STATE-LED PEACE-BUILDING IN ACEH, INDONESIA: FROM TRANSITION TO NORMALISATION (2005-2018)

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A thesis submitted in partial fulfillment of the requirements

for the Degree of Doctor of Philosophy in Political Science

in the University of Canterbury

by

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University of Canterbury

2019

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Abstract

Studies of post-conflict peacebuilding have flourished in recent decades. Most, however, focus on cases of externally led peacebuilding in fragile states with weak state institutions and inadequate national funding. By making a case study of peacebuilding in Aceh, Indonesia, this thesis contributes to the literature by examining state-led peacebuilding in a regional power with working bureaucracy and an ample national budget to finance peacebuilding programmes. Given that the peace in Aceh has lasted 13 years without major violence or breaches of the agreement, this thesis also investigates peacebuilding in the normalisation phase. This study is conducted through two phases of field research in three areas in Aceh, supported by extensive secondary data collection.

Five hypotheses are presented in this thesis. The first is that a peace agreement which addresses grievances will contribute to the durable peacebuilding process in middle-income countries with relatively strong governments, like Indonesia. Second, to secure sustainable post-conflict peacebuilding, a peace agreement should be enacted in national and local law. Third, participation aspects of peacebuilding will contribute to unification, recognition of identity, and legitimacy to address the underlying grievance. Fourth, institution-building will increase legitimacy, secure resources, and stabilise the conditions for lasting peace. Finally, in a country where the bureaucracy, state institutions and national identity have been relatively strong and settled, like Indonesia, state-led peacebuilding that combines participation and institution-building contributes to a durable post-conflict peacebuilding process.

The peace-building process in Aceh is firstly analysed by employing the concept of multiple grievances in politics, in the economy, around identity, and in human rights-justice, as the underlying factors of conflict. It is then followed by the analysis of various peace agreements and their subsequent regulations at the national and local levels in Aceh to test the proposed hypothesis that a peace agreement which addresses grievances and is enacted in national and local law will contribute to the durable peacebuilding process in a strong middle-income country like Indonesia. This thesis found that MoU Helsinki has addressed the grievances sufficiently and that the MoU has also been translated well into subsequent regulations at the national and local levels to maintain peace in Aceh. However, this thesis also reveals that grievance-alleviation through regulation in the subject of human rights and justice is halted at the national level but emerging at the local level through the promulgation of local law on the Aceh Truth and Reconciliation Commission.

Rather than applying specific peacebuilding approaches such as liberal, illiberal, or hybrid peace, this thesis observes the implementation of the peacebuilding process in Aceh through the methods of participation and institution-building. This thesis discovered that the combination of participation and institution-building had contributed significantly to the durability of peacebuilding. It occurs because the institution-building that is manifested through the establishment of reconstruction and reintegration agencies as well as customary and religious institutions helped to secure resources and strengthened the legitimacy of former combatants and religious group in Aceh. Meanwhile, participation in some aspects of peacebuilding, especially in electoral politics, has successfully alleviated grievances of political centrality during the conflict period.

Another important finding is when approaching the normalisation process, there is an indication of a stronger link between Aceh local government, dominated by ex-insurgents and the central government, to achieve political goals at both provincial and national levels. A patron-client network within he circle of a former insurgent group in the transition phase is sustained during the normalisation era through the utilisation of a special autonomy fund as a peace dividend. Regarding participation, this thesis further demonstrates the achievement of some bottom-up participation from the community and civil society in establishing the Aceh Truth and Reconciliation Commission in the normalisation phase.

This thesis illuminates the trend of elite-based peacebuilding in post-conflict Aceh. Sustainable peace must be carefully managed to avoid the domination of a powerful group in Aceh. The prolonged supremacy of one group over another will potentially repeat the grievances that triggered the conflict in Aceh many years ago. In addition to durability, peacebuilding in Aceh must also be based on inclusivity.

To the victims of the terrorist attacks in Christchurch, March 15, 2019.

