciliation; apologies; restructuring governance; enhancing the development of the region; justice for victims of violence; and desecuritization. These initial ideas aim to overcome the excesses of conflict; and are not intended to resolve the issue of separatism. Yet, in both cases the ideas to change the situation raise public awareness of the devastating impact of conflict and enlarge the constituency of those who seek peaceful alternatives in managing the conflict. Through such ideas, elites are tacitly creating a space for peaceful alternatives in Aceh, while in Patani peaceful alternatives are sought to gain traction.

The second category of ideas introduces basic relationships between the players in addressing the substantive issues separating them. In Aceh, this phase consisted of a federalist proposal and proposals for a referendum and power sharing. In Patani, it consisted of a variety of proposals for decentralization, the establishment of an autonomous or semi-autonomous zone, and demand for a referendum. All these ideas did not gain traction as part of the peace process, but brought to attention the need to find a political solution. In Aceh, the most remarkable consequence of the development of these ideas was the CSO's attempt to consider the issue of a referendum offering a choice between autonomy and independence, which in turn, sparked and fed GAM's interest in finding a political solution. In Patani, the public demand on Bangkok to hold talks with the armed separatist groups was growing amid discussions of a political solution. Despite violent attacks by armed separatist groups continuing, the CSO's referendum campaigns gradually deflected the Malays into pursuing political solutions. Through this second category of ideas, civil society elites lead conflict stakeholders in searching for a peaceful solution in Aceh, while in Patani they lead the stakeholders into imagining a peaceful solution.

The third category of ideas is simplicity itself: the idea of face-to-face dialogue. In Aceh it comprised personal and informal talk (1999), interpersonal dialogue (2000), and bilateral dialogues (2000-2003). In Patani, it encompassed talk to end violence (2005-2010) and talk about the talk (February-June 2013). Despite the failures of bilateral dialogues in Aceh and talk about talk in Patani these phases

prove to be a significant turning point towards a peace process. These moments represent the first officially personal encounters of Jakarta-GAM in Aceh and Bangkok-BRN-C in Patani; the first time they meet to share ideas and discuss their differences. In both cases, the engagement of all parties was half-hearted; but the opposing parties' shared experiences during these events became the foundation for a more advanced process.

Dialogue was a learning process in which the warring parties and public of Aceh and Patani were receptive to resolving conflict through peaceful means. In Aceh, the dialogue ensured the parties were ready to engage in a real peace process, while in Patani it attracted wider constituencies who spoke actively about the importance of a genuine peace process in the future. In Aceh, the ideas of elites were more developed and had a correspondingly greater impact; it led them directly into full engagement in a real peace process. With government elites prepared to learn from the failure of dialogue and turn to negotiation, GAM leaders became interested to participate. Support for this type of approach, allowed discussion of a new round of peace deals and the peaceful solution was within reach. Yet, the settlement came earlier than expected. The devastating effects of the 2004 tsunami convinced both parties to move quickly to reach a lasting solution.

The second finding of this research is that laying the groundwork for peace is a long process. Along with the ideas they produce, elites – whether they are in civil society, government, or separatist groups – have a profound role in this process. Their works and interactions contributed in constructing peace as a shared idea among conflict stakeholders and in making the warring parties susceptible to a peace process and a peaceful settlement.

In Aceh, the role of civil society elites extended from the 1998 *Reformasi* to 2003. Amidst fierce fighting on the ground, their roles in promoting ideas about a non-military solution had paved the way towards a peace process. From 2004 to 2013, their counterpart in Patani also had roles in being involved with and contributing ideas about the non-military approach to terminate violence. Their roles – raising awareness of the use of peaceful methods to ease the unrest, breaking the silence of violence victims, reviving the discussion of political solution, and

sharing peace ideas – had enlarged the peace constituency at the grassroots as well as at elite levels.

In both cases, civil society elites had a significant role in pushing the government elites to consider a non-military solution to the conflict. Although the government elites might posit various factors as a pretext for policies they issued, the pressures from civil society often became the background to the government's policies and actions. In Aceh, the civil society demands encouraged transitional government elites to introduce a peaceful approach to resolve conflict by drawing the Acehnese into a larger national democratic process. Unfortunately, they could not exercise effective control over the military, which limited their progress. Following strong demand for a referendum, the new government took the dramatic step of holding a dialogue with GAM in 2000. Some elites who pursued dialogue were able to continue conveying the idea of non-military resolution to the next government and developing this idea. As they worked closely with many government elites, the perceived importance of peaceful settlement became more widespread within the government. This social process was critical in building a larger peace constituency in departments, government delegates, local government, and even members of parliament. When the peace process collapsed in 2003, these peace dream-keepers continued the pursuit and sought a new possibility toward a peace process. A peaceful settlement was inevitable when these dream keepers became the government's top decision-makers from 2004. While in power, they were able to engineer safe passage for a peace process in 2005.

The civil society's proposal to address the Patani question was the rationale behind Bangkok's decision to establish the NRC in 2005. Their disclosures of state abuse stirred military-backed government elites to take a more conciliatory approach in 2006. In attempting to win the hearts and minds of Patani, the government re-established the SBPAC, whose Secretary General would later in 2013 contribute to bringing the conflict to the verge of a peace process. The government elites also laid the foundation to organize talks with the Malay leaders, which became the background for the NSC to draft the policy of dialogue that later was approved by the ruling government in 2012. The greater political freedom in the South throughout 2008-2010 gave public opportunities to discuss political

solutions with demands that the government revived talk with the separatist leaders. The government that won the election nationally in 2011 understood this desire and later held a dialogue to ingratiate themselves to the Patani Malays. Hence, the Patani conflict came to the verge of the peace process in 2013 because amidst political turbulence in Bangkok the government elites sought alternative peaceful approaches and took the opportunity to talk with the separatists despite it being just to serve their short-term political goals.

The apparent indifference of separatist groups in the midst of the civil society and government initiatives did not mean that their leaders never seriously sought peace. In fact, some of them were active in seeking a peaceful solution. In Aceh, GAM's civilian elites, some whom had CSOs' background, introduced the chance of non-military options as part of GAM's strategy in pursuing its independence goal. Their roles made GAM more accessible to outside parties. When the limits of GAM's old strategy (gaining independence through internationalization) became clear with the collapse of the dialogue, these civilian profiles developed GAM's readiness to achieve its objective of ceasing injustices by means other than independence before the 2004 tsunami. They stabilized the peace process (January-August 2005) until a peace deal was signed on 15 August 2005.

In Patani, the old leaders initiated the idea of achieving their traditional demands of *hak pertuanan* and identity by means other than independence. Their willingness to participate in several unproductive talks with Thai representatives indicated that they were attracted to a political settlement. After the failure of the last talk between Bangkok and BRN-C in Kuala Lumpur in 2013, it became known that some of the BRN-C leaders were concerned with the limit of the strategy of violence. This consciousness was partly due to the BRN-C's leaders and cadres who met with peace concerned CSOs on many occasions. Nevertheless, the BRN-C leaders were encouraged to reserve option of dialogue despite sustaining violence. If these leaders are successful in ripening the idea from the inside and the political environment is exactly as envisioned by the BRN-C, a real peace process is likely to appear in Patani.

9.2 Lessons from Aceh and Patani

This thesis suggests that elites' ideas and their roles matter in making conflict prone to a peace process. However, having examined Aceh and Patani cases, I found that several conditions pushed elites' ideas and their roles towards a real peace process in Aceh and away from it in Patani. In a broad category, the conditions include: the nature of conflict, the chances of peace ideas to thrive, and the success of elites in propagating peace ideas. These conditions had been in favour of the elites' ideas and roles in Aceh and gained better, longer, or more profound responses from a larger political establishment than in Patani. The difference leads the cases towards different trajectories. Whereas in Aceh the elites have already led the conflict to a lasting peaceful settlement, in Patani even starting a peace process that might have a chance of leading towards a peaceful settlement is still to come.

The idea of separatism, the movement's strategy, elites' leadership, and their longevity made the nature of conflict in Aceh to be more malleable to peace than it is in Patani. The tangible root cause of conflict, injustices, made the prospect of resolving conflict in Aceh less problematic than in Patani, where the separatists claimed history of losing sovereignty and identity as the main cause of their struggle. The ethno-national character of the separatist movement in Aceh, which was in contrast to ethno-religious movements that strongly followed Islam in Patani, made it easier for GAM to align itself to international norms while the separatist groups in Patani were increasingly isolated as their dependency on the supports from Muslim (Arab) countries increased. Aligning with the ideas of the right of self-determination and human rights fostered GAM's strategy of achieving independence through political means and with international support. By contrast, having been isolated, violence became the established norm among the separatist groups in Patani. Elites' backgrounds also contributed to the choice of this strategy. In Aceh, Hasan Tiro's background as a former diplomat and his education in Political Sciences gave him confidence to lead GAM's struggle for independence through diplomacy and international support. In Patani, separatism was developed by Malay leaders who had become disenchanted with the Thai government and politics after their early plans for Patani politically were unsuccessful. Those leaders believed that only by means of armed resistance, could they bring change

in Patani. Hasan Tiro and his circle exemplified strong leadership and a cohesive elite in managing separatism. Their sustaining role until the end of the conflict kept the movement solidly under GAM's leadership. As their role lingered, a political solution to the conflict also survived. By contrast, Patani separatism was led by fractured elites. The movement had suffered splits since its inception. Sadly, as violence became the only established norm among the separatist groups, elites who attempted to put forward the idea of non-violence lost support and were expelled from the struggle.

