

CHAPTER 4

Case Study Three: Australia into East Timor

Introduction

Around 7 am on the morning of the 20th of September 1999 the Australian led International Force East Timor (INTERFET) began landing ashore around Dili, the devastated capital of East Timor. The force had made the short journey from Darwin, where it had been assembling and organising for some weeks, and comprised troops from more than twenty countries assembled in a multinational UN sanctioned peace-enforcement coalition. Within 24 hours approximately 2300 troops, of an eventual 11,000 strong force, had secured the capital and begun operations to disarm the militia forces and provide security and safe havens for the tens thousands of displaced East Timorese. Over the coming weeks, having consolidated their position in Dili, INTERFET forces ranged further afield into the mountainous central provinces, the southern coastal plains, and finally to the east coast and western border regions, exerting their control and establishing security across the territory.

Acting under Chapter VII of the United Nations Charter, on 15 September the Security Council authorised the establishment of a multinational force through the unanimous adoption of Security Council resolution 1264. Resolution 1264 mandated an international force to restore peace and security in East Timor, to protect and support the UN mission in East Timor (UNAMET), and to facilitate humanitarian assistance to the territory.³⁵⁷ INTERFET acted quickly and decisively to disarm the militia and restore peace in Dili, and over the coming few months moved to encompass the entire territory up to the tense West Timor border. The operation was widely seen as an enormous success for the UN and Australia – incurring little additional loss of life and paving the way for the follow on UN transitional administration (UNTAET), and the eventual independence and nationhood for the tiny and impoverished territory of East Timor.

For the East Timorese the struggle for self-determination had its roots, four centuries earlier in the colonial past in which the competing Dutch and Portuguese empires wrestled for

control of the island's precious sandalwood resources, but more recently in the violent and oppressive years under Indonesian occupation following their invasion in 1975. For twenty-four years the East Timorese suffered extraordinary brutality, oppression, and violence at the hands of the Indonesian military, as Portugal, Australia and the international community at large proved either unable or unwilling to challenge Indonesia's illegal occupation. Despite sustained UN rhetorical condemnation of its actions, it was not until changes in Indonesia's domestic political circumstances, and a radical threat to its very economic viability in late 1998, that the prospect of change to the East Timorese situation became possible. In the immediate post-Suharto political instability and flux, the opportunity arose for the East Timorese to seek an act of self-determination on their future. The eventual ballot, and the violence that ensued, set the immediate background into which the Australian-led intervention projected itself, in this the most recent example of small state intervention examined here.

Although it is clearly understood that the INTERFET intervention into East Timor was a truly international affair, and that it took place at the "invitation" of the Indonesian government, it will be argued here that the intervention was largely the result of Australian action and was led by, and largely funded and supported by, Australia. It will also be argued that the "invitation" (by what was in effect an interim government in Indonesia) was extended only in response to mounting international pressure and threat, and did not represent the genuine desire of the Indonesians to have this intervention force in what it considered its territory, and further, that the intervention therefore constituted a military intrusion consistent with the previous case studies. Yet this case of small state intervention is significantly different to the previous examples, and to some degree represented a shift in the nature and purpose of intervention by small states. Notwithstanding the possible exception to Australia being considered a small state, and noting the discrepancies between Australia, Indonesia, and East Timor in terms of relative size and power, this case can still be considered to reflect the dynamics of non-great power states and so fits the purposes of this study. This case study is unique in this research in a number of important facets that in themselves say something significant about the nature of small state interventions and the changes in the dynamics of politics between states.

³⁵⁷ Department of Foreign Affairs and Trade, *East Timor in Transition 1998 - 2000* (Canberra: Commonwealth of Australia, 2001).

Perhaps the most immediately evident difference is that this intervention was legitimated by a multinational authority (UN) and pursued by an international force. A force of ‘willing’ coalition partners who for a variety of reasons felt it important to join their forces with others of the region, and further afield, to act together to intervene militarily into a precarious, and legally and politically convoluted situation. In an international legal sense, Indonesia’s presence in East Timor was clearly illegal, yet many of the states that came to form the coalition force, had either given *de facto* recognition of Indonesia’s presence in East Timor, (Australia even gave *de jure* recognition to the occupation in 1985) or accepted it on the basis of a *fait accompli* and considered the matter as an internal Indonesian issue. To act against Indonesia therefore, represented for these states a conflict between the perceived norms and conventions of state sovereignty and non-interference, and the strong demands arising from the need to protect basic human rights in the face of sustained systemic state sponsored abuse. In many ways therefore this intervention represented something of a critical point in the relative priorities afforded to international norms and practices within the international community.³⁵⁸

This intervention took place a decade after the collapse of the Cold War, in an international environment no longer clearly bifurcated along great power lines. The great power logic that prevailed during the first two case studies no longer applied, and the overarching dynamics of such power struggle no longer shaped the events in South East Asia as they had in the past. The systemic context therefore was radically altered and this was manifest not only in the fact that this intervention eventuated at all, but also in the manner in, and rationale under, which it did so.

The dynamics of regional power distribution and security regionalism are also clearly distinct in this intervention. As a consequence of post Cold War power realignment and globalising influences, the role of regional identity and regional interaction as a structural conditioning dynamic had come to the fore. The fact that the East Timor situation in many regards was seen as a “regional issue” to be dealt with by the regional actors – especially by the US – meant that responsibility for action, collective or otherwise resided with the states of

³⁵⁸ It is noted here, and will be discussed later, that although this case represents something of a watershed for international norms, the material conditions that existed at the time, namely Indonesia’s weak international position following Suharto’s demise, facilitated the decisive international reaction and intervention. Again this highlights the interplay of the material and ideational dimensions in a mutually conditioning relationship.

the immediate region and this sense of regionalism shaped not only the way the intervention was legitimated but the way it was conducted also.³⁵⁹

Not only did this intervention take place in a world significantly different, structurally and normatively than the previous cases, but it was also an intervention of a different nature than the other examples. By 1999 the notion of states, especially collectively, intervening on the basis of humanitarian concerns and human rights was by no means without precedent. Similarly the purposes of this intervention are significant for the argument of this thesis and the nature of the theoretical constructs proposed in international relations theory to account for them.

This case study is different to the previous cases to the extent that it is more recent, accessible, and relevant to the Australian student. In terms of the nature of evidence and the nature of the literature dealing with this intervention, far more primary sources and diverse material is available for this case than in the other cases. In addition the author's personal experience with some of the military aspects of the intervention lend to this case study a different perspective and different quality than to the others, and whether this substantially affects the research or not, it is noted all the same.

This chapter will examine the Australian-led intervention into East Timor in the closing months of 1999, highlighting the complex range of competing interests and regional and global influences that shaped this episode. Because of the particular historic circumstances of this intervention and the long history of the Indonesian occupation and Australia's role in that history, it is necessary, in order to understand why Australia intervened as it did, to give some detail of these two decades of Indonesian occupation and to trace the sustained struggle for independence carried on by the East Timorese people. However, in the final analysis the function of this case study is not concerned with passing judgement on Indonesia's action nor is it intended as an indictment of Australia's alleged complicity in past atrocities, but it seeks to refract this episode of intervention through a different perspective to that offered by contemporary realist theory to highlight the inadequacy of that account and to propose means by which a more inclusive account may provide a more satisfactory explanation.

³⁵⁹ The case will be made later that it was Australia's 'unique' standing in the region that enabled it to lead the intervention in a way that perhaps other regional states, especially ASEAN states, may not have been able or willing to.

Global Context

Overview

The events in East Timor in September 1999 would have been almost unthinkable in the mid-1970s during the height of the Cold War. With the passing of the Cold War and the sharp division between Eastern and Western blocs, great power influence in South East Asia was transformed as the US moved, somewhat reluctantly, to distance itself from those regimes associated with excessive anti-democratic values, which it had in the past propped up as bastions of anti-communism, and Russia retreated to within its European boundaries. No longer competing militarily with the Soviet bloc in South East Asia, the US moved instead to exert its influence economically and culturally through assertively pushing for increased economic penetration under the aegis of “globalisation”. The end of the Cold War and the cessation of the conflict in Indochina also saw the whole logic of the domino theory and the anti-communist ‘imperative’ in South East Asia diminish in significance, and local secessionist movements came, by and large, to be seen as attempts at national emancipation rather than ‘communist insurgent uprisings’ as they were often portrayed by the Western powers and their allies.

Indonesia which had proven to be such a stout bulwark of strong centrist government, staunchly anti-communist, and representing by far the largest potential consumer market in South East Asia, had fallen victim to the backlash of discontent and anger that decades of repressive and corrupt government had fomented, as its economy reeled under the East Asian economic crisis of 1997. The student led *reformasi* which precipitated the downfall of the Suharto regime in May 1998 brought to the surface not only widespread social upheaval but exposed deep felt discontent with the oppressive political role of the Indonesian military as well. Without the sustained US support to the Suharto regime, that had characterised the past four decades of the Indonesian Republic, the future trajectory of the world’s most populous Muslim nation looked uncertain, particularly following the disintegration of the former Yugoslavia and the unfavourable comparisons that were being drawn between events in the Adriatic and Indonesian “Balkanisation”.

As the sole superpower, US influence spread through South East Asia as it did through the Pacific, Europe, Latin America and almost the entire globe. With it the growing US human rights agenda and its apparent willingness to act to intervene in cases of human rights abuses, the so called “Clinton doctrine”, saw the norms and conventions of state

sovereignty and non-intervention come under increasing challenge. At odds however, with this doctrine were the actions of the US to resist the realisation of binding international human rights covenants. Although a vociferous advocate of human rights and actively engaged against select regimes it characterised as repressive, undemocratic or violators of human rights – the US resolutely resisted any attempts at reciprocity or the universal application of such conventions to themselves. As Matthew Jardine writes:

Although the US has long paid lip service to the need for an effective United Nations and regime of international law, it is clear that the US attitude to the UN has changed little since its establishment in 1945. For Washington the United Nations is largely only desirable to the extent that it serves an international means to a highly national end, one that is generally dismissive of any true internationalism.³⁶⁰

From Somalia, to Bosnia, Haiti, and Kosovo it appeared that multinational intervention in the cause of humanitarian concerns and human rights was the developing norm of international behaviour. With or without UN sanction, coalitions justified military intervention no longer on the grounds of competing ideology, but in the declaration of human rights and for the purpose of ending acts of genocide. Led by the US, it appeared that the new normative framework for, collective if possible, unilateral if necessary, interventionist action was based upon the belief that, in the words of Leon Hadar, an American foreign policy commentator: “no state [be] allowed to commit gross human rights violations even on its own territory inferring that the US and the international community had the right, indeed the obligation, to violate the principle of state sovereignty to protect the human rights of a persecuted ethnic or religious minority”.³⁶¹

The events in East Timor can be viewed therefore, not only as a result of the ending of the old Cold War patronage relations, in this case between the US and Indonesia, but *inter alia*, as a consequence of the apparent paradigm shift toward humanitarian intervention. Yet in tension with this “global” shift to the new norms of intervention were the growing forces of regionalism in which geographic blocs sought, and were strongly encouraged by the US, to take responsibility for the affairs of their immediate region. Critics would argue that in fact this process was a cynical move by the US to have others foot the expenses and risks of

³⁶⁰ Matthew Jardine, "East Timor, the United Nations, and the International Community," *Pacifica Review* 12, no. 1 (2000): p. 56.

³⁶¹ Leon Hadar, "East Timor and the 'Slippery Slope' Problem," *Foreign Policy Briefing* 55 (1999). Hadar is critical of what he terms the 'Clinton Doctrine' of humanitarian intervention in which he believes the US has

intervention whilst advancing the aims and interests of the US, while others would claim rather that it represented a genuine move toward regional responsibility and integration. In either event the manifest result was that in South East Asia the East Timor issue came to be seen very much as a regional issue that required regional solution. This was to prove to be of particular interest given the peculiar ASEAN approach to regional cooperation and its strong stance on non-intervention.

Major Global Actors

The United States.

The role of the US in the affairs of Indonesia and East Timor leading up to the intervention of 1999 are most usefully traced back to the Sukarno regime and the basis of those relations during the Cold War. US support to the Indonesian military extends even before the 1965 Suharto coup. Kahin and McKahin cited in Scheiner, note that US support to the Suharto regime and the Indonesian military,³⁶² can be traced all the way back to the initial CIA collaboration in the covert operations to overthrow Sukarno in the late 1950s which resulted in the assassination of hundreds of thousands of alleged communists in 1965 and 1966, right through to the fall of Suharto in 1998. The Indonesian military became increasingly dependent on US military assistance and sales, and Suharto's refurbishment of his military in the mid 1970s depended heavily on US technology, equipment and support.³⁶³ James Dunn, an authoritative author on East Timor who began an Australian Government career spanning thirty years, first as a defence analyst, then as a diplomat, Australian Consul to East Timor from 1962 to 1964 and finally as an Australian Government official, wrote:

The Suharto regime sought to protect Indonesia's reputation as a moderate, development-oriented nation, which was a bulwark of stability in the South East Asian region. Jakarta tried by subtle diplomatic means to project two incompatible images, - that of a non-aligned regime, respected by the third world and at the same time, from the point of view of Washington and its allies, that of a vitally important, stable anti-communist element in overall Western defence strategy.³⁶⁴

become unnecessarily mired in the domestic affairs of failing states. He advocates rather the neo-conservative position of pursuing narrowly conceived US interests.

³⁶² Charles Scheiner, "The United States: From Complicity to Ambiguity," in *The East Timor Question*, ed. P. Hainsworth and S McCloskey (London: I.B. Tauris Publishers, 2000), p. 117. Kathy Kadane in the Washington Post 21 May 1990 cites evidence linking the CIA to releasing the names of thousands of suspected communists to Suharto's forces, many of whom were subsequently killed.

³⁶³ Scheiner notes that between 1975 and 1994 the US sold or gave Indonesia over \$1.1 Billion worth of weaponry. Ibid., p. 119.

³⁶⁴ Dunn, *East Timor: A Rough Passage to Independence.*, p. 306. From 1970 to 1986 Dunn was the Director of the Foreign Affairs Group of the Parliament's Legislative Research Service, he also was commissioned in 2001 to submit an expert's report on Crimes Against Humanity in East Timor to the Australian Government.

Although no formal treaties existed with the US, Indonesia's strategic importance to the US meant that its protection was assured and this served both US and Indonesian purposes, for each could deny alliance in word, while relying on it in deed. Suharto's rise to power was fully supported by the US and it subsequently provided a major setback to the South East Asian communist influence. After the US withdrawal from Vietnam in 1975, and in an era of political turmoil and uncertainty over US access to vital resources, Indonesia's strategic and economic importance to the US grew substantially. Indonesia was not only a major source of oil resources, but also its vast archipelago sat astride the strategically vital sea lines of communication between the Pacific and Indian Oceans and the sea-lanes between South East Asia and Australia. By the mid 1970s these factors had assumed a new importance to US strategists as an expanding Soviet presence posed new challenges in seas hitherto regarded as secure to Western defence.³⁶⁵

Just prior to the 1975 Indonesian invasion of East Timor, the US ambassador to Indonesia, David Newsom, noted that he was under instructions from US Secretary of State Henry Kissinger "not to involve himself in discussion on Timor with Indonesians on the grounds that the United States is involved in enough problems of greater importance overseas at present" and that if Indonesia were to intervene the United States would hope they did so "effectively, quickly and not use our equipment".³⁶⁶ He further stressed that the main US interest was the effect any change in the situation might have on US relations with Indonesia. The US however, was certainly well informed as to Indonesia's intentions with regard to East Timor, having access to Australian intelligence as well as their own, and American intelligence agents in Jakarta were well aware of *Operasi Komodo* the covert Indonesian military intelligence campaign against East Timor in the lead up to the invasion. As a former CIA officer later explained, "we had lots of time to move the Indonesians in a different direction, instead we got right onto the Indonesian band-wagon."³⁶⁷

Following Indonesia's military invasion on 7 December 1975, the United Nations Security Council unanimously (with the abstention of the US) supported the East Timorese people's "inalienable right to self determination and independence" and called "upon the

³⁶⁵ Ibid.

³⁶⁶ Scheiner, "The United States: From Complicity to Ambiguity," p. 118.

³⁶⁷ Sutherland quoted in Dunn, *East Timor: A Rough Passage to Independence*, p. 308.

government of Indonesia to withdraw without delay all its forces from the territory.”³⁶⁸ Similar resolutions were passed the following eight years from 1975 to 1982, while the US abstained in the 1975 vote and consistently voted against the resolutions for the next seven years. The US message to Indonesia was unambiguous and loud. In a candid admission, David Patrick Moynihan the US ambassador to the UN in 1975-76 boasted that:

The US wished things to turn out as they did [in East Timor] and worked to bring this about. The Department of State desired that the United Nations prove utterly ineffective in whatever measures it undertook, this task was given to me, and I carried it forward with no inconsiderable success.³⁶⁹

Not only was the matter effectively disarmed in the UN but also, as Charles Scheiner details, it was almost totally expunged from public debate and the media in the US. “Throughout the 1970s and 1980s, the US media and Congress continued to ignore East Timor. Between the day after the 1975 invasion and the 1991 Dili massacre, East Timor was covered precisely once among 100,000 US network television news pieces.”³⁷⁰

The US position remained that it accepted the *de facto* incorporation of East Timor into Indonesia without maintaining that a valid act of self-determination had taken place. The convenient relationship between the US and Indonesia, in which no formal treaty status or alliance existed, continued to serve both parties well – the US gave tacit support and continued military aid to a valuable strategic friend, and Indonesia was sheltered from sanction in international fora by its powerful benefactor.