To all the people in New Zealand and around the globe

Who restores our faith in love and humanity.

Waiho i te toipoto, kaua i te toiroa – let us keep close together, not far apart.

Acknowledgements

Alhamdulillah, Praise be to Allah the Almighty.

My heartfelt appreciation is dedicated to my supervisors: Dr James Ockey and Dr Jeremy Moses. Jim, thank you for your patience and trust in me. I enjoy every single discussion, and your insightful feedback during supervision that often leaves me with an "I did not see it coming" feeling. Thank you for being more than just a thesis advisor, but also a role model of a humble intellectual and wise educator. Jeremy, thank you for the discussion and enlightening opinions.

I also would like to convey my sincere gratitude to all people who support my research in Aceh and Jakarta. To all my respondents who answer my questions enthusiastically and engage me in appealing and lengthy discussion and to Rahmadi Oesman, my research assistant and Assay Farmin, my transcriptionist. Aceh is another place I call home.

Most of my PhD study (2011-2015) is supported by a NZAID scholarship. I am indebted to the NZ government to enable me to spend some years in the Land of the Long White Cloud to undertake this academic journey. A journey that is not only intellectually elevating but enriching my soul with a new perspective of life. It also bestowed me with the strength that I never knew I had.

To my big family in Indonesia, I am beyond grateful to have your constant prayer and support, especially for taking care of my son while I was away.

To my chocolate cookies, Amel and Era, thank you for providing me with a friendship safety net. Also thank you to my colleagues that I can also call family in the University of Indonesia, CERIC, FISIP, UI, and Binus University for making work feel so much fun.

To the PhD Pols gang: Suthida, Ning, Tor, Michael, Tian, and Kritta, thank you so much for the friendship, discussion and the shared laughs, tears, food and hope during our PhD journey. Glad that I can finally join all of you, guys.

To my Indonesian friends in Christchurch, terimakasih, thank you for your support and bringing the warm feeling of home during my stay in New Zealand.

I am sincerely thanking my proofreaders, Julian Vesty and Dr Anna Dickson for your suggestions for polishing my drafts and improving the readability of my thesis.

To Hakim, my dearest son, my brave best friend, my travel buddy and my political discussion partner, this is the rainbow bridge I promised you. Sorry for the long delay and thank you for your great company during our time in Christchurch.

This thesis is completed in Christchurch, the city where one of the most horrendous tragedies ever to devastate humankind took place. What I have been researching and writing resonates the message in the aftermath of the tragedy: Hate will never win. Love and peace do.

Table of Contents

List of Tables

List of Figures

List of Maps

List of Photos

List of Acronyms

AJAR – Asian Justice and Rights

ALA-ABAS – *Aceh Leuser Antara-Aceh Barat Selatan* (Aceh Leuser Antara- Southwest Aceh)

APBN – *Anggaran Pendapatan dan Belanja Negara* (Indonesia Government State Budget)

APBA – *Anggaran Pendapatan dan Belanja Aceh* (Aceh Provincial Government Budget)

ASNLF - Aceh-Sumatra National Liberation Front

AMM - Aceh Monitoring Mission

Bappeda - *Badan Perencanaan Pembangunan Daerah* (Regional Development Planning Agency)

Bappenas - *Badan Perencanaan Pembangunan Nasional* (National Development Planning Board)

BNPB - *Badan Nasional Penanggulangan Bencana* (Indonesia National Board of Disaster Management

BPS - *Badan Pusat Statistik* (Indonesia Statistical Bureau)

BRA - *Badan Reintegrasi Aceh* (Aceh Reintegration Agency)

BRR NAD-Nias   - *Badan Rehabilitasi dan Rekonstruksi untuk Nanggroe Aceh Darussalam dan Nias* (Rehabilitation and Reconstruction Agency for Aceh and Nias)

CMI- Crisis Management Initiatives

COHA - Cessation of Hostilities Agreement

COSA - Commission on Security Arrangements

CSO – Civil Society Organization

DAU – *Dana Alokasi Umum* (General Allocation Fund)