The trajectory of both cases was increasingly distinct as the following four conditions provided peace ideas a better chance to exist in Aceh than in Patani. The degree of elites' awareness towards peaceful alternatives was constantly high in Aceh from 1998 to 2005, while it was tenuous in Patani throughout 2004-2010. The progress towards a peaceful solution has been much slower in Patani than it was in Aceh because Bangkok's elites had a lower level of desire for a political solution than had the earlier elites in Jakarta. In both cases, the rise of new leaders opened a political opportunity for the idea of dialogue. Yet, whereas the transition to democracy in Indonesia enlarged the political space for the new leadership to engage in dialogue, the narrowing of the political space in Patani following the deterioration of democracy caused the new leaders to just achieve a limited progress for the future peace process. A peaceful settlement in Aceh was within reach due to government's readiness to learn from the failure of dialogue and then change it to negotiation in nature. There is no similar condition in Patani. Consequently, despite Thai government holding many talks with separatist leaders, there has been no significant progress towards peace.

The role of elites made the patterns of progress towards peace in Aceh and peace in Patani more distinct. Three inherent characteristics of the elites – their resources, power, and political longevity – enabled elites in Aceh to propagate peace inside the warring parties, make it a widely accepted idea, and then translate the idea into action. In Patani, however, the elites could do no more than promote the idea of peace as a worthy goal.

Great resources and an openness in adopting radical approaches helped progressive civil society elites in Aceh to gain public sympathy for their ideas and

actions. Consequently, despite neither government nor GAM giving their official approval to the civil society ideas, they also could not ignore them. Meanwhile, limited resources and the moderate approach of civil society elites in Patani caused their ideas were not very appealing to the separatist elites, whereas the government elites were only interested in harnessing their ideas for short-term political goals. Resources possessed by the civil society elites in Aceh facilitated them to build political longevity, which later allowed them to leave a significant footprint for peace in Aceh, the dialogue between Jakarta and GAM. In Patani, limited resources amidst domestic political turmoil made the role of civil society elites more volatile. The strong grip of the military also hampered their role in sharing peace ideas.

Observing government elites' roles in Aceh and in Patani, their political longevity was one of the factors that contributed to a peaceful settlement in Aceh, but the opposite applied in Patani. In Aceh, despite a change of government, some critical government elites sympathetic to non-military solutions were able to retain their roles, providing continuity in the ongoing process of peace building. The power base and political environment shaped the political longevity of pro-peace elites to differ in Aceh and Patani. In Thailand, the government elites were barely able to transmit their ideas and sustain their roles across governments. When their ideas and roles were contrary to the party's interest of retaining power or the party itself was no longer in power, they also vanished. The strong grip of the military over politics also ensured that the pro-peace elites' roles and ideas that clashed with military interests did not survive. In Indonesia, political activism was more open and more determined by individuals' resources such as good reputation, wide connections, knowledge and expertise, and cross-political party network. With these kinds of resources, their existence in government did not rely on a single political organization. The decline of military influence in politics provided more space for the pro-peace elites to manoeuvre and in this situation they just waited until they had legitimate power to make a dramatic change.

The role of separatist elites in introducing changes within the groups helped conflict become closer to a peace. However, the issue of political longevity of elites here matters again. In Aceh, civilian elites of GAM had a strong influence because they had survived in the organization for a relatively long time. This allowed them

to introduce non-military options as part of GAM's strategy in pursuing its independence goal, encourage GAM accepting dialogue as a mechanism for resolving conflict, seek an alternative to independence when armed resistance was declining, and accept the consensus inside to abandon the goal of independence. In contrast, political longevity of separatist elites becomes an issue in Patani. Lack of support, poor relationships among them, and weak networking meant they did not have enough power to maintain their positions in their own organization, nor to influence other separatist groups. Some separatist leaders had nevertheless met with CSO elites in many programs and they had been encouraged to seek ways to achieve their traditional demands of sovereignty and identity by means other than independence. It also helped that after almost a decade of violence, the leaders of BRN-C – the separatist group suspected having a strong influence on the perpetrators of violence – had become concerned about the limited potential of the strategy of violence. Yet, the resources at the disposal of these elites is unclear, and so their future capacity to introduce change remains in doubt.

9.3 Implications, Limitations, and a Future Research Agenda

This research has several implications for the discussion about conflict and peace in Aceh and Patani, elite, ideas, as well as peace process.

Both in Aceh and Patani, the process of building foundation for peace had been in place much earlier than previous studies had estimated. In Aceh, it had been in place long before the 2004 tsunami. It was earlier than was suggested by Michael Morfit's (2007b) argument that pointed to the preparation by the new directly-elected government to approach GAM as the key development that led Jakarta-GAM to start a new round of peace process. In Patani, the process towards the 2013 Talk in Kuala Lumpur was earlier than Duncan McCargo's (2014) explanation that gave attention to Thaksin's initiatives in 2012 as the turning point. In both cases, the process of building the foundation for peace had begun at the same time when armed violence was rampant; in Aceh it was from 1998 and in Patani it has been since 2005.

As claimed in an earlier comparative research by Thania Paffenholz (2010, 403) and friends, "civil society contribute in important ways to peacebuilding," in

the long process of building the groundwork for peace in Aceh and Patani, civil society elites also had constructive roles. Their roles were even more profound than just ‘a supporting role’ as Paffenholz and friends found in most of the cases they observed. In Aceh and Patani, civil society elites played a role in what Barbara Harff coined as a ‘de-accelerator’ of conflict (Harff and Gurr 1998). They put forward ideas and organize actions that encourage warring parties to scale down conflict. In both cases, the first role of government elites to manage conflicts peacefully was a response to the call of civil society elites. Warring parties’ interest in searching for a political solution was due to the civil society’s campaign and proposal to change central-local government relations. The first dialogue between warring parties would never have commenced without the efforts of civil society elites in promoting the idea of dialogue (in Aceh) and sharing peace ideas (in Patani).

In addition to deepening understanding about the role of civil society, the above findings also complement the explanation about the road to peace. In Aceh, the ideas and the roles of civil society elites added to factors or conditions that opened a space for peace, which in previous studies included the nature of peace process and agreement (Aspinall and Crouch 2003, Aspinall 2005, Kingsbury 2007) and micro-level relational exchanges among participants of dialogue (Leary 2004). Other studies have argued about the strategic calculation of combatants (McGibbon 2006b), the role of international actor and international community (Gunaryadi 2006, Senanayake 2009), special autonomy (Wennmann and Krause 2009), the role of diaspora (Missbach 2011), and conflict transformation (Sujatmiko 2012). Not to miss is the argument about tsunami and disaster diplomacy (Gaillard, Clavé, and Kelman 2008). In Patani, it adds to the current existing studies which are scarce and reveal only the change in patterns of militants’ violence (Wheeler 2014) and Thaksin’s initiative (McCargo 2014) as conditions that led warring parties to the verge of entering a peace process.

During the conflict in Aceh (1998–2004) and in Patani (2005–2013), various peaceful initiatives emerged from civil society elites or government elites. As they failed to bring an end to conflict, these initiatives might be considered futile. Yet instead of simply saying that peace had failed because the moment was not ripe,

this study suggests that the opportunity to arrive at the verge of a peace process is due to the result of social construction in which elites' ideas and their roles played a part. Nina Caspersen (2003, 106) in a study of Serbian and Montenegrin elite found that "elite interests and their interplay have been important for the development of the conflict." This research, in roughly the same tone, found that in Aceh and Patani elites' ideas and their roles, and elites interplay has been important in building foundation for peace, and in encouraging warring parties towards a peace process. In this long process, though their ideas and roles often failed, elites gradually developed peace as the norm.

In regard to above explanation, this study shows that peace, like many other social facts, fits with Schmidt (2008, 317-318) explanation that "social facts never exist without sentient agents." Peace is socially constructed by agents which here are called elites. The existence of peace is partly due to the elites' roles. The transformation of conflict into peace is not exclusively caused by factors external to elites, but it is also driven internally by elites' efforts to make peace as a shared idea.

In developing peace as a shared idea, the continuity of elites' role is critical. A number of previous studies such as by Stephen J. Stedman (1991), Daniel Lieberfeld (1999), and I. William Zartman (2001) have revealed that leadership change is one among other necessary conditions for a peace process both to begin and to end successfully. However, observing the separatist conflict in Aceh and Patani, it is clear that leadership change is not a precondition for conflict resolution, though it does improve the chances of success. Only when the leadership change enables pro-peace elites to continue to dominate, the chance of a peace process to begin and to end successfully is increasing. In Thailand, leadership change, either in government or in the separatist groups, occurred recurrently, but the changes at once barred pro-peace elites for transmitting their ideas and suspended their roles. Consequently, there was no progress towards an actual peace process. By contrast, in Indonesia the advancement towards actual peace process occurred because some critical government elites sympathetic to non-military solutions were able to retain their roles amidst a change of government. In a similar pattern, the transfer of

GAM's leadership from Hasan Tiro to Malik Mahmud increased the opportunity of pro-peace civilian elites to continue their roles.