The supply of military equipment from the US to Indonesia had been sustained since Suharto seized power and was subject to the usual constraints imposed by the US congress on such – namely that it could not be used in a manner inconsistent with US policy. The use of US equipment in the 1975 invasion was therefore in clear breach of such conditions and consequently illegal in the US – hence Ambassador Newsom’s quip that he hoped the Indonesians would not use US equipment. Congress’ response however, in this case was to again effectively bury the matter and, although sales to Indonesia of new equipment were quietly suspended for six months, existing orders were filled during this period and new sales quickly resumed. As Professor Noam Chomsky testified to the UN General Assembly:

³⁶⁸ United Nation Security Council resolution 384 of 22 December 1975

³⁶⁹ Daniel Moynihan, *A Dangerous Place* (Boston: Little, Brown and Co., 1978), p. 247.

³⁷⁰ Scheiner, "The United States: From Complicity to Ambiguity," p. 120.

Contrary to false testimony by government witnesses at Congressional hearing, new offers of arms were immediately accepted after the invasion. Then, and since, the flow of arms has been uninterrupted, including attack helicopters and other equipment required to wipe hundreds of villages off the face of the earth, destroy crops, and herd the remnants of the population into internment centres.³⁷¹

The US, according to Dunn, at one point in early 1976, even felt it necessary to warn the new Fraser government in Australia not to upset matters over East Timor and to accept the *fait accompli* of Indonesia's annexation of the territory.³⁷² The US' overriding concern during the Cold War years was to support the authoritarian Indonesian regime as a stalwart of anti-communism and vital strategic partner in South East Asia. This policy endured through six successive Republican and Democrat presidents through the 1960s, 70s, and 80s, until the widely publicised events of the 1991 Santa Cruz massacre forced a rethink on the policy on East Timor.

The 12 November Santa Cruz massacre in Dili and its subsequent media coverage sparked new life into the persistent but largely ignored Human Rights and Timor support groups. Two American journalists, Amy Goodman and Allan Nairn were beaten while trying to report on the violence and the Indonesians' use of US M16 rifles was clearly captured on Max Stahl's video footage – bringing considerable public pressure to bear on Congress and sparking a wave of Senatorial questions to the US president. The Santa Cruz massacre came to mark a subtle but distinct change in US policy toward East Timor. Within days of the incident Congress adopted a resolution calling for the suspension of military training (IMET) support for Indonesian forces. The trend accelerated when Clinton assumed the presidency. With encouragement from Vice President Al Gore, President Clinton and Secretary of State Warren Christopher forcibly raised the issue of the use of US weapons with Indonesia at the 1994 APEC summit in Jakarta and arms sales to Indonesia were slowed forcing it to go further afield to Europe - notably Germany and the UK - to supply its military needs.³⁷³ Further, in 1993, under congressional pressure the State Department blocked the transfer of US made F-5 fighters from Jordan to Indonesia, and by 1997 US arms sales to Indonesia carried the explicit proviso that they were not to be used in East Timor.³⁷⁴

³⁷¹ Dunn, *East Timor: A Rough Passage to Independence.*, p. 310.

³⁷² Ibid.

³⁷³ Ibid., p. 314, Scheiner, "The United States: From Complicity to Ambiguity," pp. 120 - 123.

³⁷⁴ Scheiner, "The United States: From Complicity to Ambiguity," pp. 122 - 124.

Although US policy did shift following the events of 1991 it by no means represented a policy reversal. During his 1992 presidential election campaign Clinton described past US policy over East Timor as “unconscionable”, yet following his victory the incumbent State Department bureaucrats and extant policies remained largely as they had been.³⁷⁵ Even during the 1994 APEC summit in Jakarta, when a group of East Timorese students escaping mob violence scaled the walls of the US embassy, Clinton refused to meet with them and they were forced to spend two weeks camped in the car park, safe from the Indonesian forces, but provisioned only by bottles of water and some rice thrown through the fence to them by sympathetic public supporters.³⁷⁶ Indeed Clinton met every year with Suharto from 1992 to 1998 and apparently usually raised the issue of human rights in East Timor, but still the rhetoric was at odds with the ambiguous official policy and the considerably reduced but continued arms sales.³⁷⁷ During the Cold War years up to 1989 US support to, and patronage of, the Suharto regime was in line with its support to other right wing authoritarian regimes around the world – in its hardline struggle against communism and Soviet influence. With the passing of the bipolar Cold War conditions, that support came under increasingly critical scrutiny by Congress and domestic public opinion. To some degree this support was tempered by pro-human rights rhetoric and advocacy, however, little of real substance changed except in those situations where US interests no longer coincided with these authoritarian regimes, or where public and international pressure out-weighed the benefits of continued support. In East Timor the coincidence of the Dili massacre with the recent end of the Cold War saw US policy evolve from unrestricted support for Suharto, to one of political ambivalence and military disengagement. This policy shift was no doubt significant in President Habibie’s transitional administration’s move to sharply change its long held policy over East Timor – eventually facilitating the “popular consultation” which, after much violence and bloodshed, led to independence.

The role of the US in shaping the course of events during this three-decade period was clearly substantial. Its quiet but consistent patronage and support lent resolve to the Suharto regime in its dealings with East Timor and although US policy never explicitly supported Indonesia’s gross violations of human rights, it, with full knowledge of events, ignored them and at times obstructed the international community’s efforts to raise and resolve the matter

³⁷⁵ Ibid., p. 124.

³⁷⁶ Ibid.

³⁷⁷ Ibid.

in international fora. US complicity in East Timor's history is well documented in the relevant works of Chomsky³⁷⁸, and others and serves to highlight how even after the Cold War structural conditions were transformed, old patterns of great power influence and interest continued to significantly influence the course of events around the globe – specifically in this instance, how they could conspire to frustrate the legitimate aspirations of an oppressed people while sheltering the egregious abuses of a corrupt regime from international sanction.

The UK and others.

Before the events of 1975 international interest in East Timor, as a distant outpost of the Portuguese, was extremely limited. East Timor was an undeveloped and largely forgotten province that had appeared to have progressed only negligibly since colonisation three centuries before. Attracting very little tourism and even less international economic exchange, East Timor was significant only to the extent that it formed a part of the archipelago that Indonesia had assumed control over from the Dutch following WWII. Following the “Carnation Revolution” against the Salazarist regime in Lisbon in April 1974³⁷⁹, and the subsequent Indonesian invasion in 1975, East Timor came to be seen by most Western powers as significant only to the extent that it represented a now incorporated territory of the strategically important Indonesian archipelago. As with the US, relations with Indonesia far outweighed concerns for the rights and aspirations of the tiny and purportedly non-viable entity of East Timor. In 1975 the British ambassador to Jakarta, Sir John Archibald Ford, advised the Foreign Office that, even if the Soviets or China did not intervene, East Timor was likely to become an increasingly problematic situation for Indonesia thus strengthening the arguments in favour of it being absorbed by Indonesia. With a leftist faction now in power in Lisbon, and rumour abounding regarding the communist infiltration of East Timorese resistance factions, as a result of *Operasi Komodo*,³⁸⁰ the ‘only’ option available to the UK was to quietly ignore East Timor’s incorporation into Indonesia, preserving at all costs the good relations with Indonesia. Indeed the UK was apparently aware of the ‘need’ to show greater sympathy to Indonesia’s situation, for clearly Indonesia would

³⁷⁸ Noam Chomsky, *Hegemony or Survival: America's Quest for Global Dominance* (Sydney: Unwin and Allen, 2004).

³⁷⁹ Jill Jolliffe, *East Timor: Nationalism and Colonialism* (Brisbane: University of Queensland Press, 1978), John Taylor, *East Timor the Price of Freedom* (London: Zed Books, 1999).

³⁸⁰ Operation Komodo was the Indonesian subversive ‘psychological operations’ campaign to destabilise East Timor and to pave the way for the subsequent invasion. During the operation Indonesian agents spread the rumour that the East Timorese resistance groups were thoroughly penetrated by communist forces. Dunn, *East Timor: A Rough Passage to Independence.*, p. 73.

need to stand firm against any communist insurgent action in Timor and was consequently entitled to a little consideration and leeway in its dealing with the territory. Ford advised his government that it was:

..in Britain's interest that Indonesia should absorb the territory as soon as, and as unobtrusively as possible, and that if it came to the crunch and there [was] a row in the United Nations, we should keep our heads down and avoid siding against the Indonesian government.³⁸¹

Like the US, Britain placed its relationship with Indonesia above its concern for the rights of the East Timorese and with Thatcher's election to power this policy continued and arms sales to Indonesia increased as Indonesia sought military markets outside the US to meet its growing need for specialised counter-insurgency technology. Of most conspicuous note was the sale to Jakarta of Hawk ground-attack aircraft, which are believed to have been used to devastating effect against Falintil.³⁸² Unlike the US however, the public awareness in Britain of events in East Timor was maintained by a variety of NGOs, interest and lobby groups, including Amnesty International, Catholic Institute for International Relations (CIIR) and TAPOL an agency concerned with human rights in Indonesia. British conscience was also aroused following the Dili massacre in 1991 and fresh revelations in 1995 regarding the five newsmen, two of whom were British citizens, murdered in Balibo in 1975 at the hands of the Indonesian military.

With the 1997 election of a Labour government, concern over the ethical foundations of British foreign policy received considerable interest. Successive Labour governments had moved to incorporate and adopt positive policies regarding human rights and scrutiny over the sale and exportation of weaponry, especially to politically suspect regimes such as Indonesia. Increasingly the UK government moved to pressure the Indonesian administration over its policies toward East Timor with ministers Robin Cook, Clare Short and Derek Fatchet in particular pursuing action over the plight of the East Timorese. Eventually the

³⁸¹ Ibid., pp. 303 - 304.

³⁸² Falintil (an acronym for the Armed Forces for the National Liberation of East Timor) were the military wing of Fretlin the pro-independence East Timorese resistance movement. It essentially comprised a small but effective guerrilla force. Ibid., p. 177.

British would become actively involved in the peace-enforcement force into East Timor and influential also in gaining US involvement.³⁸³

Having itself once occupied East Timor, Japan was in a unique position to act following Indonesia's invasion in 1975. Being one of a few countries to have thorough knowledge of the territory, and prior to August 1975, having had businessmen, diplomats and journalists visit there, Japan was also probably better informed about events on the ground in East Timor than all but a few other states. Yet like the other Western powers, of overwhelming importance to Japan, were its friendly relations with Indonesia. As Dunn writes: "in Tokyo the East Timor problem was perceived in terms of its possible impact on the stability of the region, and of Indonesia in particular, and not in relation to the broader questions of decolonisation or human rights."³⁸⁴ Tokyo's diplomatic support for Indonesia's aggression never wavered and when the UN General Assembly raised the matter following the December invasion, it was one of only a few states that voted against the resolution for Indonesia to withdraw its forces and allow a genuine act of self-determination to take place. Japan eventually however, went on to become one of the greatest supporters – financially - of the international force into East Timor, and worked consistently during the period of the UN presence in East Timor to advance the rights and freedoms of the Timorese. Japan, therefore, like the rest of the Western states acted during the Cold War within the context of the overarching framework of great power rivalry and its power to subsume issues that were not seen as central to that contest. The matter of East Timorese human rights and self-determination fell a far distant second. Not until the end of the Cold War, the apparent upsurge in international concern for human rights, and the change of regime in Indonesia, did the rights and aspirations of the Timorese come to the fore in the global context of this intervention.

Although local and regional contextual factors played a major role in the events of the 1999 Australian led intervention, it was the structural, geo-political, and to degree, normative shifts at the global contextual level, that set in progress the multinational intervention that was to take place. As much as it was a by-product of the global power rivalries of the Cold War, the Indonesian occupation eventually collapsed as a result of the changes in global context that occurred when that rivalry ceased.

³⁸³ P Hainsworth, "New Labour, New Codes of Conduct? British Government Policy Towards Indonesia and East Timor after the 1997 Election.," in *The East Timor Question: The Struggle for Independence from Indonesia*, ed. P Hainsworth and S McCloskey (London: I.B. Tauris, 2000), p. 95 - 112.

Regional Context

Introduction.

Having outlined the major features of the global context that formed the background to this episode, the study turns now to an examination of the regional factors that shaped the intervention and how those factors form an intricate and interconnected pattern of relations with the global dimension. As a priest in Dili in 1977 lamented in a letter to two Dominican nuns in Portugal, “The luck of the Timorese is to be born in tears, to live in tears, and to die in tears.”³⁸⁵ A survey of East Timorese history would certainly seem to support such sentiment. The inhabitants of this island have suffered hardship, violence, occupation, repression, and systematic abuse for most of their recent history, and have been deprived of their liberty and right to self-determination for much of the rest of that history since colonisation four centuries ago. At the regional level the history of the East Timorese since the invasion by Indonesia in December 1975 is the most salient context to the events of 1999. However, in order to establish the context to that invasion and the nature of relations between the Timorese and the original colonial masters, the Portuguese, it is necessary first to briefly outline the history of the island and its people up to 1975.

East Timor: a brief history.

The early European history of Timor is inextricably tied up with the exploitation of the island’s native white sandalwood trees.³⁸⁶ The precious fragrant wood was the source of local trade by the Javanese and Chinese possibly centuries before it came to the attention of the Europeans. Portuguese navigators had ventured as far east as the lesser Sunda Islands by 1511 following the conquest of the Malaccas, and may have reached Timor as early as 1512. Perhaps the first recorded account of Portuguese contact with the island however, came in 1522 when the *Victoria*, a ship of Magellan’s fleet, put ashore on the north coast.³⁸⁷ Quickly thereafter the Portuguese joined the sandalwood trade, but it was another 50 years before they permanently established themselves in the region, on the island of Solor where Antonio Taveira, a Dominican priest, established a mission. The mission and the fort built there to protect it, endured a chequered history and around it a settlement of mixed races developed

³⁸⁴ Dunn, *East Timor: A Rough Passage to Independence.*, p. 304.

³⁸⁵ Ibid., p. 270, Sonny Inbaraj, *East Timor* (Chiang Mai: Silkworm Books, 1995).

³⁸⁶ J Fox and D Soares, eds., *Out of the Ashes: Destruction and Reconstruction of East Timor* (Adelaide: Crawford House, 2000).

³⁸⁷ Ibid., p. 7, Bill Nicol, *Timor: The Stillborn Nation* (Melbourne: Visa, 1978), p. 12.

consisting of “the offspring of Portuguese soldiers, sailors, and traders from Malacca and Macao, who intermarried with the local women” and became known as *‘topasses’*.³⁸⁸ These *topasses* became the dominant and independent seafaring trading power of the region for the next 200 years and it was these *mesticos* who transferred the Portuguese culture and influence to Timor.³⁸⁹

Prior to European colonisation East Timor was divided into a number of kingdoms, or *rais* each of which was ruled by a petty king or *Liurai*. The *rais* were each made up of a number of tribal groups or *sucos*, which in turn comprised a number of clans or village units. With the advent of Portuguese colonisation this social structure remained largely intact with the Portuguese adapting this system of administration and rule to their purposes. Under the Portuguese rule, direct control was in practice established at the provincial level with the population at large having little or no contact with the administrators. The collection of taxes, population figures, and levies, fell to the *chefe de suco* (head of tribe) appointed by the Portuguese at the tribal level to act as government administrator. The *Liurais* continued to dominate the native social life as before and despite several uprisings by the *Liurais* over the years they came to form the ‘pillars’ of the Portuguese colonial system.³⁹⁰

The first two centuries of Portuguese presence in the region was largely taken up with the sandalwood trade and missionary activity and it was not until 1769 that the Portuguese Governor Antonio José Telles de Menezes established the seat of colonial government at Dili, following a period of some 70 years of rule from Lifau in what is now the Oecussi enclave in West Timor.³⁹¹ During this early period the pattern of colonial administration was established whereby the individual powers of the *Liurai* were steadily eroded and a dependency on the colonial powers established. Gradually however, much of what was Portuguese possession was lost to the Dutch, and in 1859 a border agreement was concluded that became the first in a long running series of territorial settlements that was to culminate in the 1913 *Sentença Arbitral agreement* in which the final partitioning of the island between Dutch and Portuguese was to occur.³⁹²

³⁸⁸ Fox and Soares, eds., *Out of the Ashes: Destruction and Reconstruction of East Timor*, p. 8, Taylor, *East Timor the Price of Freedom*, pp. 2 - 7.

³⁸⁹ Dunn, *East Timor: A Rough Passage to Independence.*, pp. 13 - 15.

³⁹⁰ Ibid, Taylor, *East Timor the Price of Freedom*, pp. 3 - 8.

³⁹¹ Jolliffe, *East Timor: Nationalism and Colonialism*, Taylor, *East Timor the Price of Freedom*.

³⁹² Dunn, *East Timor: A Rough Passage to Independence.*, pp. 14 - 15.

The Portuguese colony on East Timor for much of its duration was a squalid affair that attracted virtually no development or progress and was characterised as “miserable and ill-governed” by Lord Wallace who visited in the mid 1800s.³⁹³ By the early 20th century and on the eve of war in Europe, Portuguese Timor was perhaps the most backward and underdeveloped colony in South East Asia. Having diminished in size and power continuously since its glory days in the 16th and 17th century, Portugal could hardly maintain its colonial possessions by 1913, and following WWI it succumbed to political turmoil and in severe economic disarray.³⁹⁴ Salazar’s rise to power in the late 1920s, and his fascist state, brought political stability to Portugal but did little to improve its economic condition, and nothing at all for conditions in the colonies.