DBH SDA – *Dana Bagi Hasil Sumber Daya Alam* (Revenue Shares from Natural Resources)

DI/TII - Darul Islam / Tentara Islam Indonesia (Abode of Islam/Islamic Armed Forces of Indonesia)

DPD - *Dewan Perwakilan Daerah* (Regional Representative Council of Indonesia)

DPR RI - *Dewan Perwakilan Rakyat Republik Indonesia* (The House of Representatives of the Republic of Indonesia)

DPRA - *Dewan Perwakilan Rakyat Aceh* (Aceh's People Representative Council)

DPRK – *Dewan Perwakilan Rakyat Kabupaten/Kotamadya* (Regency/City Legislative Council)

GDP: Gross Domestic Product

Gerindra – *Gerakan Indonesia Raya* (Great Indonesia Movement)

Golkar – *Golongan Karya* (Functional Group)

HDC - Henry Dunant Center

HDI – Human Development Index

JKA – *Jaminan Kesehatan Aceh* (Aceh Health Insurance)

JKN – Jaminan Kesehatan Nasional (National Health Insurance)

KKR – *Komisi Kebenaran dan Rekonsiliasi* (Truth and Reconciliation Commission)

Komnas HAM – *Komisi Nasional Hak Asasi Manusia* (National Commission on Human Rights)

KontraS - **Komisi** Untuk Orang Hilang dan Korban Tindak Kekerasan (The Commission for "the **Disappeared**" and Victims of Violence)

KPA – *Komisi Peralihan Aceh* (The Aceh Transition Committee)

KPCD- *Kelompok Perempuan Cinta Damai* (Peace Loving Women's Group)

KPI Aceh – *Komisi Pemilihan Independen* Aceh (Aceh Independent Election Commission)

KPPS – *Kelompok Penyelenggara Pemungutan Suara* (the Polling and Counting Committee)

KPU – *Komisi Pemilihan Umum* (Indonesia General Election Commission)

LoGA - the Law on Governing Aceh

LKPP – *Lembaga Kebijakan Pengadaan Barang dan Jasa* (National Public Procurement Agency)

LPJK – *Lembaga Pengembangan Jasa Konstruksi* (Construction Services Development Institution)

MA – *Mahkamah Agung* (Indonesia Supreme Court)

MDF - Multi Donor Fund

MoU – Memorandum of Understanding

Musrenbang Otsus – *Musyawarah Perencanaan Pembangunan untuk Otonomi Khusus* (Community Consultation on Development Planning for Special Autonomy Fund)

NAD – Nanggoe Aceh Darussalam

Otsus – *Otonomi Khusus* (Special Autonomy)

PA – *Partai Aceh* (Aceh Party)

Panwaslih - Panitia Pengawas Pemilihan Aceh (Election Supervisory Body)

PANWASLU - *Panitia Pengawas Pemilihan Umum* (General Election Supervisory Committee)

PDI-P – *Partai Demokrasi Indonesia Perjuangan* (Indonesian Democratic Party)

Permesta – *Perjuangan Rakyat Semesta* (Universal People Struggle).

PERTAMINA – *Perusahaan Pertambangan Minyak dan Gas Bumi Negara* (Indonesia State-owned Petroleum and Natural Gas Company)

PNA – *Partai Nasional Aceh* (Aceh National Party)

PPP – *Partai Persatuan Pembangunan* (United Development Party)

PUSA- Persatuan Ulama Seluruh Aceh (All-Aceh Religious Scholar Association)

PRRI-Pemerintahan Revolusioner Republik Indonesia (The Revolutionary Government of the Republic of Indonesia)

Repelita- *Rencana Pembangunan Lima Tahun* (Five Year Development Planning)

RPJP - *Rencana Pembangunan Jangka Panjang* / Long Term Development Planning)