This study also found that the opportunity of elites in developing peace as a shared idea relates to their attributes. Similar to what Sheri Berman (2001, 235) discovered in several studies that the rise of ideas to prominence, or otherwise, depends on resources, power, and political longevity the elite have, in this study these three attributes also established the condition for peace ideas to get wide resonance or not. The more resources, power, and political longevity the elite have, the better, longer, and more profound responses to their ideas from a larger political establishment.

The above-mentioned attributes did not only facilitate elites in developing peace as a shared idea, but also influenced warring parties' actions. In both cases, elites' ideas give influence through two processes as Hochschild (2006) found: by creating interest, in which interest that lead to action derived from ideas; and by justifying interest, in which ideas reinforce interest for a course of action. In the former, the process can be seen when civil society in Aceh raised the issue of a referendum that drew GAM's interest to achieve their goal through political mechanism and forced Jakarta to think of ways for better power sharing. In Patani, it was when the civil society's ideas to change Bangkok-Patani relations caught the interest of the Thai government to think of a political formula in resolving conflict and drew the interest of certain elements of the separatist groups to consider a political solution. The latter process is visible in Aceh when the idea of dialogue justified Jakarta's interest to curb the referendum demand and served GAM's strategy of internationalization. In Patani, public demand that Bangkok hold talks with armed separatist groups justified the ruling party's desire ingratiating themselves to the Malays to gain political support from the three southern-most provinces. For the separatist group, it served BRN-C's strategy to gain recognition as a liberation movement representing the Patani Malays.

As found in the Aceh case, following elites' success in developing peace as a shared idea, the elites' willingness to learn from the failed peace process became a turning point that led warring parties to the actual peace process. Under Kalla's direction, the government's willingness to learn from the failure of dialogue, and

then propose change in the nature of the process from dialogue to negotiation, had raised GAM leaders' interest to participate in an actual peace process before the 2004 tsunami. This finding affirms Hugh Miall, Oliver Ramsbotham, and Tom Woodhouse's (2011, 184-187) assertion that "peace processes involve learning with the parties gradually discovering what they are prepared to accept and accommodate."

Lastly, based on the Aceh and Patani experience, this study implies that a peace process is the end-result of a long process of social construction in which elites' ideas and their roles cultivate peace and overturn armed violence as a solution to the conflict. By way of peace grows as a shared idea, or in John Paul Lederach's words "peace building worked by leaders from grassroots, middle-range, to top level" (1997, 38-43) succeeds in "fostering and sustaining committed, authentic relationships across the lines of conflict over time" (2003, 37), opposing parties' perception of interest towards a peaceful solution is also strengthened. It is at this stage various factors external to warring parties' elites such as timing, local and international circumstances, and the substance of the proposals for a solution, will bring conflict to an actual peace process and a lasting peaceful solution.

This thesis is concerned with the contribution of elites' ideas and their roles in bringing long-run violent separatist conflicts to a peace process. Regardless of how well the findings and implications summarized above have demonstrated the contribution in question, I must admit that this study has at least two limitations. First, as an analysis built upon case studies, inferences obtained from this research will not necessarily be transferable to other long-run separatist conflicts. Hence, in order to gain a more general understanding, I suggest that future research investigate how elites' ideas and their roles work under different circumstances and processes.

Second, this research has explored two cases and found that the elites' ideas and their roles matter in leading warring parties towards a peace process. However, as I dealt with two cases, I also must admit that this exploratory research only managed to uncover a surface understanding of elites' ideas and their roles. Many issues remain unresolved. The research has not addressed in detail how elites cultivate peace inside and outside their groups; how they use the power of ideas to

convince others; how they use their attributes to create parties' interest in peace; and how they mobilize people – inside and outside their parties – towards peace. More in-depth investigations of Aceh, Patani, or other separatist conflicts are required to shape and develop our understanding of such issues. These further agendas certainly are very challenging, but as a global report on peace processes (Fisas 2012, 24) reveals that up to 2011 there were 38 conflicts that had ended with a peace agreement, so we have many opportunities of undertaking case studies using a variety of qualitative research methods available.

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Appendix 1

GUIDING QUESTIONS FOR OPEN-ENDED INTERVIEW

No.	Interview Questions
1	Would you please tell a brief history of your life (where did you grow up, your education, your career, etc)? <i>Mohon kesediaan Bapak/Ibu menceritakan riwayat hidup secara singkat (dimana dibesarkan, tentang pendidikan, pekerjaan, dsb)?</i>
2	What is exactly your role and responsibilities during the conflict? <i>Seperti apa persisnya peran dan tanggung jawab Bapak/Ibu sewaktu konflik berlangsung?</i>
3	What is precisely the goal of the struggle (in the past, currently*)? <i>Seperti apa sesungguhnya tujuan dari perjuangan yang dilakukan (di masa lalu, saat ini)?</i>
4	Can you explain the reason for using force or violence to achieve that goal? <i>Bisakah dijelaskan alasan penggunaan kekuatan bersenjata atau kekerasan untuk mencapai tujuan tersebut?</i>
5	To what extent do you think the use of force or violence effective to achieve the goal? <i>Sejauhmana menurut Bapak/Ibu penggunaan kekuatan bersenjata atau kekerasan efektif mencapai tujuan-tujuan yang ditetapkan?</i>
6	Have you ever proposed or heard anyone making suggestion to achieve the goal peacefully? <i>Pernahkah Bapak/Ibu mengajukan atau mendengar orang lain menyarankan agar konflik (di masa lalu, saat ini) diselesaikan secara damai?</i>
7	What was the content of the proposal? <i>Seperti apa isi usulan tersebut?</i>
8	What were the considerations and background of the proposal? <i>Pertimbangan dan latar belakang apa yang mendorong munculnya usulan seperti itu?</i>
9	Do you think that many people know the proposal or only a limited circle? <i>Menurut Bapak/Ibu apakah banyak yang mengetahui usulan tersebut atau hanya kelompok tertentu saja?</i>
10	Can you describe who were involved and how did the proposal disseminate? <i>Bisakah Bapak/Ibu menjelaskan siapa-siapa saja yang terlibat dalam menyebarluaskan informasi tentang usulan itu dan bagaimana proses penyebarluasannya?</i>

No.	Interview Questions
11	Were there any attempts to carry it out? <i>Adakah upaya sungguh-sungguh untuk melakukannya saat itu?</i>
12	Were there any subsequent proposals or initiatives? <i>Apakah ada usulan selanjutnya?</i>
13	Can you explain the situation and condition in which the new initiatives emerge? <i>Bisakah Bapak/Ibu jelaskan situasi dan kondisi seperti apa yang ada saat usulan baru itu muncul?</i>
14	What did cause the proposal/initiative to fail or continue? <i>Apa yang menyebabkan usulan yang ada gagal atau berlanjut?</i>
15	What impact do you think the peace initiatives have on (the format of war termination, the peace deal, current situations **)? <i>Menurut Bapak/Ibu, apa efek dari inisiatif tersebut terhadap (bentuk penghentian perang, isi perdamaian, situasi sekarang)?</i>
16	What do you think the common view among you and opponent (before the peace process commenced, currently ***)? <i>Menurut Bapak/Ibu, kesamaan pandangan apa yang dimiliki dengan lawan (sebelum proses perdamaian dimulai, saat ini)?</i>
17	Can you explain any differences between you and opponent (before the peace process commenced, currently ***)? <i>Bisakah Bapak/Ibu menjelaskan perbedaan-perbedaan dengan lawan (sebelum proses perdamaian dimulai, saat ini)?</i>
18	Do you find that (the format of war termination, the peace deal, current situations **) has been in line with the desired peace process and content? <i>Apakah menurut Bapak/Ibu (bentuk penghentian perang, isi perdamaian, situasi sekarang) telah sesuai dengan isi maupun proses perdamaian yang diharapkan?</i>
19	What do you think still absent? <i>Menurut Bapak/Ibu, apa yang masih belum tercakup di dalamnya?</i>
20	Are there any other matters that you would like to explain regarding discussed issues or other things that you consider is important? <i>Apakah masih ada yang hendak Bapak/Ibu jelaskan berkaitan dengan hal-hal yang telah dibicarakan atau hal lain yang dianggap penting?</i>

Remarks

- * Use the phrase “in the past” only for Aceh and both of them for Patani.
- ** Use the phrase “the format of war termination” and “the peace deal” only for Aceh, whereas “current situation” for Patani.
- *** Use the phrase “before the peace process commenced” only for Aceh and “currently” only for Patani.