Portugal’s control of East Timor and the idle backwardness of the territory were interrupted with the outbreak of WWII in Asia. Although Portugal and thus East Timor were neutral during the war, the island became the battleground between Australian commando forces and the Japanese Army in 1942.³⁹⁵ Just ten days after the Japanese attack on Pearl Harbour a force of some 400 Netherland Indies and Australian troops landed just west of Dili and, despite the protestations of the Portuguese governor, established a military presence there, jeopardising the island’s neutrality. Allied fears of Japanese invasion apparently led to the decision to occupy Timor, however, as urgent German diplomatic cable traffic would later show, the Axis forces were to go to some length not to provoke Portuguese reaction because of the strategic importance of the hitherto neutral Portuguese possessions in the Azores.³⁹⁶ As numerous commentators such as Nicol, Dunn, and Hastings have noted, had Australia not dispatched troops to Timor the island’s neutrality and security would probably not have been compromised as it so brutally was.³⁹⁷

In response to allied moves to position troops into East Timor the Japanese, fearing a sizeable hostile force on the island, eventually committed some 20,000 troops to occupy and secure the territory. The extraordinary commando campaign waged by the Australian forces, in inflicting some 1500 casualties on the Japanese for the loss of only 40 of their own during the twelve-month operation, became legendary in Australian military history.³⁹⁸ Their success

³⁹³ Ibid., p. 17.

³⁹⁴ Ibid, Jolliffe, *East Timor: Nationalism and Colonialism*, Taylor, *East Timor the Price of Freedom*.

³⁹⁵ Peter Hastings, "Australian Views of Timor," in *East Timor and Australia*, ed. James Cotton (Canberra: Australian Defence Studies Centre, 1999), pp. 44 - 46.

³⁹⁶ Dunn, *East Timor: A Rough Passage to Independence.*, p. 19.

³⁹⁷ Ibid, Nicol, *Timor: The Stillborn Nation*.

³⁹⁸ Taylor, *East Timor the Price of Freedom*, pp. 12 - 15.

in no small part was facilitated by the selfless and courageous support offered to them by the East Timorese and their sacrifices for the Australian troops.³⁹⁹ Unfortunately, the eventual withdrawal of the allied troops left the East Timorese at the mercy of the punitive occupation by the Japanese. In addition to these brutalities, the population had to suffer the effects of, and Japanese reprisals to, an allied bombing campaign staged out of Darwin against the Japanese on East Timor. In all some 60,000 Timorese are believed to have lost their lives during the war – a tragedy that in all likelihood may have been avoided all together had not the allies decided to occupy the territory in the first place.⁴⁰⁰ As James Dunn notes: “Even in the press reporting of the surrender of the Japanese in the Portuguese colony, the plight of the Timorese was clearly not a matter of great moment”.⁴⁰¹ It was the luck of the Timorese to suffer so much in sacrifice only to be virtually ignored by Australia in the subsequent peace, and likewise in the troubled years that lay ahead.

The post war years saw the colonial government of Portugal reassert its control over the island in a more severe and dictatorial manner. Little funds were available from Lisbon, and the ruin of the war years only further immiserated the population and slowed development in the economic sector. By the 1960s however, progress was picking up and the Portuguese authority had relaxed to a more paternalistic style.⁴⁰² In 1963 Portugal reclassified East Timor as an ‘overseas province’, for reasons more to do with avoiding the stigma and liability of colonialism than out of concern for the indigenous population, but the Timorese legislative assembly that resulted from this increase in autonomy proved to be no more representative of the population at large.⁴⁰³

Following Indonesian independence in 1949, President Sukarno embarked on a selective and self-interested campaign against colonialism and imperialism and, as Dunn notes, the fact that East Timor largely escaped his attention was probably due to his obsession with incorporating West Irian into Indonesian territory, then the *Konfrontasi* campaign against Malaysia,⁴⁰⁴ whereby the anomaly of Portuguese Timor survived more by default

³⁹⁹ Ibid.

⁴⁰⁰ Lansell Taudevin, *East Timor Too Little Too Late* (Sydney: Duff and Snellgrove, 1999), Taylor, *East Timor the Price of Freedom*.

⁴⁰¹ Dunn, *East Timor: A Rough Passage to Independence*.

⁴⁰² Ibid., pp. 32 - 39.

⁴⁰³ Nicol, *Timor: The Stillborn Nation*, pp. 20 - 22.

⁴⁰⁴ Sukarno saw the union of the colonies and Malay as ‘an imperialist plot of encirclement’ and he vowed to ‘crush’ Malaysia. www.naa.gov.au/Publications/research_guides/guides, *Key Elements in Australian-Indonesian Relations* (2005 [cited 04 May 2005]).

than by its merits.⁴⁰⁵ In fact Indonesia repeatedly used the example of its acceptance of Portuguese East Timor to counter regional fears of Indonesian expansion, claiming that it had not, nor ever would have, territorial designs on the territory.⁴⁰⁶ Given Portugal's weak position, and the territory's lack of resources, this was no surprise either.

After 1966, with Suharto entrenched in power in Indonesia, and Portugal's African possessions of Angola, Guinea-Bissau, and Mozambique embroiled in political unrest and insurgency, East Timor continued as the backward territory of South East Asia. With even less metropolitan funds available for East Timorese development the Portuguese presence in the territory was reduced; the military forces were required elsewhere and East Timor was viewed as benign and uncomplicated. Life in East Timor went on as it had for centuries. The territorial administrative structure continued in the tribal, *suco*, tradition with the development however, of more divisions such that the province was divided into thirteen divisions, called *concelhos* with an *administrator do concelhos*, who was usually Portuguese and exercised considerable powers, heading each.⁴⁰⁷

In 1968 Marcelo Caetano replaced the infirmed Salazar in Lisbon, and on 25 April 1974 Caetano was subsequently ousted by a coup mounted by a group of disaffected military officers, led by Otelo Saraiva de Carvalho, who formed the *Momento das Forças Armadas* (Armed Forces Movement). In what became known as the "flower" or "carnation" revolution, the fascist regime was more or less peacefully replaced by the left wing MFA which almost immediately set about reversing the colonial policies of the past regime by offering independence to the African possessions.⁴⁰⁸ The cautious General Spínola was subsequently installed in power by the MFA and although his intentions were clear for the African territories, there was considerable uncertainty about the future of East Timor. Although policy on the future of East Timor was unformed at the time, it was the Portuguese who suggested three possible options for the way ahead in June 1974 – a continued association with the metropolitan power, independence, or integration with Indonesia.⁴⁰⁹ The last of these, although it had no grounding in history, culture or politics, no doubt reflected what was believed to be geographical logic. Unfortunately, the Portuguese were offering to Indonesia what was never rightfully theirs and by so doing, lent legitimacy to a territorial claim that was

⁴⁰⁵ Dunn, *East Timor: A Rough Passage to Independence.*, pp. 25 - 27.

⁴⁰⁶ Taylor, *East Timor the Price of Freedom*, pp. 21 - 23.

⁴⁰⁷ Dunn, *East Timor: A Rough Passage to Independence.*, p. 34, Taylor, *East Timor the Price of Freedom.*

⁴⁰⁸ Inbaraj, *East Timor*, pp. 23 - 25.

⁴⁰⁹ Dunn, *East Timor: A Rough Passage to Independence.*, p. 47.

not supported historically, politically or by any measure of the desires of the majority of East Timorese. Furthermore as Dunn suggests, “by proclaiming specific options the Portuguese tended to predetermine the process of self-determination itself.”⁴¹⁰

Within weeks of the April coup in Lisbon three fledgling political parties were coalescing in East Timor (The formation of political parties was prohibited under the former Portuguese regime). These parties, the *União Democrática Timorense (UDT)*, the *Associação Social Democrata Timorense (ASDT, later Fretilin)*, and *Associação Popular Democrática Timorense (APODETI)*, formed the basis of political plurality in East Timor at the time. Crudely put, each represented the three options proposed by Portugal; UDT – continued association with Portugal until an act of self-determination in the 10 –15 year time frame, ASDT – independence following a constructive and gradual process of decolonisation, and APODETI – the minority desire for integration with Indonesia. After centuries of exclusion from the political process the vast majority of East Timorese had little concept of politics and the possible choices facing them, therefore the task ahead for the new political parties in raising public political awareness, was immense and immediate. Initially the three parties pursued goals that were not so very different from each other, although APODETI ultimately desired integration with Indonesia, the parties all sought a free and liberal society in which to grow and develop. In particular, the UDT and ASDT, shared the vision of self-determination leading to independence, and were closely aligned in their thinking. To a degree the parties represented various established and pre-existing social and economic relations and sought to maintain those relations.⁴¹¹ The UDT for example was fairly conservative and sought to maintain the existing authority and tribal structures that had existed for centuries. APODETI likewise were keen to continue the economic and commercial structures that existed, albeit with a different end goal. APODETI enjoyed only a very small support base and only existed at all because the Portuguese had proposed integration with Indonesia as an alternative. The real political contest however, was between the conservative UDT and the more politically radical ASDT (Fretilin) and it was between these parties that East Timorese political debate would be conducted.

Although the parties quickly polarised, UDT and Fretilin did join in a hasty coalition in January 1975, as it became clear following Prime Minister Whitlam’s meeting with

⁴¹⁰ Ibid., p. 48, Jolliffe, *East Timor: Nationalism and Colonialism*, pp. 61 - 91, Taylor, *East Timor the Price of Freedom*, pp. 26 - 29.

⁴¹¹ Jolliffe, *East Timor: Nationalism and Colonialism*, Taylor, *East Timor the Price of Freedom*.

Suharto in Wonosobo in September 1974, that independence for East Timor was not necessarily a forgone conclusion.⁴¹² The Portuguese meanwhile, became aware that the surge of popular support for eventual independence was overwhelming, and despite their hopes for positive Australian participation in the decolonisation process, grew resigned to the fact that Australian interest lay only with its continued good relations with Indonesia.⁴¹³

For its part, Indonesia, prior to the change of regime in Lisbon, had shown only scant interest in the affairs of East Timor. Although Suharto had been aware of possible difficulties with the colonial status of the territory and his own anti-colonial agenda, Indonesia had been careful to exclude East Timor from any of its territorial claims or anti-colonial invective.⁴¹⁴ Following the Portuguese announcement of their intention to divest themselves of colonial possessions, Indonesia although now intensely interested in the territory, probably assumed the Portuguese would remain for quite some time, withdrawing gradually. This is evidenced in the attitude of Foreign Minister Adam Malik in June 1974 when he assured José Ramos-Horta of Indonesia's good intentions and support in the following statement:

In our view, these developments; the coup and the new regime's decision to allow Portugal's overseas territories to determine their own future, offered a good opportunity to the people of Timor to accelerate the process towards independence, as well as to generate overall national development, and to promote the progress of the people of Timor.⁴¹⁵

Unfortunately as it became evident very shortly after, Malik's influence in the military dominated Indonesian leadership on sensitive foreign policy matters, despite his position as Foreign Minister, was very weak. Despite his assurances, the real powers in Indonesia were already planning a far different kind of relationship with East Timor. Major General Ali Murtopo and a group of top military officers including Lieutenant General Yoga Sugama, Admiral Sudomo and Major General Benny Murdani, exercised considerable influence over Suharto, and by September 1974 the group had resolved that East Timor

⁴¹² Whitlam's accommodation of Suharto's incorporation of East Timor was quickly interpreted by UDT and Fretilin as seriously jeopardising what they believed would be a natural path to independence.

⁴¹³ Dunn, *East Timor: A Rough Passage to Independence.*, pp. 68 - 82, Taudevin, *East Timor Too Little Too Late.*

⁴¹⁴ In large part it seems that Suharto was concerned not to appear to other region states to be territorially expansionist despite their actions elsewhere in the archipelago.

⁴¹⁵ Dunn, *East Timor: A Rough Passage to Independence.*, p. 91.

should be incorporated into Indonesia as soon as possible and began taking steps to ensure this eventuality.⁴¹⁶

The backbone of Indonesia's efforts to annex East Timor was the preparatory subversive operation known as *Operasi Komodo* in which, through propaganda, political agitation, intrigue, and intimidation, the path would be prepared for Indonesian annexation. The operation was complex and extensive and followed the successful template of previous operations in West Irian and elsewhere. The operation, which began in December 1974, involved international as well as local and regional aspects, including disinformation campaigns abroad, especially in sympathetic Western states, to convince outside observers that Fretilin and other forces in East Timor posed significant communist risk to Indonesia and, intimated that there was substantial communist interest in the territory. Australia in particular was seen as crucial to this campaign, and fears of communist uprising, and sympathy for Indonesia's plight, were successfully aroused within official Australian circles.

Locally, Indonesian instigated political unrest aimed at fragmenting and antagonising the young political parties in East Timor was well underway by early 1975. APODETI quickly became not much more than a front for subversive Indonesian activity, and the relation between UDT and Fretilin was targeted by the Indonesian military through *Operasi Komodo* to cause unrest and dissention to considerable effect. In May 1975 the coalition between UDT and Fretilin fell apart, and by August, in a foolish and fateful show of force the UDT seized control in Dili which soon after precipitated a short-lived but consequential civil war between the UDT and Fretilin forces.⁴¹⁷ Indonesia's complicity in these events was never in doubt. Having skilfully manipulated individuals and events the Indonesians exploited the political tensions they had fomented to bring about open conflict in the capital, as Fretilin quickly overwhelmed the hapless UDT, and forced many into exile in West Timor while imprisoning others.⁴¹⁸ Although fighting lasted less than three weeks the damage done to international perception and the subsequent advantage Indonesia exploited from the turn of events was immense. Having played right into the designs of *Operasi Komodo* the Fretilin forces, now characterised as communist and extreme, were portrayed to the world audience as aggressors in an ongoing political conflict in East Timor against the wishes of the general

⁴¹⁶ Taudevin, *East Timor Too Little Too Late*, pp. 23 - 30.

⁴¹⁷ Jolliffe, *East Timor: Nationalism and Colonialism*, pp. 93 - 145.

⁴¹⁸ Ibid.

population, who were depicted as desiring nothing more than integration with Indonesia and a return to their normal routines and peace.

Despite this characterisation and the difficulties it encountered, Fretilin in short order managed to take over the administration of the territory and very effectively restored order and near normal functioning of essential services.⁴¹⁹ Their success however, was to be short lived as the Indonesian military stepped up *Operasi Komodo* and planned for full scale invasion. By the end of September the powerful Murtopo group had persuaded Suharto to authorise the invasion of East Timor. The short and promising autonomous interregnum was about to come to a violent and abrupt end.

Invasion. and Occupation

Indonesia's first military assault on East Timor, named *Operasi Flamboyan* began on 7 October 1975. The objective of this 'first shot' was to maintain the fiction that the territory was still racked by civil war, thus undermining Fretilin's credibility and forstalling any international recognition of the interim administration. The operation, centred on the town of Batugade near the West Timor border, was a short preliminary engagement and was followed on the 16th of October by substantial assaults at Balibo and the regional centre of Maliana.⁴²⁰ It was during this attack that the now infamous murders of the five Australian, British and New Zealand journalists and cameramen took place. The murders and the investigation into them, which was to resurface later in the mid 1990s, was to play a crucial role in the Australian public's perception and interest in events in East Timor leading to a damning indictment of Australian government complicity and deceit.⁴²¹ The October assaults were followed by a pause, as international reactions to the events in Balibo were assessed, and on 28 November, sensing no other option in the face of continued international disinterest in their plight, Fretilin unilaterally declared an independent East Timor in a move predictably and widely criticised in Australia and elsewhere.⁴²² Nor was the Indonesian reaction a

⁴¹⁹ Ibid., pp. 145 - 160, Taylor, *East Timor the Price of Freedom*, pp. 54 - 58.

⁴²⁰ Jolliffe, *East Timor: Nationalism and Colonialism*, pp. 166 - 168, Taudevin, *East Timor Too Little Too Late*, p. 35, Taylor, *East Timor the Price of Freedom*, p. 60.

⁴²¹ Desmond Ball and Hamish McDonald, *Death in Balibo: Lies in Canberra* (Sydney: Unwin Allen, 2000). There also have been newspaper and television stories too numerous to list covering the deaths and Canberra's knowledge of events. The most recent reports are from June 2005 when family members of the deceased renewed calls for an inquiry into the events. The matter has become one of national infamy in which public perception holds that the Australian Government had a far greater understanding of events than it ever acknowledged and to a large degree was complicit in Indonesia's attempted cover up.

⁴²² Taudevin, *East Timor Too Little Too Late*, p. 39, Taylor, *East Timor the Price of Freedom*, pp. 62 - 63.

surprise. The proclamation of independence was the justification they had been waiting for to launch a full-scale assault to depose the 'left-wing' Timorese government.

The Indonesian military assault began on 7 December 1975 around 2:00 am less than twenty-four hours after President Ford and Henry Kissinger departed Jakarta.⁴²³ With naval bombardment of Fretilin positions in and around Dili, that attack began in earnest. Before dawn Kopassandha paratroops were dropped in the waterfront area and thousands of troops came ashore and moved to capture the capital.⁴²⁴ According to Hamish McDonald the operation turned out to be a clumsy affair, with some paratroops landing offshore to be drowned in their equipment, numerous instances of friendly fire casualties, and poor coordination. The result however, was never in much doubt as upward of 10,000 troops were deployed initially with thousands⁴²⁵ more dispatched to reinforce over the coming weeks. Dili was systematically and brutally ravaged, with rape, looting, and execution widespread as the Indonesian forces rampaged through the city. Among the hundreds executed was an Australian journalist, Roger East who was reportedly executed at the wharf with hundreds of ethnic Chinese who were singled out for 'special' treatment.⁴²⁶ Upwards of 2000 citizens were killed in the first few days of carnage in Dili with up to 60,000 killed in the first two months. The Indonesian plans however, did not envisage such fierce Fretilin resistance and what was conceived as a quick intervention soon proved to be a protracted and gruelling ordeal. With a force of around 10,000 available to Fretilin, the Indonesian military *Angkatan Bersenjata Republik Indonesia* (ABRI) brought in a further 10-15,00 troops around Christmas day with additional landings at Liquica and Maubara to put down the unexpectedly stiff Fretilin resistance. By the end of the year over 20,000 troops were employed in the territory and by April this force had swollen to over 35,000.⁴²⁷

Despite this huge force the Indonesians made slow progress against the mobile Fretilin forces, and the former's rapacious behaviour greatly hardened the resolve of the population and emboldened the Fretilin fighters.⁴²⁸ Tens of thousands of Timorese fled their

⁴²³ As has been noted the US pressured Indonesia to hold off its invasion until President Ford was safely away from the scene so as to distance him from the unfolding events.