RPJM -*Rencana Pembangunan Jangka Menengah* / Mid- Term Development Planning)

RPUK – *Relawan Perempuan Untuk Kemanusiaan* (Women Volunteer for Humanity)

SAF- *Dana Otonomi Khusus* (Special Autonomy Fund)

SIRA – *Sentra Informasi Referendum Aceh* (Aceh Referendum Information Center)

SKPA - *Satuan Kerja Pelaksana Aceh*/Aceh Government Work Unit

SMUR - *Solidaritas Mahasiswa Untuk Rakyat* (Student's Solidarity for People)

TNI – *Tentara Nasional Indonesia* (Indonesia National Army)

TNA – *Tentara Nasional Aceh* (Aceh National Army)

WH – *Wilayatul Hisbah* (Sharia Police)

List of Acehnese and Indonesian Terms

Bupati: Regent

Dinas: Government, Local Offices

Gampong: Aceh's Village Administration

Keuchik: Head of Village

Imam: Religious Leader

Pesantren: Islamic Boarding School

Qanun: Arabic term for regional or local regulation (bylaw)

Qanun Jinayah: Islamic Criminal Law

Ulama: Religious Scholar

Uleebalang: Aristocrats who are given the power to supervise districts and district warlords

Teuku: Honorary title for members of uleebalang families

Walikota: Mayor

Chapter 1: Sub-national Conflict, State-led Peace-Building, and Durable Peace in Aceh, Indonesia

1.1 Introduction

Aceh, the westernmost province of Indonesia, is known for its long history of war, resistance, and rebellion. It experienced the longest battle against the Dutch colonial government of any region in Indonesia. Anthony Reid described the Acehnese struggle over Dutch occupation as "Southeast Asia's first successful guerilla strategy against modern European arms" (Reid, 2006b: 99). The war between the Dutch and Aceh was brought to an end by around 1903 when the Dutch conquered and assassinated the Acehnese Sultan, Muhammad Daud Syah (Smith, 2002). However, Aceh consistently fought against colonial power until Indonesia proclaimed its independence in 1945.

Following independence, Indonesia started the intricate process of building both a state and a nation. Indonesia as a nation state is not based on ethnic affinity or belief in common descent, and its boundary was not coterminous with any indigenous ethnic group or state (Aspinall, 2008a). The Dutch colonists united a diverse collection of societies into a single colony based on the territory of their imperial conquest and the treaties they signed with other European colonial powers (Aspinall, 2008a). Hence, it is not surprising that in the aftermath of colonisation the diverse societies of Indonesia strived hard to build national cohesion, particularly between the subjects of nation-building and state-building, including centre-periphery relations. While Aceh was a strong supporter of the establishment of the new republic, the first central-local tension occurred between Jakarta and Aceh over religion and the new provincial arrangement. The first disappointment was triggered by the exclusion of Islamic terms from the constitution of this newly established republic. The constitutional debates over the choice between religion and nationalism were concluded with the option promoted by the nationalist-secular group led by Sukarno, Indonesia's first president (Antoine-Braud,2005). The Acehnese leader and *ulama* (Islamic cleric) considered it to be a major setback because their nationalism was deeply ingrained with the ideals of an Islamic State (Bertrand, 2004).

A second decision from Jakarta caused further discontentment when Jakarta abolished the province of Aceh and incorporated it into the province of North Sumatra in 1950 (Sulaiman, 2006). This decision was considered to be an attempt to diminish Aceh's autonomy within Indonesia. The Acehnese felt that they were left behind and forgotten after Indonesia had achieved independence (Sjamsudin, 1985). The accumulated grievances led to the Darul Islam

rebellion, the first post-colonial insurgency in Aceh. This rebellion was diffused by the decision of the central government to make Aceh a separate province with attributes as a special region, and restored autonomy in the areas of religion, customary law and education. It met the demands of a section of the rebel movement, and the insurgency ended for a time.