Appendix 2

LIST OF INTERVIEWS

(Based on location and in alphabetical order)

Jakarta, Indonesia

- Azwar Abubakar (former Deputy Governor of Aceh (2000-2004) and Acting Governor (2004-2005)), 6 March 2013
- Bambang Darmono (former Commander of Indonesia Military Security Operation in Aceh (2002-2003)), 16 March 2013
- Bondan Gunawan (former Acting State Secretary (February-May 2000)), 12 February 2013
- Dewi Fortuna Anwar (former Foreign Affairs Adviser to President Habibie (1998-1999)), 27 February 2013
- Endriartono Sutarto (former Army Chief of Staff (2000) and Commander of Indonesia Military (2002-2006)), 21 March 2013
- Farid Husain (member of government negotiators for peace agreement between the Government of the Republic of Indonesia and the Free Aceh Movement, Helsinki, Finland (2005)), 27 March 2013
- I Gusti Agung Wesaka Puja (member of government negotiating team for Aceh peace process: Humanitarian Pause and Cessation of Hostilities Agreement (2000-2003) and member of government negotiators for peace agreement between the Government of the Republic of Indonesia and the Free Aceh Movement, Helsinki, Finland (2005)), 18 March 2013
- Jusuf Kalla (former Vice President (2004-2009) and initiator of peace agreement between the Government of the Republic of Indonesia and the Free Aceh Movement, Helsinki, Finland (2005)), 22 March 2013
- Kiky Syahnakri (former Deputy Army Chief of Staff (2000-2002)), 26 Maret 2013
- Otto Syamsuddin Ishak (1) (intellectual, human rights activist, and NGO leader) interview with author in Jakarta, 20 February 2013
- Sofyan Djalil (member of government negotiators for peace agreement between the Government of the Republic of Indonesia and the Free Aceh Movement, Helsinki, Finland (2005)), 16 March 2013
- Syarifuddin Tippe (former *Teuku Umar* Regional Military Commander (1999-2002)), 22 March 2013
- Wiryo Sastrohandoyo (chief of government negotiating team for Cessation of Hostilities Agreement (2002-2003)), 19 February 2013

Banda Aceh, Indonesia

- Farida Aryani (women activist), 10 April 2013
- A negotiator of GAM for COHA (1), 8 April 2013
- A negotiator of GAM for COHA (2), 16 April 2013

A negotiator of GAM for COHA (3), 27 April 2013
A negotiator of GAM for Helsinki Round (1), 10 April 2013
A negotiator of GAM for Helsinki Round (2), 18 April 2013
A former activist of GAM in Sweden, 29 April 2013
Juanda Djamal (a former student leader and then NGO activist), 30 April 2013
A former student leader, 1 May 2013
Otto Syamsuddin Ishak (2) (intellectual, human rights activist, and NGO leader), 14 April 2013
Teungku H. Imam Syuja' (Muslim leader and chairman of the Acehese Civil Society Task Force (ACSTF)), 1 May 2013

Bangkok, Thailand

Abhisit's government spokesperson, 25 November 2013
A Colonel (Intelligence Section, ISOC), 9 October 2013
A Colonel (Royal Thai Armed Forces Headquarters), 12 October 2013
A former high-level official of the NSC and adviser to the Prime Minister, 13 September 2013
A General (former Commander in Chief of the Royal Thai Army) 29 September 2013
A General (former Commander of the Fourth Army Region and adviser to the Defence Minister), 8 October 2013
A General (former Royal Thai Army liaison to talk with the separatist groups), 5 November 2013
A Major General (former Deputy Commander of the Region 4 ISOC), 7 November 2013
A Major General (member of Thai panel of delegation in the 2013 Peace Talk), 9 October 2013
A Malay Patani student leader, 8 October 2013
Mathus Anuvatudom (academic at Office of Peace and Governance, King Prajadhipok's Institute), 8 October 2013

Pattani, Thailand

A person close to BRN-C's sources, 22 October 2013
A former student leader and then referendum advocates, 17 October 2013
A lawyer of MAC, 24 October 2013
A former adviser of Muslim affairs to Surayud, 20 October 2013
An NGO leader and referendum advocates, 15 September 2013
Pak Haji (pseudonym), undercover movement leader, 13 November 2013
A Permas leader, 24 October 2013
A senior leader of Islamic Council of Pattani Province, 19 November 2013

Srisompob Jitpiomsri, Assistant Professor at Prince of Songkla University, Pattani and
Director of Deep South Watch, 20 November 2013

Wae Ismael Naesae, Director of People's College, 19 November 2013

Yala, Thailand

A reformist Muslim leader, 21 October 2013

Appendix 3

JOINT UNDERSTANDING ON HUMANITARIAN PAUSE FOR ACEH

Whereas the Parties to this Joint Understanding believe in the basic tenets of humanitarian principles and values;

Whereas the Parties to this Joint Understanding agree on the imperative to reduce tension and suffering of the population and a Humanitarian Pause can become an effective instrument for that purpose;

Whereas the Parties to this Joint Understanding agree that Humanitarian Pause constitutes a means to promote confidence of the people and parties to this Joint Understanding in their common endeavour towards achieving a peaceful solution to the conflict situation,

We, the undersigned,
Amb. Dr. N. Hassan Wirajuda for the Government
of the Republic of Indonesia, and
Dr. Zaini Abdullah for the Leadership of the Free Aceh Movement

Hereby agree on the following:

Article 1

Objectives of the Humanitarian Pause

The Objectives of the Humanitarian Pause are:

- A. delivery of humanitarian assistance to the population of Aceh affected by the conflict situation;
- B. provision of security modalities with a view to supporting the delivery of humanitarian assistance and to reducing tension and violence which may cause further suffering;
- C. promotion of confidence-building measures towards a peaceful solution to the conflict situation in Aceh.

Article 2

Components

The Humanitarian Pause comprises two components:

- A. humanitarian action;
- B. security modalities.

Article 3
Organisational Structure

The organisational structure for the Humanitarian Pause consists of following bodies:

A. Joint Forum

The Joint Forum is the highest organ of the Humanitarian Pause, and as such, it is entrusted with the following tasks:

- a. to formulate and oversee basic policy;
- b. to review the progress of the Humanitarian Pause; and
- c. to generate the necessary support for a successful implementation of the Humanitarian Pause.

The Joint Forum, in Switzerland, will consist of representatives of the Government of Indonesia and of the Free Aceh Movement. The Henry Dunant Centre for Humanitarian Dialogue (HDC) acts as the facilitator.

B. Joint Committee on Humanitarian Action (JCHA)

The Joint Committee on Humanitarian Action is the body which carries out the policy of the Joint Forum and which coordinates humanitarian assistance.

Its tasks include:

- a. needs assessment, the setting of priorities, resource mobilisation and planning;
- b. the delivery of humanitarian assistance in a way which ensures the full participation of and benefit to the people of Aceh; and
- c. ensuring the unhindered access for the delivery of the humanitarian assistance, and in this context, coordinates closely with the Joint Committee on Security Modalities.

Membership of this Committee consists of maximum of ten members comprising of 5 each appointed by the Parties to this Understanding. The members of the Committee will elect a Chairperson from among them. The Committee will be facilitated by the HDC.

The HDC will in addition facilitate the process of fundraising for humanitarian assistance.

A Monitoring Team will be established whose tasks are:

- to assess the implementation of the humanitarian action;
- to report their findings to the Joint Forum.

Its membership will consist of 5 persons of high integrity as agreed by the two Parties.

Both Parties take note of the Humanitarian Plan attached.

C. Joint Committee on Security Modalities (JCSM)

The Joint Committee on Security Modalities is the body which deals with the following tasks:

- a. to ensure the reduction of tension and cessation of violence;
- b. to prepare ground rules for the conduct of activities pertaining to the Humanitarian Pause;
- c. to guarantee the absence of offensive military actions by armed forces of the Government of the Republic of Indonesia, and by the Free Aceh Movement;
- d. to facilitate legitimate or non-offensive presence and movements of armed forces;
- e. to ensure the continuing of normal police function for the enforcement of law and the maintenance of public order, including riot control, prohibition of the movement of civilian with arms; and
- f. to assist in the elimination of offensive actions by armed elements which do not belong to the Parties to this Joint Understanding.

Membership of this Committee will consist of 10 members, 5 each appointed by the Parties to this Joint Understanding.

A Monitoring Team will be established whose tasks are:

- to assess the implementation of the security modalities of the Humanitarian Pause;
- to investigate infringements and report their findings to the Joint Forum.

Its membership will consists of 5 members of high integrity as agreed by the two Parties.

The site of the Committees and the Monitoring Teams are in Banda Aceh.

Article 4
Time Frame

- A. The first phase of the Humanitarian Pause covers a period of 3 months commencing 3 weeks from the signing of this Joint Understanding. It will be reviewed 15 days prior to the end of first phase for its renewal.
- B. Prior to any unilateral withdrawal from the joint Understanding, the Parties agree to hold consultations in the Joint Forum in Switzerland.

Article 5
Transition

During the period between the signing of the Joint Understanding and its entry into force, both parties will exercise utmost restraint not to do anything contrary to the purpose and intention of this Joint Understanding.