⁴²⁴ Jolliffe, *East Timor: Nationalism and Colonialism*, p. 263, Taudevin, *East Timor Too Little Too Late*, pp. 41 - 43, Taylor, *East Timor the Price of Freedom*, pp. 65 - 72.

⁴²⁵ Damien Kingsbury, ed., *Guns and Ballot Boxes: East Timor's Vote for Independence* (Melbourne: Monash Asia Institute, 2000), p. 19.

⁴²⁶ Taylor, *East Timor the Price of Freedom*, pp. 68 - 71.

⁴²⁷ Jolliffe, *East Timor: Nationalism and Colonialism*, Kingsbury, ed., *Guns and Ballot Boxes: East Timor's Vote for Independence*, pp. 18 - 20.

⁴²⁸ Taylor, *East Timor the Price of Freedom*, pp. 79 - 82.

homes for the sanctuary of the mountainous interior where Fretilin controlled the majority of the territory, and thousands of others were displaced by the Indonesian military in their campaigns against the resistance. The Indonesians moved swiftly to set up a Provisional Government of East Timor (PGET) comprised of a small number of collaborating East Timorese, which it then claimed represented the legitimate authority in the territory.⁴²⁹ The PGET was a cynical sham by the Indonesians who then announced on 31 May that the “Popular Representative Assembly of East Timor” had unanimously petitioned the President of Indonesia for the territory to be incorporated into the Republic. Through an orchestrated public process this petition was received by Suharto who then referred it to the parliament, which in turn promptly passed a bill incorporating the territory in time for the matter to be concluded before the next sitting of the General Assembly of the United Nations.⁴³⁰ The fate of East Timor it appeared was sealed, certainly in the eyes of Indonesia and to the relief of those Western states embarrassingly standing by, including Australia, the US and the UK.

For the next two years not much changed militarily on the ground, but the continued resistance by Fretilin was embarrassing for Indonesia in the face of some international criticism and in September 1977 ABRI embarked on a campaign to deal decisively with Fretilin. A further 15,000 troops were covertly landed, and in the words of one of the very few journalists who had crept into East Timor, they systematically wiped out whole villages known to be or suspected of supporting Fretilin.⁴³¹ Newly developed OV-10 ground-attack aircraft from the US, and Hawk aircraft from the UK, were put to devastating effect during this period and there were numerous reports of the indiscriminate use of napalm and botanical defoliant against Fretilin and villagers. Throughout 1978-79 increased operations by ABRI all but eliminated serious Fretilin resistance and by the end of 1979 numerous sources put the death toll at around 200,000 since invasion.⁴³² The campaign proceeded through the early 1980s and by 1983 the situation in East Timor was pitiful. Dunn described it thus:

Eight years after the assault on Dili the people of East Timor were in a sorry state. They had suffered a severe loss of population and were, in effect, subject to a far more oppressive political and economic exploitation than they had been forced to endure

⁴²⁹ Dunn, *East Timor: A Rough Passage to Independence.*, p. 255.

⁴³⁰ *Ibid.*, p. 257.

⁴³¹ Denis Reichle quoted in *Ibid.*, p. 268.

⁴³² Australian Council for Overseas Aid ACFOA, "East Timor: Keeping the Flame of Freedom Alive. Dossier No. 29," (Canberra: ACFOA, 1991), Dunn, *East Timor: A Rough Passage to Independence.*, p. 278, Taudevin, *East Timor Too Little Too Late*, p. 56, Taylor, *East Timor the Price of Freedom*, pp. 88 - 90. It is noted that an accurate figure of numbers of Timorese killed during this period is difficult to ascertain given the unreliability of Indonesian figures and the lack of access to the region in this time for accurate census taking.

during the last generation of Portuguese colonial rule. The nightmarish experiences of the late 1970s, which had exacted great suffering and loss of life, may have been ended, but the people were still in a desperate state.⁴³³

Unfortunately for the East Timorese the short ceasefire brokered between Fretilin and Colonel Purwanto in 1983 was rejected by Jakarta and fresh and more brutal operations were begun by early 1984, and continued into the 1990s.

The 1991 Santa Cruz massacre in Dili in which the murder of hundreds of young East Timorese was captured on video by the British journalist Max Stahl, created something of a furore in international circles as proof of the atrocities being perpetrated inside the closed territory was broadcast throughout the West.⁴³⁴ The reports of human rights abuses by organizations such as Amnesty International and Human Rights Watch were for a period accorded more credibility and the UNHRC began to take a more active interest in events in East Timor. The UNHRC committee produced, however, only a mild criticism of events in Dili, which would have been much stronger, but for the opposition of Australia, Japan and the UK.⁴³⁵ International attention, although decreasing rapidly, was still prodded periodically by reports on continuing events in East Timor, however, the lack of interest shown by the great powers and near neighbours such as Australia, saw little change to alleviate the conditions and little reform in Indonesia. The increased international attention did nonetheless, move the Indonesian authorities to open up the territory a little to outside visitors – a move which backfired spectacularly resulting in vociferous condemnation of Indonesian activities. Dunn⁴³⁶ suggests that following the Santa Cruz massacre there was a perceptible shift in the direction of Western diplomacy with these states showing some discomfort with the past policies of accommodation of Indonesian activity.

In November 1992 the Fretilin leader Xanana Gusmao was captured by ABRI and, as a result of his reputation and profile, was sent to Jakarta for incarceration at the Cipenang prison rather than the usual treatment afforded captured resistance fighters.⁴³⁷ His courageous stand during his trial and commanding presence made him an almost immediate international identity - most probably saving his life - and he went on to become the much respected

⁴³³ Dunn, *East Timor: A Rough Passage to Independence.*, p. 293.

⁴³⁴ Taudevin, *East Timor Too Little Too Late*, pp. 52 - 54, Taylor, *East Timor the Price of Freedom*, pp. 213 - 214.

⁴³⁵ Dunn, *East Timor: A Rough Passage to Independence.*, p. 334.

⁴³⁶ *Ibid.*, p. 336.

⁴³⁷ *Ibid.*, Kingsbury, ed., *Guns and Ballot Boxes: East Timor's Vote for Independence*, p. 25.

statesman for the East Timorese people. Although his capture was militarily a major setback for Fretilin, his high profile in prison probably did more for their cause than would his continued resistance in the jungles of East Timor. By now Fretilin had moved largely away from armed confrontation with ABRI and sought more diplomatic and non-violent paths to settlement. In April 1998 CRNM, the National Council of Maubere Resistance, the popular political movement for independence and effectively the political face of Fretilin, changed its name to CNRT, the National Council of Timorese Resistance, and moved to focus on negotiation rather than confrontation with Indonesia to try to reach agreement.

In 1994 CRNM had proposed a three-phase peace plan to the UN as a way forward, but it was not until 1998, the continued advances by CNRT, and the demise of Suharto, that any real progress was made toward peace. As long as Suharto was in power there was no possibility that the Indonesian government would consider the prospect of an independent East Timor.⁴³⁸ For twenty years the Indonesian military had waged war against the Fretilin resistance forces reducing them to a few hundred fighters. The East Timorese had been defeated militarily and there was no possibility that the Indonesian military could have been driven out through force. In 1998 however, President Suharto was removed from his position of power. The near collapse of the Indonesian economy, as a result of the Asian economic crisis which began in 1997, in conjunction with the rising disillusionment and anger at the corrupt, nepotistic government of the Suharto regime, saw a wave of student led public protest and social upheaval. The *Reformasi* or reform movement that swept Indonesia as a result of this social upheaval brought about the resignation of President Suharto in May 1998 and the succession of B. J. Habibie to the presidency. The growing public and political demands for democratic reform were major factors in Suharto's demise, and Habibie responded quickly to this pressure, including responding to the international pressure to do something positive about the situation in East Timor.⁴³⁹ In a move that took almost all international and domestic observers by surprise, because it came with no warning, in July 1998, President Habibie proposed an autonomy proposal to the East Timorese. Encouraged by this dramatic shift in Indonesian policy, Prime Minister Howard wrote to President Habibie on 29 December 1998 urging him to address the East Timorese desire for self-

⁴³⁸ Harold Crouch, "The Tni and East Timor Policy," in *Out of the Ashes: Destruction and Reconstruction of East Timor*, ed. J Fox and D Soares (Adelaide: Crawford House, 2000), p. 151.

⁴³⁹ It is also noted that Bishop Carlos Belo and Jose Ramos-Horta received the Nobel Peace prize in 1996 and the international attention this, well as the appointment of a UN special envoy to the province and the UNHRC resolutions during this period added considerable international interest to events in the territory.

determination in a manner that would lead to a peaceful settlement through direct negotiation with the East Timorese leaders.⁴⁴⁰ On January 27 1999, Habibie again took the international community by surprise by announcing that not only would Indonesia allow the Timorese special autonomy but also, if they chose otherwise, he would allow them to be released from Indonesia. In the words of Habibie's information minister:

A regional autonomy plus (sic) will be awarded to East Timor. If this is not accepted by the mass in East Timor we will suggest to the new membership of the People's Consultative Assembly (MPR), formed as a result the next election, to release East Timor from Indonesia.⁴⁴¹

Just two weeks later the Indonesian and Portuguese foreign ministers held talks in New York to plan for the holding of a UN conducted 'popular consultation', finally signing an agreement on 5 May 1999. Meanwhile widespread pro-Indonesian militia-led violence had broken out in East Timor in reaction to Habibie's decision, and ABRI (now TNI) engaged in arming, training, and dispatching militia to intimidate and punish the East Timorese in favour of independence.⁴⁴² By early June the hurriedly assembled UN mission to East Timor, UNAMET, had commenced its work in the territory and through July and August voter registration was conducted, with the popular consultation taking place on 30 August after several postponements. The wave of TNI sponsored, and militia led, violence that ensued following the overwhelming result for independence,⁴⁴³ ravaged the province, as hundreds of thousands of East Timorese were forcibly removed from their homes, and brutalised, with many of these forced to evacuate to West Timor. In response to the violence and brutality, by mid September the Security Council had authorised the Australian led INTERFET intervention into East Timor.

Australia

As the nearest neighbour to East Timor apart from Indonesia, as a result of at least partially connected histories, and also as a consequence of its regional standing, Australia was the one

⁴⁴⁰ John Howard, "Text of Prime Minister Howard's Letter to President Habibie," (Canberra: Parliament of Australia, 1998), Joint Standing Committee Foreign Affairs JSCFADT, Defence and Trade, "Joint Standing Committee on Foreign Affairs, Defence and Trade Visit to East Timor 2 December 1999," (Canberra: 1999).

⁴⁴¹ Department of Foreign Affairs and Trade DFAT, "East Timor in Transition 1998 - 2000: An Australian Policy Challenge," (Canberra: Commonwealth of Australia, 2001), p. 38, John Lyons, "Timorgate: Secret Cables Exposed," *Bulletin*, 12 October 1999 1999, John Martinkus, *A Dirty Little War* (Sydney: Random House, 2001), Dan Murphy and John McBeth, "Scorched Earth," *Far Eastern Economic Review*, September 16, 1999 1999, Dennis Schultz, "East Timor," *The Bulletin*, February 16, 1999 1999.

⁴⁴² DFAT, "East Timor in Transition 1998 - 2000: An Australian Policy Challenge," pp. 60 - 70.

country in the region that could have most influenced the course of events in East Timor since the mid 1970s. Yet until 1998 it was Australia's lack of action and unwillingness to become involved in the unfolding tragedy of East Timor that stands out as an example of the pursuit of unprincipled and uncourageous *realpolitik* policies.

In 1915 Prime Minister Andrew Fisher stated: "I like the idea of possessing [Portuguese Timor as] a summer resort for the settlers of Northern Australia"⁴⁴⁴ and to a large degree this superficial and dismissive opinion epitomised Australian attitudes and subsequent policy towards East Timor - to the extent that the territory was only of some interest in so far as it could serve some pragmatic use to the benefit of Australia and Australians. Although early Australian diplomatic overtures to Great Britain were quickly and unceremoniously rejected by the British Secretary of State for the Colonies, there lingered a vague sentiment that East Timor's proximity to Australia somehow entitled Australia to some form of claim to her, or at least some special place in deciding her future.⁴⁴⁵ This was obvious during WWI, when fears were held that it might be a strategic vulnerability and of course fears of its hostile occupation during WWII led to the allied occupation of the island in 1942.⁴⁴⁶ The sad history of the withdrawal of Australian troops, leaving the Timorese to their fate, has already been outlined, and although this history fostered a sense of responsibility and 'mateship' in certain sectors of the Australian public toward East Timor, by and large, Australians were ignorant of the plight of their northern neighbours.

In 1974, with the changes in Portugal's domestic political situation and its policies towards its overseas territories, Australia was again drawn into the fate of the East Timorese, as Portugal and East Timor looked to Australia for support and encouragement along its path of decolonisation. Indeed, as commentators have noted⁴⁴⁷, there was an expectation amongst the older Timorese that Australia would not forget their shared war-time history, and could not but help come to their aid as 'mates' would. With the development of the East Timorese political parties, Australia was soon lobbied, especially by José Ramos-Horta, the international spokesman for Fretilin, to support the process of self-determination.⁴⁴⁸ By September, sectors of the Australian Government and the Department of Foreign Affairs had

⁴⁴³ 78.5% of voters voted against Indonesia's autonomy proposal, with over 97% voter participation.

⁴⁴⁴ Hastings, "Australian Views of Timor," p. 28.

⁴⁴⁵ Ibid., pp. 23 - 26.

⁴⁴⁶ Ibid.

⁴⁴⁷ Dunn, *East Timor: A Rough Passage to Independence*, Nicol, *Timor: The Stillborn Nation*.

⁴⁴⁸ Nancy Viviani, "Australians and the East Timor Issue," in *East Timor and Australia*, ed. James Cotton (Canberra: Australian Defence Studies Centre, 1999), p. 82.

observed Portugal's difficulty in dealing with its territories and developed the opinion that decolonisation in East Timor may be a troubled process. However, given Australia's fundamental preoccupation with maintaining good relations with its giant neighbour to the north, and Prime Minister Whitlam's critical if not disparaging remarks on the political elite in East Timor,⁴⁴⁹ it should have come as no surprise that when Whitlam met Suharto in Wonosobo in September 1975 he was accommodating and his expressed position on the future of East Timor was to prove fateful to the future of the island, dashing East Timorese aspirations for self-determination. Australian policy on East Timor subsequently, which Sue Nichtelein argues equated to 'Whitlam policy'⁴⁵⁰, was made public in 1974 by a foreign affairs background briefing, which stated of the Wonosobo meeting:

Mr Whitlam is understood to have indicated Australia felt an independent Timor would be an unviable state and a potential threat to the stability of the area. But he is also thought to have made it clear that the people of the colony should have the ultimate decision on their future.⁴⁵¹

This ambiguity, which was to become the hallmark of Australian policy during Indonesia's occupation, was not initially or unanimously approved government policy. As Secretary of the Department of Foreign Affairs at the time Alan Renouf later wrote: "I directed that Australia's policy should be self-determination. This was approved by Foreign Minister Willesee...In his talks with Suharto Whitlam changed this policy."⁴⁵² In moving to accommodate Jakarta, Whitlam had substantially altered – more by inference and deliberate ambiguity than in clear speech, but certainly in intent – Australian government policy on East Timor, from that of supporting self-determination, to being pro-integration. In a subsequent meeting with Suharto in Townsville in April 1975 Whitlam was apparently assured by Suharto that Indonesia would not use force in Timor, and in his subsequent dealings with his cabinet and parliament, Whitlam displayed in Sue Nichterlein's words an "imperial prime ministership",⁴⁵³ in which the Prime Minister's private opinions on matters of foreign policy were substituted as government policy. Consequently East Timor policy, was guarded in secret diplomacy and executive decision-making, which amounted, according to Nichterlein,

⁴⁴⁹ James Cotton, ed., *East Timor and Australia* (Canberra: Australian Defence Studies Centre, 1999), p. 4.

⁴⁵⁰ Sue Nichterlein, "Australia: Courtier or Courtesan," in *East Timor and Australia*, ed. James Cotton (Canberra: Australian Defence Studies Centre, 1999), p. 151.

⁴⁵¹ Viviani, "Australians and the East Timor Issue," p. 82.

⁴⁵² Nichterlein, "Australia: Courtier or Courtesan," pp. 149 - 150.

⁴⁵³ Ibid.

Viviani *et al*, to Whitlam's policy being unchallenged.⁴⁵⁴ Whitlam had chosen pragmatic appeasement and accommodation over principled policy, and, as subsequent events drew Australia more closely into complicity with Indonesian acts of aggression, that pragmatism grew more unprincipled. In statements on Timor on 26 and 28 August 1974, Whitlam distanced Australia from any role other than humanitarian assistance in East Timor, suggesting that Indonesia had legitimate rights and interests in the matter and should be allowed to bring the matter to resolution to their satisfaction.⁴⁵⁵ Two days later as Dunn writes, Whitlam, who had known of the subversive actions of *Operasi Komodo* for some six months,⁴⁵⁶ stated that "the Indonesian government which over the past year has expressed repeatedly its intention not to intervene in Timor, may thus be turned to as the only force capable of restoring calm in the territory."⁴⁵⁷ Thus the Australian government deliberately ignored the pleas of the East Timorese and consigned them to their fate at the hands of the Indonesian military. Australia's complicity in Indonesia's lies was now firmly established and further, by the government's implicit support to Indonesian policy and its obstructionism in efforts to internationalise the crisis, the government effectively assured Indonesia that it would not interfere with its plans for annexation.