The second rebellion in Aceh commenced amid increasing centralism of Suharto's New Order government. In December 1976, Tengku Muhammad Hasan di Tiro, otherwise known as Hasan Tiro, established the Aceh-Sumatra National Liberation Front (ASNLF) which was later renamed the Free Aceh Movement (Gerakan Aceh Merdeka/GAM). Hasan Tiro is the descendant of a prominent Acehnese family and the grandson of Teuku Cik Di Tiro, an Indonesian national hero during the struggle against Dutch colonialism (Schulze, 2004). Grievances over centre-periphery antagonism, economic-natural resource distribution, political participation and cultural acknowledgement fuelled the mobilisation organised by GAM.

The central government responded to this rebellion by launching a series of counterinsurgency operations that caused extensive casualties, widespread human rights violations and heightened the scale of the conflict. Many years later in 1998, Suharto fell from power. It was followed by dramatic changes in the overall Indonesian political landscape, including the way the government dealt with internal conflict. Under President Abdurrahman Wahid and Megawati Sukarnoputri, two efforts towards a peaceful resolution in Aceh were initiated under the facilitation of the Henry Dunant Center[1]. In May 2000, the Government of Indonesia and GAM agreed to sign a cease-fire agreement, the Humanitarian Pause, followed by a Cessation of Hostilities Agreement in December 2002. Neither agreement lasted very long, owing to unsatisfied demands between GAM and the Government of Indonesia regarding the issue of Aceh's independence.

Conflict in Aceh as a case study of this research is classified as subnational conflict. Subnational conflict is defined as "armed conflict over control of a subnational territory within a sovereign state, where an opposition movement uses violence to contest for greater self-rule for the local population" (Park, Colleta and Oppenheim, 2013). This type of conflict is not confined to poor and failing states. Middle-income countries such as Indonesia, Thailand and the Philippines, emerging giant economies such as India, and highly developed countries like

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[1]A new Geneva-based NGO with no organizational experience at conflict resolution at the time of its acceptance as the mediator between Government of Indonesia and GAM (Weiser, 2005:11)

the UK and Spain are also troubled by the unrest in parts of their territories (Barron, Arthur and Bartu, 2012).

Over the past 20 years, there have been 26 sub-national conflicts in South and Southeast Asia that are described by Park, Colleta and Oppenheim as "among the world's longest-running armed struggle[s] and has been the most common form of armed conflict in Asia since 1955" (Park,et al, 2013: 1). During 2004-2014, 60 per cent of the world's sub-national conflict occurred in Asia and took more than 100,000 lives in Asia alone (Barron, 2014) The average duration of sub-national conflicts is various regions in the world is depicted in Table 1.1 below:

Table 1-1 Average Duration of Sub-National Conflict 1946-2010

Region	Average Duration (Years)
Asia	33,3
Middle East	28,4
Africa	12,0
Europe	5,2
Global	16,8

 Source: Uppsala Data Centre as cited from Barron (2014)

Despite its partial and peripheral nature, the overall impact of sub-national conflict is substantial as it affects over 131 million people. At least 1.35 million people have been killed in such conflicts since 1946 (Park et al., 2013). In Aceh, the casualties of the conflict were immense: out of a population of four million Acehnese, 10,000 people were killed, compounded by arbitrary arrest and destruction of property (Antoine-Braud and Grevi, 2005).

1.2 Towards Peace Settlement and Peace-Building

In December 2004, Aceh was hit by a calamitous earthquake and tsunami which caused more fatalities. According to data from the Indonesia National Board of Disaster Management (Badan Nasional Penanggulangan Bencana, or BNPB), there were 165,792 people dead and missing, 2,830 wounded and 556,993 homeless (Indonesia National Board of Disaster Management, 2005). In the aftermath of the tsunami, a historic agreement between the Aceh Rebel Movement (Gerakan Aceh Merdeka or GAM) and the Government of the Republic of Indonesia (GoI) was signed in Helsinki, Finland on 15 August 2005. This peace agreement was mediated by Martti Ahtiisari, former president of Finland, under the auspice of the Crisis Management Initiative (CMI). Since the peace agreement was signed in 2005, peace in Aceh has been maintained. It demonstrates that peace in Aceh can be considered durable as there

have been no major outbreaks of violence or breaches of the agreement. The former combatants have secured seats in Parliament and the Executive branch of government. Economic indicators have gradually improved, and development projects are robust.