Article 6
Public Communication

Both Parties agree to launch this initiative through the media and through any other means in order to encourage support for the Humanitarian Pause.

Done at Bavois, on 12 May 2000

For the Government
of the Republic of Indonesia

Amb. Dr. N. Hassan Wirajuda

For the Leadership of
the Free Aceh
Movement

Dr. Zaini Abdullah

Source:

Available at <http://www.hdcentre.org/en/our-work/peacemaking/past-activities/aceh-indonesia/>.

Appendix 4

Provisional Understanding between the Government of the Republic of Indonesia and the Leadership of the Free Aceh Movement

- I. Representatives of the Government of the Republic of Indonesia and the Leadership of the Free Aceh Movement met in Switzerland from 6 to 9 January 2001 for exploratory political talks. This was the first such meeting on substantive issues as agreed to in the Joint Forum meeting of 23-24 September 2000. The purpose of this exploratory meeting was to seek a formula for a lasting and comprehensive solution to the conflict in Aceh.
- II. The two parties came to a provisional understanding on the following:
 - a. A commitment to the basic principles of using only non-violent means to achieve political objectives and to seeking a peaceful and democratic resolution to the conflict.
 - b. An indicative list of elements to be included in the formula for solutions (see Annex).
 - c. To pursue and deepen the process of dialogue in order to find a solution to the conflict. In this regard, both parties have agreed to meet on 12-14 February 2001 in Switzerland to discuss and agree upon new security arrangements as well as the process for continued political dialogue. They will constitute themselves as the Joint Council for Political Dialogue, which will meet regularly to reach agreement on substantive issues leading to a solution for the conflict in Aceh.
 - d. Noting that the Humanitarian Pause for Aceh (HP) expires on 15 January 2001, they have decided to establish a one month moratorium to stop violence, as of 15 January 2001, during which they will establish effective mechanisms for the following:
 - i. New security arrangements will be formulated through consultations between the appropriate commanders of both Parties.
 - ii. A mechanism will be created for democratic consultations in Aceh on substantive issues. The Parties will each appoint an equal number of members to a joint committee, developed from the existing joint committees structures (of the JoU). This joint committee will organize a series of fora on various substantive issues, and invite various representatives and leaders of Acehnese society to participate.
 - iii. HDC will continue to play a facilitating role for the above.
 - iv. Finally, both sides have affirmed that adequate security will be provided for all people involved in any way with the HP.

Switzerland, 9 January 2001

Annex to the Provisional Understanding

Indicative Elements for Discussion

DEMOCRATIC PROCESS

- ❑ Democratic consultations;
- ❑ Free and fair elections for Aceh government;
- ❑ An independent electoral commission acceptable to both sides;
- ❑ Registration of all eligible adult electors in accordance with agreed standards;
- ❑ Monitoring of the electoral process by independent and impartial bodies;
- ❑ Arrangements to ensure that non party candidates may participate or that locally-based parties may be organised in Aceh;
- ❑ Freedom to conduct a political campaign without intimidation;
- ❑ Freedom of expression for all non-violent political opinions, including independence, autonomy and other views;
- ❑ Freedom of assembly including the right to peaceful demonstrations;
- ❑ Conditions under which GAM and supporters of independence may participate fully in the political process;
- ❑ Conditions under which GAM would transform their means of achieving their political objectives in a democratic way;
- ❑ Accountability of law enforcement agencies to the people;
- ❑ Respect for rule of law and creation of a functioning justice system.

HUMAN RIGHTS and HUMANITARIAN LAW

- ❑ Respect for human rights and humanitarian law by all parties;
- ❑ Full and transparent investigation of past and present violations of human rights with due process of law and bringing perpetrators to justice;
- ❑ Creation of a truth and reconciliation commission;
- ❑ Identification, accounting for, and reporting on all missing persons, using impartial forensic expertise;
- ❑ Release of all detainees who have not been charged with a criminal offence;
- ❑ Compensation to victims or families and provision for post-traumatic rehabilitation, counseling, and treatment;
- ❑ Free and safe access for all local and international humanitarian workers to those in need.

SOCIO-ECONOMIC DEVELOPMENT

- Reconstruction of properties, in particular schools and houses, damaged or destroyed during the conflict;
- Measures to ensure equitable distribution of revenue and resources;
- Development of human resources (including, for example, encouragement of companies investing in Aceh to employ local workers and, where skills are not available locally, train local workers, particularly for the oil and gas industry);
- Encouragement of new investment in a peaceful and stable Aceh;
- The environmental effects of development, and, in particular, reforestation, forest reserves, penalties for pollution, and strict regulation of the disposal of industrial waste.

SECURITY ARRANGEMENTS

- Cessation of all forms of violence, threats of violence, intimidation, and destruction of property;
- Cessation of any offensive actions;
- Building on and strengthening of existing Ground Rules;
- As violence diminishes, commensurate reduction from Aceh of non-organic forces under TNI or POLRI; reciprocal deactivation by GAM of a commensurate proportion of its forces, including by their returning to their home areas and their civilian occupations;
- Cooperation between GAM, and TNI and POLRI on how to eliminate unidentified armed elements;
- Prohibition of harassment or attack on any forces, or members thereof, not bearing or using their weapons;
- Expansion of impartial monitoring teams to all affected districts of Aceh and their equipment with adequate logistics;
- Full investigation, disciplinary actions, and legal proceedings regarding any crime allegedly committed by members of the forces of the Parties;
- Verification of all commitments by an impartial monitoring mechanism;
- Security arrangements for vital projects, including, for example, the Exxon-Mobil complex.

Source:

Available at <http://www.hdcentre.org/en/our-work/peacemaking/past-activities/aceh-indonesia/>.

Appendix 5

POINTS FOR FURTHER CONSULTATIONS

On 2-3 February 2002, the Henry Dunant Centre for Humanitarian Dialogue hosted positive and constructive deliberations on issues of concern to representatives of the Government of the Republic of Indonesia and the Free Aceh Movement. Both parties agreed that further deliberation on the points outlined below is necessary. Both parties also agreed to meet in the near future to review the findings of their respective deliberations.

Points for further consultations

Agreeing to use the NAD law as a starting point for discussions, the parties agree to a period of confidence building in which they will cease hostilities and then move towards democratic elections in Aceh in 2004;

Respecting the desire of the people of Aceh to govern themselves peacefully;

Regretting the loss of human life in Aceh and recalling the need for all parties to respect human rights and humanitarian law at all times;

Taking into consideration the 9 January 2001 provisional understanding between the Republic of Indonesia and the Free Aceh Movement;

The parties agree to a period of confidence building in the following stages:

1. cessation of hostilities and all acts of violence in 2002,
2. all-inclusive and transparent political dialogue for Aceh in 2002-3,
3. democratically elected government of Aceh through free and fair elections May 2004,
4. review of the process by the parties.

The parties agree to the following next steps:

1. to meet in 30-45 days to agree on a concrete steps for ensuring compliance for the effective and complete cessation of all hostilities,
2. to meet 30 days later to discuss the modalities of an all-inclusive transparent political dialogue for Aceh.

Source:

Available at <http://www.hdcentre.org/en/our-work/peacemaking/past-activities/aceh-indonesia/>.

Appendix 6

Joint Statement
by
The Government of the Republic of Indonesia
and
The Free Aceh Movement

Recognizing that progress has been made in previous understandings, but also recognizing the difficulties experienced in implementing these understandings, the parties have agreed to the Points for Further Consultations set out in their 2-3 February 2002 meeting, and further agree:

- on the basis of the acceptance of the NAD Law as a starting point, as discussed on 2-3 February 2002, to a democratic all-inclusive dialogue involving all elements of Acehese society that will be facilitated by HDC in Aceh. This process will seek to review elements of the NAD Law through the expression of the views of the Acehese people in a free and safe manner. This will lead to the election of a democratic government in Aceh, Indonesia.
- to enable this process to take place both parties agree to work with all speed on an agreement on cessation of hostilities with an adequate mechanism for accountability of the parties to such an agreement. This will also provide the opportunity and environment for much needed socio-economic and humanitarian assistance to the people of Aceh.

Both parties agree to a process of periodic review of the implementation of these understandings.

Done in Switzerland, on 10 May 2002

For the Government
of the Republic of Indonesia

Amb. Mr. S. Wiryono

For the Leadership of
the Free Aceh Movement

Dr. Zaini Abdullah

Source:

Available at <http://www.hdcentre.org/en/our-work/peacemaking/past-activities/aceh-indonesia/>.

Appendix 7

Cessation of Hostilities Framework Agreement between the Government of the Republic of Indonesia and the Free Aceh Movement

9 December 2002

Preamble

The Government of the Republic of Indonesia (GOI) and the Free Aceh Movement (GAM) have been engaged in a process of dialogue since January 2000 and concur that the priority in Aceh is the security and welfare of the people and therefore agree on the need for finding an immediate peaceful solution to the conflict in Aceh. On 10 May 2002, the GOI and GAM issued a Joint Statement set out below:

1. On the basis of the acceptance of the NAD Law as a starting point, as discussed on 2-3 February 2002, to a democratic all-inclusive dialogue involving all elements of Acehnese society that will be facilitated by HDC in Aceh. This process will seek to review elements of the NAD Law through the expression of the views of the Acehnese people in a free and safe manner. This will lead to the election of a democratic government in Aceh, Indonesia.
2. To enable this process to take place both parties agree to work with all speed on an agreement on cessation of hostilities with an adequate mechanism for accountability of the parties to such an agreement. This will also provide the opportunity and environment for much needed socio-economic and humanitarian assistance to the people of Aceh.