In framing this policy Richard Woolcott, Australian Ambassador to Indonesia, played a major part. In August 1975 he advised Whitlam that, given Indonesia's policy to incorporate East Timor a policy of 'disengagement' and of allowing events to take their own course would be the pragmatic and best approach. As he frankly admitted: "I know I am recommending a pragmatic rather than a principled stand, but that is what national interest and foreign policy is all about."⁴⁵⁸ The ambassador recommended that Australia forsake principled foreign policy, which would have defended the rights of the Timorese, or at least would have seen them object to their abuse by Indonesia, for a pragmatic approach, which placed the value of friendly and uncritical relations with Indonesia above the basic human rights of the people of East Timor. Australia, in a position to uphold the rights of these people, 'sold them out' for 'reasons of state'. In a neat turn of phrase Sue Nichterlein suggests that: "Australia offered herself to the courts of Jakarta and Washington, but she put

⁴⁵⁴ Ibid, Viviani, "Australians and the East Timor Issue."

⁴⁵⁵ Dunn, *East Timor: A Rough Passage to Independence.*, p. 160.

⁴⁵⁶ Ibid.

⁴⁵⁷ Ibid.

⁴⁵⁸ Cotton, ed., *East Timor and Australia*, p. 6.

too low a price on her favours. She may have thought she was going as a courtier, but she was treated as a courtesan.”⁴⁵⁹

The 1975 dismissal of the Whitlam Labor government saw the Fraser led coalition government inherit the foreign policies of the former and Australia’s compromised position of complicity. Almost from the inception of *Operasi Komodo* Australian officials had known of its existence, and if not the details of its operations, certainly its intent and objective.⁴⁶⁰ Jakarta’s plans for incorporation were well known to Australian intelligence sources, and given their understanding of the nature of Suharto’s ‘New Order’, there could have been little doubt that this incorporation would be anything but a brutal and bloody affair.⁴⁶¹ Initially the coalition Foreign Minister, Andrew Peacock, sought to take a much more resolute and critical stand against Indonesian action, supported as he was by the “genuine sense of growing horror and frustration throughout the Australian community”.⁴⁶² His views were not shared, however, by the Prime Minister, the coalition deputy, his cabinet colleagues, or by senior Foreign Affairs officials, who advised that “the seizure of East Timor was a *fait accompli* and that the Indonesian position was not negotiable allowing virtually no chance of success for any Australian initiatives.”⁴⁶³ Furthermore, the US State Department was reported to have pressured the Australian government to “relax its opposition to Indonesia, in order to avert a confrontation between two countries of considerable political and strategic importance to the United States”.⁴⁶⁴ Gradually, therefore, the overriding importance of the Australian – Indonesian relationship served to mute any ethical or principled voice on East Timorese self-determination, and the Fraser and successive Governments turned blind eyes to Indonesian activities and deaf ears to the sustained pleas of the East Timorese. For the next twenty-two years – despite evidence and intelligence as to the adverse nature of events in East Timor⁴⁶⁵ –

⁴⁵⁹ Nichterlein, "Australia: Courtier or Courtesan," p. 157.

⁴⁶⁰ Jim Aubrey, "Canberra: Jakarta's Trojan Horse in East Timor," in *The East Timor Question*, ed. P Hainsworth and S McCloskey (London: I. B. Tauris Publishers, 2000), p. 140.

⁴⁶¹ Cotton, ed., *East Timor and Australia*, p. 7.

⁴⁶² Michael Salla, "Australian Foreign Policy and East Timor," in *East Timor and Australia*, ed. James Cotton (Canberra: Australian Defence Studies Centre, 1999), p. 165.

⁴⁶³ Ibid.

⁴⁶⁴ Dunn, *East Timor: A Rough Passage to Independence.*, p. 377.

⁴⁶⁵ The extent and true nature of the intelligence that the Australian Government had concerning events in East Timor during this period, like the intelligence during the events of 1999, is contentious and the subject of much reporting and speculation. What the Government knew can only be inferred from its intelligence capabilities as the material is still classified and unreleasable to the public. Given the Government’s human intelligence (HUMINT) and signals intelligence (SIGINT) capabilities and its interest in events in East Timor it is reasonable to assume that a very clear picture of what was occurring in the territory was available to government officials. Lance Taudevin’s book also details exactly what he had reported to the government as an ‘official’ intelligence source, and the Government’s reaction to his reporting. Numerous newspaper reports also refer to

the Australian government chose to put what it believed were its paramount strategic interests in Indonesia's stability ahead of the rights of the people of East Timor. In addition to its security interests critics have noted Australia's growing economic interests in the Timor Gap oil and gas resources as further motive for successive governments to pursue a policy of appeasement and stability with Indonesia over East Timor, and certainly material interests were at least influential in deciding Australia's foreign policy.⁴⁶⁶ As the one regional power that possibly had the resources to alter the tragic course of events of East Timor's occupation, the Australian government on the face of it chose rather, not only to deceive its own citizens as to the true extent and nature of events, but to stand by and leave the rights and lives of the East Timorese under the hands of the Indonesian military. The very real limitations to what was politically possible for the Whitlam and Fraser governments vice what it 'ought' to have done support the argument of this thesis that both material and ideational factors condition state behaviour. Certainly it has been argued that the governments at the time 'could' perhaps have not supported the Indonesian take over and lobbied against it, or built a coalition of like minded states to condemn the invasion and promote an act of self-determination, or even simply to push for greater diplomatic efforts to promote East Timorese human rights, in the end however, the uncourageous policy of these governments critically influenced the next two decades of East Timorese experience. It is against this background that the intervention by Australia into East Timor in 1999 needs to be cast.

leaked official defence intelligence and the extent of the Australian Government's knowledge of events in the region. What can reasonably be inferred is unfortunately not what can be proven, this is the nature of secret intelligence, thus what may be 'incontrovertible' evidence to commentators may not be ultimately proven without access to classified evidence. Taudevin, *East Timor Too Little Too Late*. Gregory Hywood, "Hayden Quells Claims of Spy Flights to Timor," *Financial Review*, 26 July 1984. McIntosh G.D (SEN), "Standing Committee on Foreign Affairs and Defence. Government Response and Ministerial Statement," (Canberra: Australian Government Senate, 1984). Desmond Ball, "Silent Witness: Australian Intelligence and East Timor," in *Masters of Terror: Indonesia's Military and Violence in East Timor in 1999*, ed. Hamish McDonald and Desmond Ball (Canberra: Strategic and Defence Studies Centre, 2002).

⁴⁶⁶ Authors such as Jim Aubrey have argued that: "the Timor Gap Treaty, signed by Australia and Indonesia in December 1989, represented a joint enterprise between the two governments to exploit for selfish gain the natural wealth of a brutally occupied territory". Aubrey, "Canberra: Jakarta's Trojan Horse in East Timor," pp. 142 - 143. The significance of the Timor Gap Treaty in shaping the foreign policy of the Howard government is an interesting matter and although there are arguments suggesting that Australia's economic interests in the resources of the area would be best served both by continuing to support Jakarta and by supporting a liberated East Timor, no conclusive evidence has been found to unequivocally support either case. See also Judith Bello and Peter Bekker, "East Timor (Portugal V. Australia)," *The American Journal of International Law* 90, no. 1 (1996), Catholic Institute for International Relations with International Platform of Jurists for East Timor CIIR, "International Law and the Question of East Timor," *International Affairs* 72, no. 2 (1996).

Individuals and Organizations.

The modern history of East Timor and the Australian led intervention of 1999 has hinged not only on the role of Indonesia as a Western ally during the Cold War, but also on the influence of a handful of leaders in both Indonesia and Australia since the mid 1970s, and how their particular decisions shaped the course of events that led first to the occupation of East Timor and then its emancipation.

The foremost of these individuals was President Suharto whose personal ambition to acquire and then retain East Timor as the 27th province of Indonesia once it had been annexed, set the fate of the East Timorese for twenty-three years as he steadfastly refused to countenance the idea of any form of autonomy or independence for the territory. Although, as Dunn points out, Suharto was at first reluctant to condone the invasion planned by his hawkish generals, and opposed the forced annexation. However, once he was persuaded to do so, in part due to having his fears of adverse Australian reaction allayed by the Whitlam government, his resolve to hold onto the province was unshakeable.⁴⁶⁷ The brutal nature of Suharto's regime was established following the Gestapu⁴⁶⁸ coup in September 1965 and the then General Suharto's bloody reprisal as he wrested power from Sukarno and wrought savage vengeance on the Indonesian communists – up to two million losing their lives in the slaughter. This pattern of repressive control over the disparate ethnic, cultural, and linguistic groups that comprised Indonesia was to continue throughout his rule and, although its excesses were well recognized by Western states, they were largely tolerated as extreme but 'necessary' measures for the unity of this strategically valuable state – especially in the face of the threat of communist insurgency. The possibility of political settlement in East Timor was almost unimaginable under Suharto, and it was not until his demise in 1998 that the future of East Timor was even subject to discussion amongst the Indonesian elite.⁴⁶⁹

If Suharto was the steadfast force behind East Timor's long annexation, then Gough Whitlam was the willing accomplice, whose appeasement of Indonesian aggression encouraged the bold and illegal incorporation of the territory. While history is very critical of

⁴⁶⁷ Dunn, *East Timor: A Rough Passage to Independence.*, p. iii.

⁴⁶⁸ The Gestapu coup refers to the coup d'état by Pro-communist military officers on 30 Sep 1965. see www.naa.gov.au/Publications/research_guides/guides, *Key Elements in Australian-Indonesian Relations* ([cited]).

⁴⁶⁹ Although as President, Suharto played a major role in the Indonesian relationship with East Timor, there were other very significant influences also such as the role of TNI/ABRI who had invested much 'blood and treasure' in the territory, the role of Indonesian nationalism, and the concern over the 'Balkanisation' of other provinces such as Aceh and West Irian.

Whitlam's role in East Timor's tragedy, there is no doubt that it would be grossly unfair to suggest that he had any intention of physical harm coming to the East Timorese people, or that his decisions were anything but in accordance with what he believed to be Australia's national interest. When Whitlam came to office it was following a period of some 23 years in opposition, during which the Liberal Government's defence policy had been predicated on the notion of 'forward defence' whereby Australia's defence would best be mounted from a forward position within Asia. Labor's 'continental defence' policy by contrast, envisaged a national defence structure mounted from within Australia, consonant with its military capacity and level of independence from its near neighbours. Central to Labor's strategic defence concept was the independence and viability of Indonesian defence policy. The "reliance on national interest and pragmatic regional cooperation in preference to externally based alliances"⁴⁷⁰ was spelled out by Whitlam in the twenty-fourth Roy Milne Lecture in 1973 in which he insisted that "National resilience is an approach fully consonant with the contemporary needs of our region".⁴⁷¹ Closer ties with Indonesia consequently, were crucial to ensuring the viability of continental defence and maintaining regional security. Thus Australia's relationship with Indonesia persisted as a central plank to its regional foreign policy under the Labor government, as it had been under the preceding Liberal one, although within a different national defence concept. Whitlam's actions therefore, in (the particular action of) accommodating Indonesian aggression, were the result of the pursuit of a particularly realist, materialist, and unprincipled conception of state interests.

As Dunn writes: "Whatever his motives, Mr Whitlam misjudged the importance of Australia's international responsibility to assist with the decolonisation of East Timor, its obligation to a small and vulnerable neighbour, where people had rallied to our support in 1942, the darkest hour in our history."⁴⁷² While Suharto was initially unsure of how intervention into East Timor would be received in the West, Whitlam had the opportunity, perhaps uniquely, to influence Indonesia's direction, through direct consultation with Suharto and through international pressure, but instead, he assured Suharto that Australia would not be so bold as to challenge so important a neighbour. Given the history of Australia's relations with the US such submissive behaviour appears not to be exceptional. In the final analysis, Whitlam decisively shaped Australia's foreign policy on Indonesia and East Timor, and

⁴⁷⁰ Edward Gough Whitlam, "Australia's Foreign Policy: New Directions, New Definitions" (paper presented at the The Twenty-Fourth Roy Milne Lecture, Canberra, 1973).

⁴⁷¹ Ibid.

although his government was no longer in office when the military seizure took place, the policy of deferential acquiescence to Jakarta that he put in place was to set the pattern of Australian – Indonesian relations for a quarter of a century.

While the short-lived Whitlam government proved fatal to the hopes of the East Timorese, it was the even shorter tenure of President Habibie that proved so important to the aspirations of the people of East Timor. In May 1998, Habibie succeeded Suharto and almost immediately set about changing the circumstances of the 27th province. Although a one time protégé of Suharto's, Habibie's term in office was seen by most observers, and most certainly by elements of Indonesian politics, as a transitional and 'lame duck' President at best. Habibie had no obvious power base of his own and initially garnered fairly widespread support through his willingness to respond to the pressures from the reform movement. Amongst these was pressure to reform policy on East Timor and in particular the military's treatment of the population there amidst a wider call for reform to the military's role and behaviour in Indonesia. Encouraged by the new Secretary General of the United Nations, Kofi Annan, Habibie turned around Indonesian policy on East Timor and set in progress a sequence of events that led to its independence. Vulnerable to external pressure for reform,⁴⁷³ Habibie saw a rejuvenated autonomy package as a possible means of answering both of these challenges for domestic and foreign policy reform and of also possibly doing away with a lingering policy irritant.⁴⁷⁴ In the end the autonomy proposal, rather than neatly settling the East Timor issue, only acted to embolden the determination of the Timorese for independence, antagonise the Indonesian military leadership, and project the matter to centre stage in the spotlight of international attention.⁴⁷⁵

As a consequence of Habibie's proposal, fresh violence and accelerated militia development and deployment took place in East Timor, and by January 1999 Habibie, in a surprising move, announced that a popular consultation would be held and that if the proposal was rejected by the East Timorese then he would ask the MPR (*Majelis Permusyawaratan Rakyat* – the Peoples' Consultative Assembly) to let the territory become independent of Indonesia. In a bold move that was probably based on the assumption that the result would

⁴⁷² Dunn, *East Timor: A Rough Passage to Independence*, p. 111.

⁴⁷³ Much of the pressure for reform was focussed on economic reform in the face of Indonesia's dire financial position and the perception that the country's economic crisis was at least in part caused by inept government practice.

⁴⁷⁴ Dunn, *East Timor: A Rough Passage to Independence*, Jeremy Wagstaff, "Political Thaw: Jakarta Views East Timor with a Change of Attitude," *Asian Wall Street Journal*, 17 June 1998.

⁴⁷⁵ Wagstaff, "Political Thaw: Jakarta Views East Timor with a Change of Attitude."

favour autonomy not independence, Habibie greatly accelerated the process of self-determination as he sought an expedient and popular resolution. Although a popular gesture with the public and reform movement, it was received less enthusiastically by his parliament and much less so by the military. In particular, Habibie's relationship with General Wiranto, the ABRI commander, was strained and the tension between them probably meant that Habibie was less likely to follow the counsel of his military commanders than was Suharto.⁴⁷⁶ Having set in motion the chain of events that would overtake all other considerations Habibie found that the move to independence had become a flood tide. With the May 5th tripartite agreement between Indonesia, Portugal, and the UN, the course was set for a popular consultation and the implementation of its ramifications.

It was at this juncture that the significant influence of two further actors were felt – that of Xanana Gusmao and the Fretilin forces in East Timor, and the joint TNI militia forces and their activities in the territory. On the last day of 1978 the Fretilin leader and Timorese president Nicolau Lobato was killed, sending the resistance fighters and supporters into some turmoil in the face of sustained military search and destroy missions. Kay-Rala Xanana – or José Alexandro Gusmao (his Portuguese name) emerged as the new commander of Fretilin and statesman for East Timorese resistance. Xanana proved to be an unparalleled guerrilla leader and an even more capable spokesman and international statesman for the cause of East Timorese independence. For almost ten years he was to lead Fretilin in their armed resistance to TNI and, following his capture in November 1992, still effectively commanded the increasingly non-violent resistance from his cell in Jakarta. Xanana came to symbolise the resistance and struggle of the East Timorese people and his credibility and international standing put a legitimate and respectable face to the East Timorese opposition to their incorporation into Indonesia. Throughout the Indonesian occupation it was the brave and persistent armed struggle by the Fretilin forces that kept alive the aspirations of the East Timorese and with its exiled ambassador José Ramos-Horta persistently presenting their case at every opportunity to the international community, the memory of the East Timorese and their struggle was kept alive in the international forum. Without Xanana and Fretilin there would have been no international outrage, no intervention, and no independent East Timor.

Arrayed against Fretilin and the people of East Timor, were ABRI (TNI) and the militia and para-military in their various guises, that operated in the province from 1975 to

⁴⁷⁶ Ibid.

the present.⁴⁷⁷ The relationship between ABRI/TNI, the police, para-military groups, and the militias was both a complex and dynamic one. Until April 1999, the Indonesian police fell under the auspices of ABRI and were subject to that command structure. From April however, the police formed their own command authority and were separated from TNI who subsequently comprised the military proper. In East Timor the majority of military personnel belonged to various Kopassus (special forces) commands and exercised wide powers and enjoyed a superior command status to the police and regular military.