Peace in Aceh is a microcosm of the trajectory of global peacebuilding. Peace-building is the final phase of the Agenda for Peace which was proposed by United Nations Secretary-General, Boutros Boutros Ghali in 1992. The other three phases are preventive diplomacy, peace-making, and peacekeeping. Post-conflict peacebuilding is defined as "action to identify and support structures which would tend to strengthen and solidify peace in order to avoid a relapse into conflict "(Ghali, 1992). It is a crucial phase in preventing the recurrence of conflict. Collier (2003:83) reveals that a typical country reaching the end of a civil war faces a 44 per cent risk of returning to conflict within five years. It occurs due to the fragility of peace in the aftermath of the war, which often means a minor subsequent accident will generate fatal impact and conflict relapse (Genet, 2007). Thus, there is a need to develop an approach in post-conflict that goes beyond conflict termination but also ensures durable peace, a project widely known as peacebuilding.

In a March 2005 report of the Secretary-General that outlined the reform agenda, the risk of recidivism was restated more strongly than previously. The reform agenda was specifically cited to justify the need for a UN Peace-building Commission:

> *Our record of success in mediating and implementing peace agreements is sadly blemished by some devastating failures . . . for instance in Angola in 1993 and Rwanda in 1994. Roughly half of all countries that emerge from war lapse back into violence within five years. These two points drive home the message: if we are going to prevent conflict, we must ensure that peace agreements are implemented in a sustained and sustainable manner . . . I, therefore, propose to the Member States that they create an Intergovernmental Peace-building Commission* [emphasis added] [2]

Other global institutions like the World Bank in partnership with the United Nations have developed joint approaches to supporting Post Conflict Needs Assessments (PCNA). Post Conflict Needs Assessments have been used by national and international actors as an entry point for conceptualising, negotiating and financing a shared strategy for recovery and development in fragile, post-conflict settings (UN/ World Bank PCNA Review Report, 2007).

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[2]UN General Assembly, In Larger Freedom: Towards Development, Security and Human Rights for All, cited from Suhrke and Samset, 2007.

This development has also been supported by flourishing research on peacebuilding in government-funded think tanks such as the United States Institute of Peace or prominent universities around the globe. These developments illustrate the global acknowledgement of peacebuilding efforts together with supported research and study which is aimed at maintaining sustainable peace in post-conflict countries.

1.3 Rationale of the Research

According to Hartzell, Hoodie and Rothschild (2001), durable peace has occurred if there is no return to war within five years of signing the agreement, while Kreutz (2015) suggests a longer period, ten years, as a benchmark of post-conflict stability. The durability of the peace in the aftermath of internal wars is a complex subject, as Collier (2002) warns that on average, countries face a 50 per cent risk of renewed conflict during the next five years. Kreutz (2015) also notes that only 43 per cent of all civil wars that have been terminated could reach ten years of post-conflict stability. Therefore, as peace in Aceh has been maintained for 13 years with only minor violence, it can be considered as a successful case of enduring peace.

However, despite the generally successful results, peacebuilding in Aceh has faced various problems. Political intimidation, electoral violence, marginalised former combatants, poor development planning, and unequal distribution of the peace dividend were rampant during the first years after the peace deal was reached, and through the beginning the normalisation phase. While these illicit practices are somehow being managed to integrate the former rebels into peacebuilding, the lingering habit of predatory politics and corruption will harm the future of peace. It may create another cycle of grievance over the gaps of political participation, economic development and identity. Those factors, ironically, were the trigger of the GAM rebellion several decades back, such that they may be a significant cause for concern. It eventually may lead to the repetition of the internal colonialism pattern, in which GAM has inevitably grown as the hegemonic power in post-conflict peacebuilding in Aceh. It is in this consideration that this research was conducted. The durability of peace in Aceh requires further investigation about how peacebuilding is conducted in Aceh and whether it is as successful as appears from the democratic electoral process and economic growth.