The GOI and GAM share the common objective to meet the aspirations of the people of Aceh to live in security with dignity, peace, prosperity, and justice. In order to meet the aspirations of the people of Aceh and permit them to administer themselves freely and democratically, the GOI and GAM agree to a process which leads to an election in 2004 and the subsequent establishment of a democratically elected government in Aceh, Indonesia, in accordance with the review of the NAD Law, as provided for in point 1 of the 10 May 2002 Joint Statement.

To this end, the GOI will ensure and GAM will support the development of a free and fair electoral process in Aceh, which will be designed to ensure the broadest participation of all elements of Acehnese society.

In light of the delicate nature of the confidence building process, the GOI and GAM further appeal for the support of all elements of society and request that no party undertake any action which is inconsistent with this Agreement and may jeopardize the future security and welfare of the people of Aceh.

The immediate requirement is to ensure the cessation of hostilities and all acts of violence, including, intimidation, destruction of property and any offensive and criminal action. Offensive and criminal action is deemed to include violent actions such as attacking, shooting, engaging in torture, killing, abducting, bombing, burning, robbing, extorting, threatening, terrorising, harassing, illegally arresting people, raping, and conducting illegal searches.

Throughout the peace process the maintenance of law and order in Aceh will continue to be the responsibility of the Indonesian Police (Polri). In this context, the mandate and mission of Brimob will be reformulated to strictly conform to regular police activities and as such will no longer initiate offensive actions against members of GAM not in contravention of the Agreement.

The JSC will be the point of reference for all complaints regarding police functions and action that are deemed to be in contravention of the spirit and letter of the Cessation of Hostilities (COH) Agreement. As such, the JSC will be responsible for defining, identifying and investigating when and if the police have breached their mandate.

With this general understanding, and to bring the peace process forward to the next phase, both parties hereby agree on the following:

Article 1: Objectives of the Cessation of Hostilities and All Acts of Violence

- a) Since both sides have thus agreed that, from now on, enmity between them should be considered a thing of the past, the peace process, which is continued by an agreement on this phase, will proceed by building further confidence and both sides will prove to each other that they are serious about achieving this ultimate common objective.
- b) The objectives of the cessation of hostilities and all acts of violence between both parties are (i) to proceed to the next phase of the peace process, as mutually agreed on 10 May 2002 in Switzerland; (ii) to continue the confidence building process with a view to eliminating all suspicions and creating a positive and cooperative atmosphere which will bring the conflict in Aceh to a peaceful conclusion; and, (iii) to enable, provided hostilities and all acts of violence cease, for the peace process to proceed to the next phases, i.e. the delivery of humanitarian, rehabilitation and reconstruction assistance.

Article 2: Commitment by Both Sides to Cease Hostilities and All Acts of Violence

- a) Both sides explicitly express their commitment to meet the terms of this Agreement to cease hostilities and all forms of violence toward each other and toward the people in Aceh, by implementing the steps stipulated in this Agreement. In expressing such commitment, both sides guarantee that they are in full control of, respectively, TNI/Polri and GAM forces on the ground. GOI and GAM commit to control those groups that do not share their objectives but claim to be part of their forces.

- b) Both sides further commit themselves to immediately after the signing of this Agreement to thoroughly inform their respective forces on the ground of the terms of this Agreement, and to instruct them to cease hostilities immediately.
- c) Both sides agree that, should there be other parties taking advantage of the situation and disturbing the peaceful atmosphere, they will endeavour to take joint action against them to restore the peace.
- d) During this confidence-building period, both sides agree that they will not increase their military strength, which includes re-deployment of forces, increase in military personnel or military equipment into Aceh.
- e) HDC is requested to strictly facilitate the implementation of this Agreement.
- f) Both parties will allow civil society to express without hindrance their democratic rights.

Article 3: Joint Security Committee (JSC)

- a) The senior leadership in charge of security from each side will meet, in order to establish the initial contact and understanding between both sides. They should also (i) reactivate the Joint Security Committee (JSC), which was established during the implementation of the Humanitarian Pause, and (ii) commence discussion, in order to reach agreement expeditiously, on a plan of action for the JSC in discharging its duties.
- b) The functions of JSC are: (i) to formulate the process of implementation of this Agreement; (ii) to monitor the security situation in Aceh; (iii) to undertake full investigation of any security violations; (iv) in such cases, to take appropriate action to restore the security situation and to agree beforehand on the sanctions to be applied, should any party violate this Agreement; (v) to publish weekly reports on the security situation in Aceh; (vi) to ensure that no new paramilitary force is created to assume previous functions of Brimob, and (vii) to design and implement a mutually agreed upon process of demilitarisation. Regarding this last task, the JSC will designate what will be called Peace Zones ([see Art. 4\(a\)](#)). After peace zones have been identified, the GAM will designate placement sites for its weapons. Two months after the signing of the COH and as confidence grows, GAM will begin the phased placement of its weapons, arms and ordinance in the designated sites. The JSC will also decide on a simultaneous phased relocation of TNI forces which will reformulate their mandate from a strike force to a defensive force. The GOI has the right to request HDC to undertake no-notice verification of the designated sites. With the growth in confidence of both parties in the process the phased placement of GAM weapons will be completed within a period of five months.
- c) The composition of JSC will be senior officials appointed as representatives of the GOI and the GAM and a senior third party personality of high standing agreed upon by both sides, Each senior official from the three parties are to be accompanied by up to four

persons as members. The heads of delegations from both sides have to be senior and have the authority to be able to take decisions on the spot.

The third party (HDC) personality needs to be able to command the respect and high regard of both sides in order to be able to assist in resolving problems, as they arise.

d) In order to perform these functions, the JSC is to be assisted by a monitoring team or monitoring teams, which would be provided security guarantees by both sides in monitoring the security situation and in investigating any violation.

e) The composition of each of the monitoring teams are appointed officials as representatives of the High Command of the security forces of the GOI and the High Command of the forces of the GAM in Aceh and a senior third party military officer agreed upon by both sides reporting to the senior third party personality of high standing in the JSC.

f) JSC and the monitoring team(s) would be provided with the necessary technical and administrative staff and logistical support. The HDC is requested to facilitate the establishment of these bodies by providing the necessary funds, logistical and administrative facilities.

g) It is agreed upon that the JSC and the monitoring team(s) will be established and be operational within one month of the signing of this Agreement. Civil society has the right to provide inputs to the JSC.

Article 4: Establishment of "Peace Zones"

a) Following the signing of the COH Agreement, the JSC, with the direct participation of the senior leadership for security from both sides, will immediately identify and prepare locations of conflict to be designated as "Peace Zones". This would facilitate, considerably the work of the JSC since it could focus its attention on these areas in establishing and maintaining security, and these zones, provided peace could be established, will be the focus of the initial humanitarian, rehabilitation and reconstruction assistance.

b) For the first two months after the signing, both parties will relocate to defensive positions as agreed upon by the JSC. Adjustments to these locations could be made by the JSC in order to separate the forces of both parties with sufficient distance to avoid contact or confrontation. Forces of both parties will refrain from operations, movements, activities or any provocative acts that could lead to contact or confrontation with each other.

c) In order to build trust and confidence during these crucial months, these zones and surroundings will be monitored by the tripartite monitoring teams. The JSC will be informed by both parties of any significant movements or activities in these areas.

d) POLRI will be able to investigate criminal activities in these areas in consultation with the JSC.

e) The designation of identified areas of demilitarised zones such as schools, mosques, health institutions and public places, bazaars, Acehese meunasahs, market-places, foodstalls, communication centres including bus-terminals, taxi-stations, ferry-terminals, public roads, river transportation services, and fishing ports.

Article 5: Time Frames

a) Both sides agree that hostilities and all acts of violence by both sides should cease forever in Aceh.

b) Both sides also agree that hostilities and all acts of violence during the first three months from the time when the JSC and the monitoring team(s) become operational are very crucial as indicator of the seriousness of the commitment from both sides. If indeed hostilities and all acts of violence could decrease dramatically, or even cease altogether, during this first three month period, the Acehese and other Indonesian people, and the international community, would consider that the peace process would most likely succeed.

c) During the period between the signing of this Agreement and the time when the JSC and the monitoring team(s) become operational, both signatories to this Agreement commit themselves to exercise the utmost restraint by not making any public statement that would inflame the feeling and sentiment of the other side, including the people, and by ensuring that their forces will not initiate any hostile act toward the other.