There also existed para-military groups such as *Gada Paksi* established in 1994 by General Probowo as a means of co-opting young Timorese into the pro-integration cause and who subsequently formed the nefarious “ninja gangs” causing mayhem and violence in the mid 1990s. Various auxiliary and citizens military units existed at various times but almost all were under the control of Kopassus and SGI (*Satuan Gabungan Intelijen* [Indonesian military intelligence]) and were funded and armed by TNI or ABRI.⁴⁷⁸ In addition there were at least fourteen main militia units spread throughout the territory operating from 1975 to the present.⁴⁷⁹ Taudevin⁴⁸⁰, Dunn⁴⁸¹, and Bartu⁴⁸² all list the names, locations and leaders of the main units and detail their activities and misdeeds, noting how widespread but generally over-inflated were their own claims of membership and influence. There is substantial evidence of the established links and command relations between the militia and the Indonesian military, and there is no doubt that the militia violence, of the mid to late 1990s in particular, was funded, equipped, commanded, and orchestrated by the regular military.⁴⁸³ Whereas the police/TNI relationship was ambiguous with the Police (Polri) generally subordinate in practice to the commanding TNI officer, as a result of new and not clearly defined nor understood command relations, the militia were wholly the creatures of TNI.⁴⁸⁴

⁴⁷⁷ At the time of writing militia cross-border activity is still an issue for East Timorese law and order.

⁴⁷⁸ Peter Bartu, "The Militia, the Military and the People of Bobonaro District," in *Guns and Ballot Boxes*, ed. Damien Kingsbury (Melbourne: Monash Asia Institute, 2000), pp. 81 - 98, Crouch, "The Tni and East Timor Policy," pp. 151 - 178, Dunn, *East Timor: A Rough Passage to Independence.*, pp. 344 - 346, Taudevin, *East Timor Too Little Too Late*, pp. 177 - 188.

⁴⁷⁹ DFAT, "East Timor in Transition 1998 - 2000: An Australian Policy Challenge," p. 57.

⁴⁸⁰ Taudevin, *East Timor Too Little Too Late*.

⁴⁸¹ Dunn, *East Timor: A Rough Passage to Independence*.

⁴⁸² Bartu, "The Militia, the Military and the People of Bobonaro District."

⁴⁸³ Dunn, *East Timor: A Rough Passage to Independence*, Martinkus, *A Dirty Little War*, John Martinkus, "The Never Ending Nightmare," *The Bulletin*, May 4, 1999 1999, John McBeth, "Bitter Memories," *Far Eastern Economic Review*, September 16, 1999 1999, Murphy and McBeth, "Scorched Earth.", Schultz, "East Timor." And numerous other sources not listed here.

⁴⁸⁴ TNI was formed in 1999 when Polri was split from ABRI, however the command relations appeared at least in East Timor to be somewhat ambiguous leading to numerous instances where Polri and TNI were at odds over their dealings with the East Timorese.

The military typically utilised the militia to carry out the 'dirty work' of violence, intimidation and mayhem, with TNI usually waiting in the wings with extra firepower and support as required.⁴⁸⁵

Not only did the militia carry out the dirty work of TNI, they also served as useful 'scapegoats' for Indonesia who blamed the violence in East Timor variously as ongoing sectarian violence, rogue militia excesses, or simply as East Timorese infighting. All of which attempted to mask the TNI masterminding of all militia activity. The violence and intimidation inflicted by the militia are well documented and, as tools of the Indonesian military, their brutal treatment of their fellow East Timorese was the immediate cause of the international condemnation that led to the intervention in September 1999 and was to prove a persistent source of resentment and hatred with the Timorese community.

Together the influences of these individuals and organizations significantly shaped the history of modern East Timor and the direct action of some of these, notably TNI and the militia, precipitated the violence and bloodshed that culminated in 1999. With the exception of Australian government foreign policy, these influences represent a substantial body of unit level causal factors that directly shaped the course of events leading up to and including the intervention. Although national interest was a motive force behind Indonesian, East Timorese, and Australian actions it was the particular manifestation, conception, and articulation of those motives through the individuals and organizations concerned that really shaped these events. Consequently the realist account – which gives no substantial role to such forces in relations between states, much less non-state actors such as the East Timorese, – fails to capture this crucial dimension to their intervention. Again the inadequacy of the realist explanation is highlighted in this examination of the unit level factors presented here, in as much as realism accords insufficient causality to the means and ways in which individuals and organizations refract national interests into the realm of foreign policy.

The Intervention.

When Habibie first moved to reinvigorate the autonomy proposal for East Timor, he did so evidently with the full assurances of his advisors that the Timorese would choose to remain

⁴⁸⁵ Bartu, "The Militia, the Military and the People of Bobonaro District.", Crouch, "The Tni and East Timor Policy.", Dunn, *East Timor: A Rough Passage to Independence*, Taudevin, *East Timor Too Little Too Late*.

incorporated with Indonesia.⁴⁸⁶ After all, the military reports from the province had consistently indicated overwhelming support among the population for integration with Indonesia. It was not until the 'gate' of a popular consultation was opened that Habibie realised that the 'horse would well and truly bolt' and that the pro-independence movement in East Timor would prove irresistible. As José Ramos-Horta pointed out in an interview with Mark Baker in August 1998:

What began as a frisson of excitement with the disintegration, in May, of the loathed Suharto regime, has grown steadily into a conviction that there is now an unstoppable momentum towards change and democratisation in Indonesia that must lead to the end of two decades of repression in East Timor, and an occupation that has claimed the lives of an estimated 200,000 Timorese.⁴⁸⁷

During the latter half of 1998, ABRI sponsored militia intimidation and violence had been on the rise. With President Habibie's January 1999 announcement of a plebiscite, that violence and intimidation took on a new focus and renewed vigour.⁴⁸⁸ The military in East Timor and their leadership in Jakarta were acutely aware that in order for the autonomy proposal to be accepted by the East Timorese, they would need to take matters into their own hands and ensure the population would be so intimidated as to vote for continued incorporation. ABRI had long since realised that any prospect of a successful 'hearts and minds campaign' to win the support of the East Timorese had gone up in smoke like the villages they had razed for so many years. They had failed to eliminate Falintil and, although militarily they had all but defeated the armed resistance, in doing so they had aroused the enduring hatred of the vast majority. For their part, the change of regime in Jakarta and the re-opening of the tripartite talks on autonomy, had sparked renewed, albeit guarded, hope and vitality into the people of East Timor. Resentful and agitated that the new talks seemed to promise to foreclose their right to self-determination the East Timorese took their fears and concerns to the streets. For the first time since occupation, the Timorese, especially the youth, demonstrated freely, expressing their views in public. Their demands for a referendum

⁴⁸⁶ P Hainsworth, "Conclusion: East Timor after Suharto - a New Horizon," in *The East Timor Question: The Struggle for Independence*, ed. Paul Hainsworth and McCluskey (New York: St Martin's Press, 2000), p. 199.

⁴⁸⁷ Mark Baker Quoted in P Hainsworth and S McCloskey, eds., *The East Timor Question: The Struggle for Independence* (New York: St Martin's Press, 2000), p. 199.

⁴⁸⁸ *Ibid.*, p. 196.

challenged and unnerved the military and the militia and the scene was set for serious confrontation.⁴⁸⁹

According to the Department of Foreign Affairs and Trade account of the East Timor situation in its publication *East Timor In Transition 1998 – 2000: An Australian Policy Challenge* - an account that unsurprisingly is voluminous in its recording of Australia's swift, effective and compassionate diplomatic action, but very short on anything that is even remotely critical of the department's historical management of relations - Australia was eagerly and sensitively engaged with Indonesia, Portugal and Fretilin almost from the moment Habibie stepped into office. Leaving aside the self-congratulatory nature of this report, it does highlight the fact that the Howard government's foreign policy on East Timor had decisively broken the pattern of appeasement and accommodation that had characterised Australian policy on the matter since Whitlam. In December 1998 Howard wrote to Habibie encouraging him to engage with the East Timorese in the determination of their future status. Although Habibie's reaction was mixed, it is generally acknowledged that this sign of support and encouragement from Australia was probably at least influential in his decision to offer disengagement from Indonesia if the people of East Timor rejected the autonomy offer.⁴⁹⁰

Meanwhile the security situation on the ground in East Timor continued to deteriorate in the early months of 1999. Concerned at this the Australian government applied diplomatic pressure on Jakarta to control the situation in East Timor. Consistent with past practice the Indonesians denied responsibility for the violence claiming rather that the violence was simply a reaction to Falintil terror activities by the pro-integrationist forces, and that in fact there was now a "more even fight" in East Timor, but nonetheless they would try to find a solution.⁴⁹¹ There was a certain degree of unwarranted optimism in Australian government and international circles that the move to the plebiscite and the subsequent vote would proceed relatively uneventfully – this was especially optimistic given that such international attention and pressure had been brought to bear on Jakarta. As Lloyd points out however, "In hindsight the likelihood of Indonesia simply washing its hands of East Timor and

⁴⁸⁹ DFAT, "East Timor in Transition 1998 - 2000: An Australian Policy Challenge," p. 20, Hainsworth, "Conclusion: East Timor after Suharto - a New Horizon," p. 195.

⁴⁹⁰ It is noted however, that the 'New Caledonia model' that Howard proposed envisaged a long period of autonomy before referendum – a process which may or may not lead to independence. In the New Caledonian case French decolonisation had been indefinitely delayed thus it can be seen that although encouraging Habibie to engage the East Timor matter, Howard was still keen to look out for Indonesia's interests.

⁴⁹¹ DFAT, "East Timor in Transition 1998 - 2000: An Australian Policy Challenge," p. 62.

withdrawing was remote.”⁴⁹² The TNI certainly had no interest in withdrawing peacefully or otherwise and given the quantity of ‘blood and treasure’ the territory represented for them this should not have been a surprise.

Concern over TNI involvement in militia activity was rising and the issue was even raised by Madeleine Albright with Foreign Minister Alatas in meetings in March, but was again refuted by Indonesia.⁴⁹³ The evidence in East Timor, however, was incontestable. On 6 April the *Besi Merah Putih* (BMP) militia, assisted by TNI troops and mobile police brigade personnel assaulted a pro-independence group in Maubara killing two. They then proceeded to Liquica, where following the burning of several houses of pro-independence supporters, they surrounded the local church where more than 1000 unarmed East Timorese had gathered seeking shelter, and attacked, killing more than fifty civilians.⁴⁹⁴ The Australian government protested to the Indonesian government and TNI and the incident invoked sharp international reaction. Characteristically, however, TNI denied any involvement and General Wiranto went so far as to suggest that both pro-integrationists and pro-independence groups were to blame simply having become “emotional”.⁴⁹⁵ A subsequent attack and more killings in Dili in April further fuelled the fears, of the Timorese, that the popular consultation would not be able to be conducted in security if at all, and of the international community that the situation in East Timor was out of hand. Again the Australian government made urgent representations to Jakarta and on 18 April the Foreign Minister called publicly on the Indonesian government and TNI to stop the violence and disarm the militia.⁴⁹⁶ There were at this point serious fears that the United Nations mission to administer the vote might be in doubt in light of the grave security situation.

On May 5th 1999 an agreement between Indonesia, Portugal, and the UN was signed, finally ending 17 years of negotiation on the future of East Timor. The plebiscite in the form of a popular consultation vote was agreed to, as were the security arrangements in which Indonesia was responsible for ensuring a secure and peaceful environment for the UN mission to undertake its charter and for the voting to take place in. Having vehemently resisted any international peacekeeping forces the Indonesians had finally under considerable

⁴⁹² Grayson Lloyd, "United Nations and the International Community," in *Out of the Ashes: Destruction and Reconstruction of East Timor*, ed. J Fox and D Soares (Adelaide: Crawford House, 2000), p. 91.

⁴⁹³ *Ibid.*, p. 92.

⁴⁹⁴ Dunn, *East Timor: A Rough Passage to Independence.*, p. 355, Trade, *East Timor in Transition 1998 - 2000*, pp. 62 - 63.

⁴⁹⁵ Dunn, *East Timor: A Rough Passage to Independence.*, p. 355.

⁴⁹⁶ DFAT, "East Timor in Transition 1998 - 2000: An Australian Policy Challenge," p. 68.

pressure agreed to an unarmed international civilian police presence.⁴⁹⁷ Although clearly a sticking point given the ongoing violence, Habibie and Wiranto would not and possibly could not for political reasons, agree to an international peacekeeping presence in East Timor. In hindsight the UN decision to agree to such security arrangements has been sharply criticized, particularly in the Australian press⁴⁹⁸. However, Foreign Minister Downer and others make the point that, if Indonesia was pushed on the matter the opportunity for any measure of self-determination in East Timor would probably, in their estimation, have been lost.⁴⁹⁹ Habibie's hold on power was tenuous and transient with elections scheduled for that year, and a hostile military and obdurate parliament would have seen Habibie's initiatives shelved and the status quo ante restored.⁵⁰⁰ Indeed Sukharnoputri, who was an election candidate, had promised not to let East Timor break away and most probably she would have ensured as much were she elected with the matter still unresolved.⁵⁰¹

The signing of the May 5th agreement opened the way for the immediate deployment of UN personnel to the UNAMET tasks in East Timor. UNAMET subsequently was mandated to include political, electoral, civilian police, military liaison officers and administrative personnel to:

Organise and conduct a popular consultation on the basis of a secret and universal ballot, in order to ascertain whether the East Timorese people accept the proposed constitutional framework providing for a special autonomy for East Timor within the unitary Republic of Indonesia or reject the proposed special autonomy for East Timor leading to East Timor separating from Indonesia.⁵⁰²

When Ian Martin arrived in Dili in June as head of the mission he faced an enormous task with little time. In response to the presence of UNAMET in East Timor the militia immediately intensified its campaign to sabotage the ballot and on 29 June the first militia attack on UNAMET facilities were recorded at Maliana, Liquica and Viqueque.⁵⁰³ Despite further strong representations from the UN General Secretary, Minister Downer, and others, Indonesia continued to deny TNI involvement and reassured the international community that

⁴⁹⁷ Ibid., p. 78 - 80.

⁴⁹⁸ William Maley, "Australia and the East Timor Crisis: Some Critical Comments," *Australian Journal of International Affairs* 54, no. 2 (2000).

⁴⁹⁹ DFAT, "East Timor in Transition 1998 - 2000: An Australian Policy Challenge," pp. 84 - 85.

⁵⁰⁰ Ibid., pp. 84 - 87. In light of the delicacy of the peacekeeping force matter, DFAT devoted considerable attention to the matter in its account to exonerate itself from possible repercussions of the criticism.

⁵⁰¹ Dunn, *East Timor: A Rough Passage to Independence.*, p. 348.

⁵⁰² From the UNAMET fact sheet on the UN web site. www.UN.org

⁵⁰³ Lyons, "Timorgate: Secret Cables Exposed."

they would contain the violence and secure the situation for the vote. Amidst continued violence and intimidation however, Martin advised the UN General Secretary that the situation was precarious, in response to which Annan postponed the vote to 22 August then further postponed it to 30 August. During this period, and despite the reassurances from General Wiranto and the Indonesian government, Dunn reveals that Australian intelligence was aware that the TNI leadership had by about mid April concluded that the vote would go against Indonesia and had in anticipation drawn up plans for massive - *pembumihangusan* – scorched earth policy operations named *Operasi Guntar* and *Operasi Wiradharma*. The aim of these operations would be to punish the East Timorese and devastate the territory for their ‘betrayal and ingratitude’.⁵⁰⁴

The intimidation, violence and provocation continued up to the day of the vote with increased threats of death and destruction, remarkably however, the vote itself was largely allowed to proceed unmolested, the reasons for this are unknown but it may be speculated that possibly the Indonesian Government did not wish the TNI to be seen by the international media as overtly manipulating the UN mission, or because the government possibly believed they might even yet win the vote. As is reported by Smith⁵⁰⁵, Bartu⁵⁰⁶, Martin⁵⁰⁷ and others, before the first light of day on the 30th of August tens of thousands of East Timorese had trekked to the polling stations, many of them walking for hours in the pre-dawn darkness, to line up to cast their vote for the very first time on the future of East Timor. The result with over 98% voter turn out and over 78% rejecting the autonomy offer is legendary, but by mid afternoon the people of East Timor had crept quickly back to their villages or into the jungle to seek shelter from the inevitable impending storm of militia violence.⁵⁰⁸ In some areas the violence had begun by the time of the close of the polling stations, but by 4 September when the result was simultaneously broadcast in East Timor and at the UN in New York, the wave of violence had engulfed the entire territory.

As stipulated in the May 5th agreements the Indonesian government would, in the event of rejection of the proposal, revoke the 1976 legislation incorporating East Timor into

⁵⁰⁴ Dunn, *East Timor: A Rough Passage to Independence.*, p. 350.

⁵⁰⁵ Anthony Smith, "The Popular Consultation in the Ermera District: Free, Fair and Secret?," in *Guns and Ballot Boxes*, ed. Damien Kingsbury (Melbourne: Monash Asia Institute, 2000).

⁵⁰⁶ Bartu, "The Militia, the Military and the People of Bobonaro District."

⁵⁰⁷ Ian Martin, *Self-Determination in East Timor : The United Nations, the Ballot, and International Intervention, International Peace Academy Occasional Paper Series.* (Boulder: Lynne Rienner Publishers, 2001).

⁵⁰⁸ *Ibid.*, pp. 87 - 97.

Indonesia. Habibie had intended to make East Timor a first order item of business of the August MPR session, with the delay of the session to October, however, a few months gap appeared between the ballot result and the implementation of the result. As DFAT acknowledged this was always expected to be a difficult period but the level and savagery of the violence that took place in this period caught the Australian government and the international community by surprise, despite the intelligence reporting to the contrary.⁵⁰⁹ The acts of violence, murder and destruction that followed the ballot are well documented⁵¹⁰, but unlike the vast majority of past instances the international press was present in East Timor in considerable numbers, and the reporting and broadcast of that violence brought unprecedented international attention and condemnation. The international pressure on Habibie to respond effectively to the situation in East Timor was intense but despite, or as a result of, his precarious political situation, he did not bow to the pressure for the immediate deployment of a peacekeeping force, rather on 6 September he declared a state of military emergency over the province in order to give TNI one last chance to restore peace and order and advised Kofi Annan that if this measure failed he would be prepared to ask the UN for international assistance.⁵¹¹

On the evening of 12 September in response to overwhelming international pressure from Australia, all the permanent members of the Security Council, Japan, and most particularly the US, Habibie announced that he had informed the Secretary General that he had agreed to invite a peacekeeping force to assist in restoring security in East Timor. This was indeed a very tortuous 'spin' for Habibie recognised he had no control over the military, who were at that very time, while responsible for maintaining peace and security, deliberately and brutally implementing their planned scorched earth campaign in East Timor. The

⁵⁰⁹ Either DFAT publicly misrepresented its surprise, concealing its true level of intelligence in the territory, or they believed that the TNI would not actually go through with such blatant and violent reprisal and were indeed actually caught off guard. The true extent of 'what' and 'when' the Australian Government knew and whether or not it had specific intelligence is of course a contentious matter that has been the subject of much speculation, numerous newspaper, magazine and television reports and several thorough works on the matter. Ball and McDonald have written on the topic as has Lance Collins the ex-Army intelligence officer who ran intelligence operations in East Timor during the intervention. The true extent of intelligence available to the Government is classified and could not be disclosed here even if it was available, however, anecdotal reporting strongly argues that DFAT and Government knew a lot more than they revealed and withheld this information from public disclosure. Lance Collins and Warren Reed, *Plunging Point: Intelligence Failures, Cover-Ups and Consequences* (London: Fourth Estate, 2005). Desmond Ball and Hamish McDonald, eds., *Masters of Terror: Indonesia's Military and Violence in East Timor in 1999* (Canberra: Australian National University, 2002).

⁵¹⁰ Dunn, *East Timor: A Rough Passage to Independence*, Martinkus, *A Dirty Little War*, Taudevin, *East Timor Too Little Too Late*. In particular John Martinkus' work graphically details the period from 1997 to 2000 with detailed personal accounts of the violence, murder and torture that was commonplace in the territory during and after the ballot.

political nicety of “inviting” the UN forces into East Timor was a transparent attempt to conceal the considerable pressure applied by the international community and to save face for the government. On 14 September broad agreement was reached in the UNSC concerning the draft resolution (1264) authorising an international security force to restore law and order in East Timor.⁵¹² On 15 September the resolution was finally agreed for the deployment immediately of the international force (INTERFET) to East Timor under Chapter VII of the UN charter. The INTERFET peace-enforcement force led by Major General Peter Cosgrove of the Australian Army with the Thai deputy Major General Songkitti Jaggabarta was mandated to “restore peace and security in East Timor, protect and support UNAMET in the carrying out of its tasks, and within force capabilities to facilitate humanitarian assistance operations.”⁵¹³ Comprising an international force of some twenty-two nations INTERFET drew troops primarily from the Asia Pacific region, although European, Canadian, and Middle Eastern countries also contributed troops. The bulk of the force was composed of Australian military personnel, as was the majority of the logistics and supply chain that was mounted out of Darwin.

In a diplomatically and tactically astute move Maj Gen Cosgrove conducted a reconnaissance mission into Dili on 19 September, as much to establish relations and dialogue with the TNI commander Maj Gen Kiki Shahnakri, as to establish conditions on the ground. The attention Cosgrove paid to relations with TNI was to prove shrewdly calculated in forestalling a hostile and opposed landing of INTERFET troops the next day. With Shahnakri ‘on side’ Cosgrove and INTERFET set about establishing their presence in Dili and patrolling the city. Within twenty-four hours INTERFET had deployed about 2300 troops and secured the city and its vital infrastructure. Vehicle checkpoints, security, reconnaissance missions, and militia disarming operations were the first tasks of the forces in Dili, and although engagement with the militia was hostile and aggressive it fell short of violence, in large part due to the professional restraint and expertise of the INTERFET troops. For some commentators, and the East Timorese still suffering violence elsewhere on the island, the INTERFET forces were moving too slowly in confronting the militia and establishing control over the entire province. However, in a deliberately cautious yet resolute approach, Cosgrove

⁵¹¹ DFAT, "East Timor in Transition 1998 - 2000: An Australian Policy Challenge," p. 128.

⁵¹² Lloyd, "United Nations and the International Community," p. 101.

⁵¹³ DFAT, "East Timor in Transition 1998 - 2000: An Australian Policy Challenge," p. 138.

gradually sent his forces deeper into East Timor conscious that the situation was still volatile and that his forces were there to provide lasting security. As Dickens notes:

Deterrence underpinned the INTERFET implementation of its mission. INTERFET's ground forces, supported by maritime and air power, sought to dislocate the 15,000 strong TNI and militia presence even though the UN force numbered only about 5,000 personnel. The shock generated by this force, professional and well equipped and deployed with speed, made it appear larger than it was when deployed. The concentration and determination of the force was designed to make plain to the TNI that it would be futile to resist INTERFET directly, and that it would be pointless to seek to negotiate the 19 September agreement. By encouraging a fast TNI withdrawal the militia's main source of direct support would be sapped and (their) will to continue the campaign of destruction broken.⁵¹⁴

Despite the rapid improvement in security though October, militia continued to create mayhem in the western regions and close to the border where INTERFET control was not yet complete. By 22 October, the day of Xanana Gusmao's return to East Timor, INTERFET forces had extended their control to include the Oecussi enclave, thus establishing effective presence throughout its entire mandated territory.⁵¹⁵ Throughout the period of the intervention, INTERFET had been conducting humanitarian relief operations in accordance with their mandate. These included air - drops of food and emergency supplies, shipping of basic supplies to the territory, provision of health services, assisting non-government aid organizations and providing security and protection to warehouses and relief convoys.

On 25 January 2000 the transition from INTERFET to the UN transitional administration in East Timor (UNTAET) commenced. With a phased transition from INTERFET to UNTAET, which saw responsibility and authority gradually shifted to UNTAET as its capabilities grew to full strength, UNTAET formally took over peacekeeping in East Timor on 23 February 2000. INTERFET was a resounding success, both for the Australian Defence Force, the Government, and for the UN. As probably the largest and most successful UN sanctioned peacekeeping operation to that point in time, INTERFET, stood as a landmark of successful multinational security force cooperation in the cause of peace and humanitarian relief.⁵¹⁶ As an Australian led military coalition it was a milestone in Australian

⁵¹⁴ David Dickens, "The United Nations in East Timor: Intervention at the Military Operational Level," *Contemporary Southeast Asia: A Journal of International and Strategic Affairs* 23, no. 2 (2001): p. 5.

⁵¹⁵ DFAT, "East Timor in Transition 1998 - 2000: An Australian Policy Challenge," p. 145.

⁵¹⁶ Dickens, "The United Nations in East Timor: Intervention at the Military Operational Level," p. 9.

regional security relations and a relatively successful conclusion to a particularly delicate diplomatic situation for Australia's regional presence.

The Decision

The decision to commit troops and lead the international force into East Timor above all represents a major shift in Australian foreign policy towards East Timor and Indonesia. For almost 50 years, since Indonesian independence in 1949, Australia has consistently accorded special status to its relationship with Indonesia, for much of that time overlooking the appalling human rights record of successive Indonesian regimes and lending all support possible to the government in Jakarta. In 1999 although that special relationship was still seen as of great importance to Australia, the government acted in a manner which no longer condoned Indonesian military abuses of human rights in East Timor, knowing full well that the possible repercussions would include strained relations with Jakarta. The fact that it chose in this particular circumstance, regardless of these possible consequences to act as it did, not only heralded a major shift in Australian foreign policy but also to a degree acknowledged the importance now placed on upholding international norms of human rights obligations – in the post Cold War circumstance.⁵¹⁷

Prior to 1999, Australia's policy in regard to East Timor was largely set by the precedents of the Whitlam government actions in the lead up to the 1975 Indonesian invasion. As already noted, Australia's appeasement and accommodation of Indonesian annexation of East Timor stemmed primarily from its overriding concern not to jeopardise its relationship with Indonesia or the US. This concern continued to hold primacy during the twenty-three years of Indonesian occupation and although various governments expressed differing degrees of concern and unease at the situation in East Timor, none felt the weight of their convictions sufficient to overturn foreign policy on the matter. Choosing rather the more accommodating course of accepting, as a *fait accompli*, Indonesia's incorporation of the territory, the Fraser, Hawke, Keating, and initially Howard governments abided within the framework of relations with Indonesia established by Whitlam in the mid 1970s. The DFAT

⁵¹⁷ It is acknowledged that this major shift in Australian policy although significant is also significantly qualified. Although Australia no longer condoned abuses in East Timor it continued to turn a blind eye to Indonesian behaviour in Aceh and Papua. East Timor was perhaps something of an exception to the rule of Australian foreign policy as a consequence of the range of issues discussed later. Nonetheless the normative content of this decision is significant in the East Timor case and supports the argument here that a complex and dynamic relationship exists between the material and ideational domains of state behaviour.

account suggests that Australian policy remained unchanged largely because the matter was 'properly within the purview of the Security Council', and as they had essentially been silent on the matter since 1976 then it was not Australia's place to reopen the issue.⁵¹⁸ Given Australia's opposition to UN condemnation of the Indonesian occupation, and its subsequent *de facto* then *de jure* recognition of Indonesia's annexation, such 'scape-goating' is disingenuous and reflects the level of embarrassment and shame that the unprincipled inaction of successive governments has accrued.⁵¹⁹

Nonetheless with the fall of Suharto from power the Howard government recognised and seized the opportunity to reorder its foreign policy on the matter with the view to making a fresh start with Habibie. There is a sense of relief in the DFAT account of Habibie's new approach and a sense that the government was keen to make the most of the opportunity afforded with Suharto's passing, an opportunity not only to right past wrongs, but also to establish Australia's regional presence and its humanitarian credentials. Just three days after Habibie took office, Downer was expressing the opinion that the change of leadership provided an opportunity for progress on East Timor, and seizing on Habibie's announcement that he was ready to consider 'special' autonomy for the territory some three weeks later, the government moved quickly to engage Indonesia in dialogue on the matter.⁵²⁰ Downer visited Jakarta over the period 8 – 10 January 1999 and held substantive discussions with Habibie, Wiranto, and Alatas on East Timor with the view to encouraging the special autonomy proposal.

DFAT also engaged in consultation with East Timorese representatives, but it appeared that Australia initially was not prepared to go beyond supporting Indonesia's offer of autonomy, leaving the question of independence off the agenda of official discussions. Downer presented the report resulting from these consultations with the East Timorese to Alatas who predictably dismissed it as unbalanced and of no consequence. He also rejected the inference that autonomy may not be the final solution to the matter and plainly displayed his dismissiveness of Australia's role in mediation toward settlement. If Indonesia was going to change its policy on East Timor, it certainly was not going to allow Australia any credit for

⁵¹⁸ DFAT, "East Timor in Transition 1998 - 2000: An Australian Policy Challenge."

⁵¹⁹ In particular Downer's ridiculous claim that Australia's longstanding interest had been the welfare of the Timorese in his 2000 AJIA article. Alexander Downer, "East Timor - Looking Back on 1999," *Australian Journal of International Affairs* 54, no. 1 (2000). P.2.

⁵²⁰ DFAT, "East Timor in Transition 1998 - 2000: An Australian Policy Challenge," p. 25.

facilitating such.⁵²¹ Indeed Australia's evident reversal of its policy on East Timor was received in Jakarta as an insulting betrayal of its rights over its 27th province. At this point Australia sought to increase the UN involvement in the process and discussions between ambassador McCarthy and the Secretary General's personal representative, Jamsheed Marker, led to Australia sharing its consultation report with the UN and the development of a close relationship between the two over East Timor.⁵²² No doubt the UN was looking for a friendly regional neighbour to become engaged in the evolving East Timor autonomy process, and Australia was the obvious choice.

Prior to Downer's discussions with Habibie in January, the Australian government had signalled its policy changes, and its support for a process that might ultimately lead to a plebiscite on East Timor's future. In accordance with that policy shift, Howard's letter to Habibie in December was a clear statement to Indonesia that Australia had modified its policy and was willing to become involved in mediation. With growing public awareness of the events in Indonesia, which led to Suharto's demise, and increased media coverage of conditions in East Timor, the ground swell of support for East Timorese self-determination in Australia underwent massive growth. More aware than ever before of Australia's complicit role in East Timor's history, and sensing the opportunity for reform in Indonesia, Australian public interest in, and support for East Timor grew irresistible for the Australian Government through 1998 –99. The Australian government however, had not yet publicly declared its policy shift – fearing, according to DFAT, undue pressure would be brought to bear on Indonesia at a delicate time which may then risk Indonesia dismissing Australia's interest in the issue as a domestic political stunt, directed at the East Timor lobby in Australia.⁵²³ Most probably the government was hoping to mitigate damage to the Indonesian relationship by stalling any public announcement in the hope that quiet diplomacy might move the Indonesians along the path of settlement. Eventually however, the government, learning that a copy of Howard's letter was in the hands of Jakarta based journalists, and probably about to be released, publicly announced what it claimed was: “a historic policy shift [in which] the long term prospects for reconciliation in East Timor would be best served by the holding of

⁵²¹ Ibid., p. 32.

⁵²² Ibid., p. 28.

⁵²³ Ibid.

an act of self-determination at some future time, following a substantial period of autonomy”.⁵²⁴

Following Habibie’s declaration in January that a plebiscite would decide East Timor’s future, the Australian government formulated a new response to Indonesia’s initiatives, recognising that the outcome of the plebiscite might lead to a crisis in East Timor that might threaten Australian national interests and regional security.⁵²⁵ This response according to the DFAT report was based upon five key actions by Australia:

1. Stepped up engagement with the parties principal to the matter,
2. Efforts to promote intra East Timorese dialogue,
3. Diplomatic activity aimed at forming a common international approach,
4. Increased humanitarian and development assistance to East Timor, and
5. Pressing Indonesia to allow Australia to open a consulate in Dili.⁵²⁶

In addition it was recognised that should the situation in East Timor turn to crisis, Australia would be expected, by both the international community and the Australian public, to take an active role to minimise the consequences.

In the coming months, Australia continued to press its policy objectives with the international community while simultaneously undertaking defence contingency planning for a range of possible scenarios. With the increasing militia violence, the steady flow of evidence implicating TNI in all of the violence and mayhem, and the inability and unwillingness of TNI or the Indonesian government to improve the security situation in East Timor, the government again increased its efforts to bring pressure on the Indonesian government both directly and through influential friendly states such as the US. With the signing of the May 5th agreement and Indonesia’s continued intransigence regarding the security situation and the question of peacekeepers, Australia renewed its efforts to forge a coalition of willing states to support UNAMET and any possible emergency action. As the consultation process of voter registration and ballot preparations proceeded amidst increasing violence and intimidation, the Australian Defence Force was gradually raised in readiness status as it became obvious that the inevitable ballot result would lead to widespread violence. When UNAMET was forced to evacuate Dili following the post-ballot violence,

⁵²⁴ Ibid.

⁵²⁵ Ibid.

Australian forces were well prepared for such contingency and RAAF aircraft evacuated some 539 people out of Dili on 6-7 September. Despite Indonesia's refusal to countenance an international peacekeeping force, planning for such event was being vigorously pursued by Australia and willing partners on the basis of clear evidence of TNI complicity.

While the existing Security Council resolutions on East Timor contained provisions for a security deployment in East Timor for the period prior to the act of self-determination, such a deployment could not be organised, funded and dispatched by the UN in anything like a timely fashion. In fact a UN force would clearly have taken months to assemble and deploy – a timeframe that was out of the question for the rapidly deteriorating situation in East Timor. The only possible force that could be deployed in a timely fashion was one comprised of existing military forces in coalition under a lead nation. In consultation with the UN Secretariat, Australia agreed to lead such a force provided:

1. It was mandated by the Security Council,
2. It was short term until a proper UN force could arrive,
3. It would have a strong regional composition, and
4. It was agreed to by the Indonesians.⁵²⁷

On 6 September the Secretary General phoned Prime Minister Howard and asked if Australia would indeed lead such a force under the described conditions. Howard agreed and advised Annan that the force could commence deployment with 24 – 48 hours notice.⁵²⁸ For the next ten days Howard worked to forge a multinational composition calling on the US, Portugal, Thailand, New Zealand, and Singapore to garner support and commitment of troops. Meanwhile frantic diplomatic activity saw support realised for appropriate UN Security Council authorisation of the force. This authorisation was agreed on 15 September following Habibie's eventual capitulation to the presence of international peacekeepers in the face of sustained and intense international pressure. Of significance as Maley notes, Habibie's reluctant decision on 12 September came immediately after the postponement to

⁵²⁶ Ibid., p. 44.

⁵²⁷ Trade, *East Timor in Transition 1998 - 2000*. It is telling to note the extent to which the Australian government went to play it safe with Indonesia and to seek international legitimisation of its actions.

⁵²⁸ Ibid., p. 133.

Indonesia of an IMF delegation. Apparently the threat of discontinued IMF support to Indonesia's desperate economy proved decisive in their back down.⁵²⁹

Five days after the Security Council authorisation the main body of the INTERFET forces began landing near Dili. The decision to send an Australian led force to intervene in the situation in East Timor may reasonably be seen as possible only after the longstanding policy of successive Australian governments regarding East Timor was substantially revised. The decision not only represented a bold initiative in regional security for Australia but a sharp break in continuity of regional foreign policy.

Although Cotton notes that the Howard government's decision to intervene may have been influenced by the domestic dimension of the Labor opposition's adoption of a policy of promoting East Timorese self-determination, a more significant influence undoubtedly was the enormous tide of public sentiment in support of the East Timorese. No longer simply a pro-Timorese lobby, public outrage over conditions in East Timor, and Australia's complicity in that situation, represented a substantial force in shaping Australian foreign policy in this instance. As Mary Robinson, chairperson of UNCHR, described in October 1999:

The awful abuses committed in East Timor have shocked the world. It is hard to conceive of a more blatant assault on the rights of hundreds of thousands of innocent civilians... Action when it came, was painfully slow, thousands paid with their lives for the world's slow response... It was the tide of public anger that stirred world leaders to intervene.⁵³⁰

Although the opposition had attempted to gain the moral high-ground on the East Timor issue, with the adoption of its pro-Timorese policy and Laurie Brereton's (opposition Foreign Affairs spokesman) criticism of the Whitlam government's policy, the association of Labor governments with the complicity in the Indonesian invasion meant that it was not a subject that they could trumpet too loudly for fear of public backlash – so the Liberal Howard government could claim the policy shift essentially as its own without too much opposition.