Article 6: All-Inclusive Dialogue

The parties agree to support the process of All-Inclusive Dialogue in Aceh as provided for in the Joint Statement of 10 May 2002. The parties agree to ensure, through this Agreement, the necessary security and freedom of movement for all participants in the All-Inclusive Dialogue to enable the process to be conducted in a safe and fair manner, reflecting the views of all elements of Acehese society. The parties reconfirm their agreement that the process of All-Inclusive Dialogue be facilitated by HDC.

Article 7: Public Information and Communications

a) To ensure national and international support for the peace process in Aceh, the Agreement of 10 May 2002, and this Agreement and its implementation have to be publicised as widely as possible within one month of the signing of this Agreement. The process of implementation has to be as transparent as possible and the people have to be regularly informed of the progress made and difficulties encountered.

b) Communications to the public will be given priority, especially through the print and electronic media. Television and radio programmes have to be devised to enable

obtaining inputs from the general public provided that they are conducted in a fair and balanced manner. The JSC remains the final reference on this matter.

c) Other media, such as community meetings, seminars, flyers, bumper stickers, T-shirts, and others could also be considered, as appropriate.

d) The HDC is requested to look for sources of funding these public information and communication activities.

Article 8: Joint Council

A Joint Council will be established, composed of the most senior representatives of the GOI and the GAM, and of the third party (HDC). The function of this Joint Council will be to resolve all issues or disputes arising out of the implementation of this Agreement, which cannot be resolved by other Committees or Structures established under this Agreement. The Joint Council may amend the articles and provisions of this Agreement.

Article 9: Amendment or Termination

This Agreement may only be amended by agreement between the two parties in the Joint Council. Should either party wish to unilaterally terminate the Agreement then they are obligated to first bring the issue to the Joint Council and engage in and support all efforts by the Joint Council to resolve the problem within a sufficient period of time (no less than 30 days). If the Joint Council is unable to resolve the matter, then either party has the right to unilaterally withdraw from the Agreement.

For the Government of the Republic of Indonesia
Amb. Mr. S. Wiryo

For the Leadership of the Free Aceh Movement
Dr. Zaini Abdullah

Witnessed by Henry Dunant Centre for Humanitarian Dialogue (HDC)
Mr. Martin Griffiths

Source:

Available at <http://peacemaker.un.org/indonesia-cessationhostilities2002>.

Appendix 8

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF INDONESIA
AND
THE FREE ACEH MOVEMENT

The Government of Indonesia (GoI) and the Free Aceh Movement (GAM) confirm their commitment to a peaceful, comprehensive and sustainable solution to the conflict in Aceh with dignity for all.

The parties commit themselves to creating conditions within which the government of the Acehese people can be manifested through a fair and democratic process within the unitary state and constitution of the Republic of Indonesia.

The parties are deeply convinced that only the peaceful settlement of the conflict will enable the rebuilding of Aceh after the tsunami disaster on 26 December 2004 to progress and succeed.

The parties to the conflict commit themselves to building mutual confidence and trust.

This Memorandum of Understanding (MoU) details the agreement and the principles that will guide the transformation process.

To this end the GoI and GAM have agreed on the following:

1 GOVERNING OF ACEH

1.1 Law on the Governing of Aceh

- 1.1.1 A new Law on the Governing of Aceh will be promulgated and will enter into force as soon as possible and not later than 31 March 2006.
- 1.1.2 The new Law on the Governing of Aceh will be based on the following principles:
- a) Aceh will exercise authority within all sectors of public affairs, which will be administered in conjunction with its civil and judicial administration, except in the fields of foreign affairs, external defence, national security, monetary and fiscal matters, justice and freedom of religion, the policies of which belong to the Government of the Republic of Indonesia in conformity with the Constitution.
 - b) International agreements entered into by the Government of Indonesia which relate to matters of special interest to Aceh will be entered into in consultation with and with the consent of the legislature of Aceh.
 - c) Decisions with regard to Aceh by the legislature of the Republic of Indonesia will be taken in consultation with and with the consent of the legislature of Aceh.
 - d) Administrative measures undertaken by the Government of Indonesia with regard to Aceh will be implemented in consultation with and with the consent of the head of the Aceh administration.

- 1.1.3 The name of Aceh and the titles of senior elected officials will be determined by the legislature of Aceh after the next elections.
- 1.1.4 The borders of Aceh correspond to the borders as of 1 July 1956.
- 1.1.5 Aceh has the right to use regional symbols including a flag, a crest and a hymn.
- 1.1.6 Kanun Aceh will be re-established for Aceh respecting the historical traditions and customs of the people of Aceh and reflecting contemporary legal requirements of Aceh.
- 1.1.7 The institution of Wali Nanggroe with all its ceremonial attributes and entitlements will be established.

1.2 Political participation

- 1.2.1 As soon as possible and not later than one year from the signing of this MoU, GoI agrees to and will facilitate the establishment of Aceh-based political parties that meet national criteria. Understanding the aspirations of Acehnese people for local political parties, GoI will create, within one year or at the latest 18 months from the signing of this MoU, the political and legal conditions for the establishment of local political parties in Aceh in consultation with Parliament. The timely implementation of this MoU will contribute positively to this end.
- 1.2.2 Upon the signature of this MoU, the people of Aceh will have the right to nominate candidates for the positions of all elected officials to contest the elections in Aceh in April 2006 and thereafter.
- 1.2.3 Free and fair local elections will be organised under the new Law on the Governing of Aceh to elect the head of the Aceh administration and other elected officials in April 2006 as well as the legislature of Aceh in 2009.
- 1.2.4 Until 2009 the legislature of Aceh will not be entitled to enact any laws without the consent of the head of the Aceh administration.
- 1.2.5 All Acehnese residents will be issued new conventional identity cards prior to the elections of April 2006.
- 1.2.6 Full participation of all Acehnese people in local and national elections will be guaranteed in accordance with the Constitution of the Republic of Indonesia.
- 1.2.7 Outside monitors will be invited to monitor the elections in Aceh. Local elections may be undertaken with outside technical assistance.
- 1.2.8 There will be full transparency in campaign funds.

1.3 Economy

- 1.3.1 Aceh has the right to raise funds with external loans. Aceh has the right to set interest rates beyond that set by the Central Bank of the Republic of Indonesia.
- 1.3.2 Aceh has the right to set and raise taxes to fund official internal activities. Aceh has the right to conduct trade and business internally and internationally and to seek foreign direct investment and tourism to Aceh.

- 1.3.3 Aceh will have jurisdiction over living natural resources in the territorial sea surrounding Aceh.
- 1.3.4 Aceh is entitled to retain seventy (70) per cent of the revenues from all current and future hydrocarbon deposits and other natural resources in the territory of Aceh as well as in the territorial sea surrounding Aceh.
- 1.3.5 Aceh conducts the development and administration of all seaports and airports within the territory of Aceh.
- 1.3.6 Aceh will enjoy free trade with all other parts of the Republic of Indonesia unhindered by taxes, tariffs or other restrictions.
- 1.3.7 Aceh will enjoy direct and unhindered access to foreign countries, by sea and air.
- 1.3.8 GoI commits to the transparency of the collection and allocation of revenues between the Central Government and Aceh by agreeing to outside auditors to verify this activity and to communicate the results to the head of the Aceh administration.
- 1.3.9 GAM will nominate representatives to participate fully at all levels in the commission established to conduct the post-tsunami reconstruction (BRR).

1.4 Rule of law

- 1.4.1 The separation of powers between the legislature, the executive and the judiciary will be recognised.
- 1.4.2 The legislature of Aceh will redraft the legal code for Aceh on the basis of the universal principles of human rights as provided for in the United Nations International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights.
- 1.4.3 An independent and impartial court system, including a court of appeals, will be established for Aceh within the judicial system of the Republic of Indonesia.
- 1.4.4 The appointment of the Chief of the organic police forces and the prosecutors shall be approved by the head of the Aceh administration. The recruitment and training of organic police forces and prosecutors will take place in consultation with and with the consent of the head of the Aceh administration in compliance with the applicable national standards.
- 1.4.5 All civilian crimes committed by military personnel in Aceh will be tried in civil courts in Aceh.

2 HUMAN RIGHTS

- 2.1 GoI will adhere to the United Nations International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights.
- 2.2 A Human Rights Court will be established for Aceh.
- 2.3 A Commission for Truth and Reconciliation will be established for Aceh by the Indonesian Commission of Truth and Reconciliation with the task of formulating and determining reconciliation measures.

3 AMNESTY AND REINTEGRATION INTO SOCIETY

3.1 Amnesty

- 3.1.1 GoI will, in accordance with constitutional procedures, grant amnesty to all persons who have participated in GAM activities as soon as possible and not later than within 15 days of the signature of this MoU.
- 3.1.2 Political prisoners and detainees held due to the conflict will be released unconditionally as soon as possible and not later than within 15 days of the signature of this MoU.
- 3.1.3 The Head of the Monitoring Mission will decide on disputed cases based on advice from the legal advisor of the Monitoring Mission.
- 3.1.4 Use of weapons by GAM personnel after the signature of this MoU will be regarded as a violation of the MoU and will disqualify the person from amnesty.