In addition to the domestic public sentiment, the government was acutely sensitive to the international pressure for it to act. As Downer tellingly noted:

⁵²⁹ James Cotton and J Ravenhill, eds., *The National Interest in a Global Era: Australia in World Affairs 1996-2000* (Melbourne: Oxford University Press, 2001), p. 8, Maley, "Australia and the East Timor Crisis: Some Critical Comments," p. 158.

⁵³⁰ Quoted in Hainsworth and McCloskey, eds., *The East Timor Question: The Struggle for Independence*, p. 207.

Nobody- and certainly not Australia – could have remained indifferent for the need for action to be taken. Against the backdrop of Indonesia’s loss of control of the situation on the ground, Australia assumed responsibility for mobilising an international response to the crisis, helping to secure Jakarta’s agreement to the insertion of a multinational force into East Timor, and in due course, leading a multinational force into the territory.⁵³¹

The Australian Government understood that in the post-Cold War climate in which humanitarian intervention was becoming the accepted international norm in cases of egregious abuses of human rights, it was morally expected to act. The historic accommodation of the Suharto regime was now not only anachronistic but was superseded by the evolving international norms guiding the use of military force in interventions against abusive regimes. Australia’s decision to act therefore within the framework of a multinational force was enabled by this shift in international norms, as much as by overwhelming domestic public support.

Maley offers three other factors influential in Australia’s decision to intervene. Firstly he notes the “entirely meritorious” objective of enabling the East Timorese self-determination.⁵³² This genuine act of self-determination was an internationally accepted right that in the past had been steadfastly ignored by governments around the world as a consequence of the “overriding concern” to accommodate strategically vital Indonesian interests. Hand in hand with developments in humanitarian interventions, the right to self-determination had, in the absence of the Cold War “imperatives”, come to enjoy newfound international support. Australia’s subsequent support of it, in conjunction with its humanitarian concerns, was a driving factor in its decision to become involved.

Secondly, Maley points to Australia’s hopes to “strengthen the relationship with Indonesia by removing a running sore.”⁵³³ As a key policy objective, set out in Downer’s Asia society speech, Maley argues that this objective at least in the short term was to prove disastrous for the relationship as the violence and bloodshed that ensued in East Timor, far from easing the ‘running sore’, poisoned relations even further, and could have been avoided if peacekeeping forces were in place before the election. Maley argues that the key problem to Australia’s approach was that it was “predicated on the ludicrous assumptions as to the good faith of the Indonesian military and the reluctance to confront the immanent logic of the

⁵³¹ Downer, "East Timor - Looking Back on 1999," p. 3.

⁵³² Maley, "Australia and the East Timor Crisis: Some Critical Comments," p. 152.

policy which Australia was pursuing, a logic that required a proper neutral security force to be in place before the consultation”.⁵³⁴

Finally, Maley suggests that Australia’s decision can also be seen in light of its desire to “enhance its reputation as being capable of significant foreign policy initiatives”.⁵³⁵ No doubt the Australian government saw as desirable its projection of an image of credible and capable power in the region, and to act in the morally responsible manner that it did, despite the strong regional (ASEAN) norms proscribing intervention, would ultimately enhance that image. Although such consideration must have weighed on the minds of the policy makers it would seem of small consequence in the immediate context of the manifest violence being perpetrated in East Timor at the time. Successive Australian governments had, since Hawke, struggled to find an acceptable balance of regional foreign policy that saw Australian engagement in Asia, while maintaining its Australian character. The decision to intervene in East Timor must be cast in light of this background struggle to find an ‘Australian way’ in Asia. To a degree the consequences of defying the most populous Asian neighbour reflect the Howard governments desire to distance itself from the Asian engagement policies of the Hawke/Keating governments which tended to “ignore the tragic record of ABRI activity in East Timor but did so for the greater good of maintaining harmonious relations with Australia’s major northern neighbour”⁵³⁶ and to make a firmer and independent policy statement.

All of these considerations influenced the Howard government’s decision to reverse its foreign policy on East Timor and Indonesia, and to intervene in East Timor. Together with the global and regional contextual elements discussed, they highlight the highly contingent nature of the decision to intervene and the range of unit and systemic factors that influenced this decision-making process.

⁵³³ Ibid.: p. 153.

⁵³⁴ Ibid.: pp. 155 - 158. Maley’s criticism of the Australian government’s decisions regarding the peacekeeping force although valid is simplistic in that it ignores the severe diplomatic consequences of the course of action he insists upon. The damage to the Australian /Indonesian relationship would have been substantial and perhaps irrevocable had Australia insisted on the peacekeeping forces, and such action may well have so damaged Habibie’s hold on power that the referendum may have been jeopardised.

⁵³⁵ Ibid.: p. 153.

⁵³⁶ Cotton, ed., *East Timor and Australia*, p. 12.

The Reaction

As a successful Australian led multinational force of some twenty-two countries, the INTERFET intervention enjoyed widespread international support and acclaim. The UN, of course, was effusive in its praise and the participating countries basked in the approbation they received for a delicate job well done. Regionally however, Australia's lead in the intervention received mixed reactions, even from amongst those nations militarily involved in INTERFET. In part, reactions to Australia's peculiar Westernness, and part reaction stemming from the ASEAN non-interference conventions, the ASEAN states displayed critical responses to the events in East Timor in September 1999. As Dupont notes, 2000:

with the notable exception of Malaysia, ASEAN governments have had little to say publicly about one of the most serious threats to regional security since ASEAN's inception in 1967. Far from exhibiting a lack of interest, however, Indonesia's Asian neighbours are vitally concerned about the wider political and strategic implications of East Timor's violent separation from Indonesia.⁵³⁷

The absence of public comment, as Dupont explains, reflects the traditional ASEAN 'virtue' of non-interference in the internal affairs of other member states. Sometimes dubbed the 'Asian way', this non-interference norm has traditionally seen a virtual proscription of criticism by member states of any issue that can even remotely be construed as a domestic or internal state matter. Such was the attitude towards Indonesia's annexation and occupation of East Timor for twenty-three years. As the largest and most populous state in the association, and because of its past history, particularly the *Konfrontasi*, ASEAN member states were particularly careful not to openly criticise Jakarta's actions in East Timor. ASEAN's collective judgement, Dupont suggests, has always been that East Timorese self-determination must come second to maintaining good relations with Indonesia.⁵³⁸ The Australian moves in 1998-1999 to revise its foreign policy and support East Timorese self-determination, therefore, were seen not only as contravening the conventions of non-interference, but also dangerously reckless in their possible consequences for the delicate Indonesian domestic political situation, as well as possibly exacerbating political instability elsewhere in the archipelago. The possible 'Balkanisation' of Indonesia was seen as a very real threat to regional security, economic performance, and to the association itself.

⁵³⁷ Alan Dupont, "Asean's Response to the East Timor Crisis," *Australian Journal of International Affairs* 54, no. 2 (2000): p. 164.

⁵³⁸ Ibid.

Australia's pursuit of the 'emotional' human rights and self-determination issues, therefore, were seen as irresponsible in placing these values above the *real politik* concerns for security and national interest.⁵³⁹

Similarly, the ASEAN states were suspicious of Australia's efforts to internationalise the conflict, and critical of the UN's decision to authorise INTERFET under Chapter VII provisions. The Chapter VII provisions, which are the most forceful of UN charter powers, gave INTERFET a wide range of powers including the use of force. This played on the ASEAN fears that Western powers would possibly use the East Timor example as a precedent to interfere in the internal affairs of other South East Asian states using the norm of humanitarian intervention as justification.⁵⁴⁰ The international 'norms' of humanitarian intervention that Australia was keen to embrace apparently were not as universally accepted as the UN and the US may have believed, and there was a fair degree of suspicion amongst ASEAN states that it was really a Western phenomenon for ulterior motives. Yet despite these suspicions and reservations the ASEAN states were not unsympathetic towards the East Timorese and were apparently relieved when Australia stepped forward to assume leadership within a broad coalition, and willingly supported INTERFET with some 2500 troops, and a Thai deputy commander. Of some particular comfort to ASEAN was the successful result of the intervention and the fact that, consistent with their philosophy, regional powers had played the major role in restoring peace in what they saw as a regional issue. By limiting the influence of large external powers ASEAN believed its position and credibility were strengthened and the viability of the association bolstered, both favourable outcomes in this instance.

Apart from the collective ASEAN criticism of Australian actions, the individual member states also reacted critically especially through their press. The Indonesian reaction quite predictably was hostile and portrayed Australia as deeply antagonistic toward its northern Asian neighbours. There was even some opinion expressed that Australia was motivated by religious sentiment against the Muslim state, and fears expressed that Australia was working to see the dismemberment of the Republic.⁵⁴¹

⁵³⁹ Ibid.

⁵⁴⁰ Ibid.: p. 164.

⁵⁴¹ Anthony Milner, "What Is Left of Engagement with Asia?," *Australian Journal of International Affairs* 54, no. 2 (2000): p. 179.

The Malaysian reaction, given the at times testy relationship between Australia and Dr Mahathir, was also predictably hostile. Mahathir suggested that Australia displayed great arrogance and was working to break up Indonesia. Never comfortable with Australia's regional engagement policies, Mahathir at once condemned Australia for trying too assertively to engage in Asia while simultaneously criticising it for standing apart from its Asian neighbours. No doubt stung by Howard's statement that Australia would place less emphasis on its 'special relationships' in the future, Malaysia reacted critically to Australian influence in the event.⁵⁴²

Thailand, Korea, Singapore, and Japan also to various degrees expressed concern over Australia's motives, style, and assertiveness in the intervention, again suggesting that Australia's assertive style in forcing resolution to the dispute was at odds with Asian values, highlighting the peculiarity of Australia's 'Westernness' in a sea of Asian culture.⁵⁴³ Despite the considerable success of the intervention and the multinational coalition building that took place in order to forge and employ INTERFET there were lingering suspicions and criticisms of Australia's actions in the region. In part this reflected genuine differences in approaching foreign policy matters between Australia and other regional states, and in part it reflected the tension between the pursuit of humanitarian rights and concerns and the 'sacred' sovereignty of state and the norms of non-intervention, as well as a range of other possible domestic considerations.

Justification

Without a doubt the Australian led intervention is one case of small state intervention in which a clearly articulated justification was offered. Unlike the other case studies in which awkward and disjointed justifications were proffered for the states' actions, in the face of international criticism, in the East Timor case the justification was clearly announced as the expression of the new international norm of humanitarian intervention fully supported by the bulk of the international community. As Foreign Minister Downer writes in his 2000 AJIA article:

A commitment to a peaceful and enduring resolution of the East Timor problem has been the primary objective underlying Australia's policy approach to the East Timor question. Giving the East Timorese people the right to decide their future destiny was

⁵⁴² Ibid.: p. 180.

⁵⁴³ Ibid.: pp. 179 - 180.

an important objective, but an equally important goal was resolving conclusively an issue that for decades had been a major regional concern, particularly in the context of Australia's relationship with Indonesia. Australian support for the UN in its efforts to bring about a genuine act of self-determination for the people of East Timor needs to be understood from this perspective. The considerations that drove Australia to respond as it did to the post-election violence were essentially humanitarian – namely, the pressing need, in the face of Indonesia's incapacity to do so, to bring a halt to the wanton destruction and suffering that engulfed East Timor in September, and to re-establish security in the territory. Australia's agreement to assume leadership of INTERFET reflected the underlying reality at the time – that Australia was ready, able and willing to accept the UN's invitation to lead a multinational UN sanctioned force. At the end of the day, it was the only right and credible course of action open to Australia.⁵⁴⁴

Australia intervened, according to Downer, on humanitarian grounds not out of a sense of national interest but out of moral necessity and rectitude. What is most interesting in this justification are those bases on which Australia judges its action to be legitimate, necessary, and proper, and those bases which it does not invoke. In particular it is telling to note that humanitarian intervention is judged to be a legitimate and proper expression of an international norm – *a priori* superior to state sovereignty, although in this case the matter of state sovereignty is of course confused given that Indonesia did not enjoy widespread *de facto* or *de jure* recognition of its incorporation of East Timor. Yet for Australia, which had given *de facto* and *de jure* recognition of Indonesia's sovereignty over East Timor, the decision to intervene on humanitarian grounds evidences Australia's re-prioritisation of the norm of humanitarian need above state sovereignty, whilst simultaneously attempting to back away from its previous recognition of Indonesia's position, thus removing the question of sovereignty from the equation. It is also interesting to note that the government should cite moral necessity as superior to national interest – assuming national interest would have been at odds with intervention. Although in all probability Australia's security interests were indeed best served by intervening to stop the bloodshed at this late stage of the conflict, they had apparently for the past quarter of a century been best served by not interfering and allowing Indonesia to crush East Timorese resistance. It is interesting to speculate as to what had so radically changed in the region to cause this re-evaluation of Australia's security interests.

⁵⁴⁴ Downer, "East Timor - Looking Back on 1999," p. 3.

For Australia to claim moral imperative is again telling in that it firstly admits a moral dimension to state interests or at least state action, and it accords that moral dimension 'superior' status. Although Downer's statement does not distinguish what necessity Australia was morally obliged to fulfil, either to enable a genuine act of self-determination or to stop the destruction and suffering, it would appear that it was the case that this was a domestic and international expectation that Australia would act to stop the violence and bloodshed as a priority.

It is interesting, but not surprising, that Downer falls short of any actual criticism of Indonesia, citing its 'incapacity' rather than its unwillingness to stop the destruction and suffering in East Timor. Given that Australian intelligence had known for nearly twenty-five years what was occurring in East Timor,⁵⁴⁵ and that in fact in the lead up to the ballot the Australian Vice Chief of Defence, Air Vice-Marshal Doug Riding,⁵⁴⁶ had been dispatched to Jakarta to inform the Indonesian government and TNI that Australia knew exactly what was happening and how high the military leadership was directly implicated, suggests that although Australia was willing to intervene militarily into East Timor on the public justification that Indonesia was powerless to act, it was not prepared to expose the true nature of Indonesian guilt or the full extent of its knowledge of events in East Timor. Apparently the moral imperative extended only to save the lives of the East Timorese, but not to the extent to being honest publicly about their plight. Although humanitarian intervention was the 'accepted' international norm, the *real politik* considerations of state interests however, still dictated that such intervention must be conducted under the cloak of multinational diplomacy. For Australia to claim humanitarian grounds for its actions to intervene involved a delicate balance of not disclosing that it knew what had been occurring in East Timor all the along, whilst appearing outraged over the horrors of militia violence. There were some considerable risks to this strategy, yet it appeared more palatable and acceptable both domestically and internationally to the option of confronting Indonesia directly over its illegal annexation.

⁵⁴⁵ Coral Bell, "East Timor, Canberra and Washington: A Case Study in Crisis Management," *Australian Journal of International Affairs* 54, no. 2 (2000): p. 171.

⁵⁴⁶ DFAT, "East Timor in Transition 1998 - 2000: An Australian Policy Challenge," p. 99.

Conclusion

Within days of being formally invited to lead a multinational force into East Timor to restore peace and security, the Australian led INTERFET forces were landing ashore at Dili. Within weeks the TNI had withdrawn from the territory and INTERFET control over the full extent of East Timor was secure. The militia were disarmed, with many fleeing to West Timor or Java, and East Timorese refugees who had been herded across the border to West Timor were beginning to be repatriated. The swift and relatively bloodless success of this UN sponsored force was quickly acclaimed throughout the international community with the pro-humanitarian intervention lobby taking considerable support from the success of this episode.

Within the international community the East Timor intervention represented a major victory for those who advocated the need for a normative shift in favour of humanitarian action over the sovereignty claims of individual states, and signalled the further legitimisation of multinational action. In terms of the realist explanation of balance of power politics, this episode seems particularly at odds with the rationale of power calculation and the need for states to hedge against the hegemonic pretensions of any one state. Although the history of relations between Australia, Indonesia, and East Timor appear to reflect accurately the 'demands' of *real politik* and the limitations of the politically and diplomatically possible within the constraints of power relations, the shift toward an ostensibly principled stance on East Timor reflects the operation of a different 'logic', one that is fundamentally premised in a set of shared ideas, values, and beliefs.

At the regional and unit level of analysis it is clear that events within the realm of domestic politics and public opinion shaped the circumstances and influenced the behaviour of the states involved, precipitating the systemic level changes that eventuated. The change in domestic political circumstances in Indonesia, with President Habibie stepping into the void left by Suharto's departure, provided the opportunity for a chain of events to occur whereby Australia reformulated its foreign policy stance, and overwhelming momentum grew within East Timor, the Australian public, and the international community. With these changing circumstances domestic and international public opinion galvanised in response to increased awareness and reporting of the situation in East Timor. Ultimately the principled yet qualified response by the Australian Government, the moral outrage of the international community, and the tide of public opinion, precipitated the multinational intervention. Clearly the power of ideas and values at both the domestic and international level underpinned the actions of

Australia and the INTERFET forces in prosecuting this intervention, despite the brute material context. Clear also is the fact that an analysis of this intervention that ignores the role of domestic and unit level influences in shaping this outcome would be woefully inadequate. As the final case study in this research project the Australian led intervention into East Timor highlights, not only the insufficiency of the contemporary realist account, with its exclusively material conception of power relations and causal dynamics, but the need for a new and critical synthesis between the ideational and material accounts of international relations.