3.2 Reintegration into society

- 3.2.1 As citizens of the Republic of Indonesia, all persons having been granted amnesty or released from prison or detention will have all political, economic and social rights as well as the right to participate freely in the political process both in Aceh and on the national level.
- 3.2.2 Persons who during the conflict have renounced their citizenship of the Republic of Indonesia will have the right to regain it.
- 3.2.3 GoI and the authorities of Aceh will take measures to assist persons who have participated in GAM activities to facilitate their reintegration into the civil society. These measures include economic facilitation to former combatants, pardoned political prisoners and affected civilians. A Reintegration Fund under the administration of the authorities of Aceh will be established.
- 3.2.4 GoI will allocate funds for the rehabilitation of public and private property destroyed or damaged as a consequence of the conflict to be administered by the authorities of Aceh.
- 3.2.5 GoI will allocate suitable farming land as well as funds to the authorities of Aceh for the purpose of facilitating the reintegration to society of the former combatants and the compensation for political prisoners and affected civilians. The authorities of Aceh will use the land and funds as follows:
 - a) All former combatants will receive an allocation of suitable farming land, employment or, in the case of incapacity to work, adequate social security from the authorities of Aceh.
 - b) All pardoned political prisoners will receive an allocation of suitable farming land, employment or, in the case of incapacity to work, adequate social security from the authorities of Aceh.
 - c) All civilians who have suffered a demonstrable loss due to the conflict will receive an allocation of suitable farming land, employment or, in the case of incapacity to work, adequate social security from the authorities of Aceh.

3.2.6 The authorities of Aceh and GoI will establish a joint Claims Settlement Commission to deal with unmet claims.

3.2.7 GAM combatants will have the right to seek employment in the organic police and organic military forces in Aceh without discrimination and in conformity with national standards.

4 SECURITY ARRANGEMENTS

4.1 All acts of violence between the parties will end latest at the time of the signing of this MoU.

4.2 GAM undertakes to demobilise all of its 3000 military troops. GAM members will not wear uniforms or display military insignia or symbols after the signing of this MoU.

4.3 GAM undertakes the decommissioning of all arms, ammunition and explosives held by the participants in GAM activities with the assistance of the Aceh Monitoring Mission (AMM). GAM commits to hand over 840 arms.

4.4 The decommissioning of GAM armaments will begin on 15 September 2005 and will be executed in four stages and concluded by 31 December 2005.

4.5 GoI will withdraw all elements of non-organic military and non-organic police forces from Aceh.

4.6 The relocation of non-organic military and non-organic police forces will begin on 15 September 2005 and will be executed in four stages in parallel with the GAM decommissioning immediately after each stage has been verified by the AMM, and concluded by 31 December 2005.

4.7 The number of organic military forces to remain in Aceh after the relocation is 14700. The number of organic police forces to remain in Aceh after the relocation is 9100.

4.8 There will be no major movements of military forces after the signing of this MoU. All movements more than a platoon size will require prior notification to the Head of the Monitoring Mission.

4.9 GoI undertakes the decommissioning of all illegal arms, ammunition and explosives held by any possible illegal groups and parties.

4.10 Organic police forces will be responsible for upholding internal law and order in Aceh.

4.11 Military forces will be responsible for upholding external defence of Aceh. In normal peacetime circumstances, only organic military forces will be present in Aceh.

4.12 Members of the Aceh organic police force will receive special training in Aceh and overseas with emphasis on respect for human rights.

5 ESTABLISHMENT OF THE ACEH MONITORING MISSION

5.1 An Aceh Monitoring Mission (AMM) will be established by the European Union and ASEAN contributing countries with the mandate to monitor the implementation of the commitments taken by the parties in this Memorandum of Understanding.

- 5.2 The tasks of the AMM are to:
- a) monitor the demobilisation of GAM and decommissioning of its armaments,
 - b) monitor the relocation of non-organic military forces and non-organic police troops,
 - c) monitor the reintegration of active GAM members,
 - d) monitor the human rights situation and provide assistance in this field,
 - e) monitor the process of legislation change,
 - f) rule on disputed amnesty cases,
 - g) investigate and rule on complaints and alleged violations of the MoU,
 - h) establish and maintain liaison and good cooperation with the parties.
- 5.3 A Status of Mission Agreement (SoMA) between GoI and the European Union will be signed after this MoU has been signed. The SoMA defines the status, privileges and immunities of the AMM and its members. ASEAN contributing countries which have been invited by GoI will confirm in writing their acceptance of and compliance with the SoMA.
- 5.4 GoI will give all its support for the carrying out of the mandate of the AMM. To this end, GoI will write a letter to the European Union and ASEAN contributing countries expressing its commitment and support to the AMM.
- 5.5 GAM will give all its support for the carrying out of the mandate of the AMM. To this end, GAM will write a letter to the European Union and ASEAN contributing countries expressing its commitment and support to the AMM.
- 5.6 The parties commit themselves to provide AMM with secure, safe and stable working conditions and pledge their full cooperation with the AMM.
- 5.7 Monitors will have unrestricted freedom of movement in Aceh. Only those tasks which are within the provisions of the MoU will be accepted by the AMM. Parties do not have a veto over the actions or control of the AMM operations.
- 5.8 GoI is responsible for the security of all AMM personnel in Indonesia. The mission personnel do not carry arms. The Head of Monitoring Mission may however decide on an exceptional basis that a patrol will not be escorted by GoI security forces. In that case, GoI will be informed and the GoI will not assume responsibility for the security of this patrol.
- 5.9 GoI will provide weapons collection points and support mobile weapons collection teams in collaboration with GAM.
- 5.10 Immediate destruction will be carried out after the collection of weapons and ammunitions. This process will be fully documented and publicised as appropriate.
- 5.11 AMM reports to the Head of Monitoring Mission who will provide regular reports to the parties and to others as required, as well as to a designated person or office in the European Union and ASEAN contributing countries.
- 5.12 Upon signature of this MoU each party will appoint a senior representative to deal with all matters related to the implementation of this MoU with the Head of Monitoring Mission.
- 5.13 The parties commit themselves to a notification responsibility procedure to the AMM, including military and reconstruction issues.
- 5.14 GoI will authorise appropriate measures regarding emergency medical service and hospitalisation for AMM personnel.

5.15 In order to facilitate transparency, GoI will allow full access for the representatives of national and international media to Aceh.

6 DISPUTE SETTLEMENT

6.1 In the event of disputes regarding the implementation of this MoU, these will be resolved promptly as follows:

- a) As a rule, eventual disputes concerning the implementation of this MoU will be resolved by the Head of Monitoring Mission, in dialogue with the parties, with all parties providing required information immediately. The Head of Monitoring Mission will make a ruling which will be binding on the parties.
- b) If the Head of Monitoring Mission concludes that a dispute cannot be resolved by the means described above, the dispute will be discussed together by the Head of Monitoring Mission with the senior representative of each party. Following this, the Head of Monitoring Mission will make a ruling which will be binding on the parties.
- c) In cases where disputes cannot be resolved by either of the means described above, the Head of Monitoring Mission will report directly to the Coordinating Minister for Political, Law and Security Affairs of the Republic of Indonesia, the political leadership of GAM and the Chairman of the Board of Directors of the Crisis Management Initiative, with the EU Political and Security Committee informed. After consultation with the parties, the Chairman of the Board of Directors of the Crisis Management Initiative will make a ruling which will be binding on the parties.

GoI and GAM will not undertake any action inconsistent with the letter or spirit of this Memorandum of Understanding.

Signed in triplicate in Helsinki, Finland on the 15 of August in the year 2005.

On behalf of the Government of the Republic of Indonesia,

On behalf of the Free Aceh Movement,

Hamid Awaludin
Minister of Law and Human Rights

Malik Mahmud
Leadership

As witnessed by

Martti Ahtisaari
Former President of Finland
Chairman of the Board of Directors of the Crisis Management Initiative
Facilitator of the negotiation process

Source:

Available at <http://peacemaker.un.org/indonesia-memorandumaceh2005>.

Appendix 9

GENERAL CONSENSUS ON PEACE DIALOGUE PROCESS

The Government of Thailand has appointed the Secretary-General of the National Security Council (to be referred to as party A) to head the group supporting favourable environment creation for peace promotion in the Southern Border Provinces of Thailand.

We are willing to engage in peace dialogue with people who have different opinions and ideologies from the state (to be referred to as party B) as one of the stakeholders in solving the Southern Border Provinces problem under the framework of the Thai Constitution while Malaysia would act as facilitator. Safety measures shall be provided to all members of the Joint Working Group throughout the entire process.

Done and signed in Kuala Lumpur
On the 28th February 2013

For Party A



Paradorn Pattanatabut

(Lt. Gen. Paradorn Pattanatabut)

For Party B



Ustaz Hassan Taib

(Ustaz Hassan Taib)

Witnessed By:

Datuk Mohamed Thajudeen bin Abdul Wahab

(Datuk Mohamed Thajudeen bin Abdul Wahab)
Secretary of the
National Security Council of Malaysia



Source:

Available at <http://www.deepsouthwatch.org/node/4013>.