1.4 Thesis Aims and Research Questions

This thesis is a study of the peacebuilding process in a strong middle-income country. It aims at examining practices of peacebuilding in political participation, economic settlement, human rights, justice and identity in Aceh. These are the subjects that represented the most profound grievances of Acehnese and are addressed in the provisions of a peace settlement.

Furthermore, this thesis also seeks to analyse the impact of peacebuilding implementation on the alleviation of grievances that are perceived as the underlying factors of the conflict.

The research questions underpinning this thesis are:
1. To what extent have the peace agreement and the series of national and local laws addressed grievances as the source of conflict in Aceh?
2. What were the dynamics of authority and legitimacy between the incumbent/central government and former insurgents/GAM in the post-conflict peacebuilding period?
3. How were peacebuilding practices implemented in Indonesia, a country where the bureaucracy, state institutions and national identity have been relatively strong and settled?

1.5 Significance of the Research and Contribution to Knowledge

While middle-income countries with a generally stable and relatively strong government are also vulnerable to sub-national conflict, most peacebuilding efforts occur in fragile states with limited economic resources and are conducted under the supervision of UN agencies or foreign countries. The UN agencies or foreign governments rebuild the state from scratch, including establishing government offices, supervising elections, and regulating the market and micro-macroeconomic policies. The examples of post-conflict intervention efforts with varied results, strengths and weakness in fragile states are beneficial in producing peace lessons and for peacebuilding. However, such examples will not be entirely relevant to stronger and middle-income countries like Indonesia that have working bureaucracies, strong state institutions, and adequate internal funds (Barron and Burke, 2008).

Peacebuilding in Aceh is a peculiar case because it is predominantly conducted by the national government or is termed "state-led peacebuilding". The peace agreement process was indeed mediated by a third party, and the post-agreement was supervised by an Aceh Monitoring Mission (AMM), a civilian mission that comprises monitors from EU, Norway, Switzerland, and five ASEAN states (Schulze, 2007). AMM's first mandate period covered six months, initially encompassing the period between 15 September 2005 and March 2006. However, the mandate period was extended three times until 15 December 2006 and focused mostly on the subjects of disarmament, demobilisation, amnesty and reintegration of combatants and security. Nonetheless, during the AMM deployment period and its aftermath, the national government maintained its strong role in directing and supervising the peacebuilding.

Despite the devastating impact of the tsunami coupled with the legacy of conflict, the presence of a state that is marked by functioning bureaucracy and local government resources in Aceh

remained strong (Barron and Burke, 2008). This situation was different from post-conflict peacebuilding in countries with a weak state prescence, inadequate domestic resources and limited government capacity (Barron and Burke, 2008). In these countries, international actors have exercised varying degrees of governing authority, including the creation of functioning law enforcement and judicial systems and economic revitalisation. On the other hand, in a stronger state, the government still holds the primary role in regulating politics, law, economy and social aspects. The international actors are working together with the government in conducting peacebuilding efforts while maintaining peaceful relationships with former separatist groups.

Thomas Park (2013) identifies the problem of the assessment of the post-sub-national conflict in stronger middle-income countries. Assessments have heavily focused on developmental indicators such as the number of students enrolled in schools, health service or poverty reduction. Those indicators seem more appropriate for peacebuilding cases in fragile states that are lagging in development projects compared to middle-income states. In sub-national conflicts within stronger and middle-income countries, development itself does not necessarily reduce violence and often exacerbates conflicts (Park, 2013). Post-conflict assessments are lacking when it comes to monitoring the key dynamics in post-conflict periods such as the perception of government and the peace process, the level of political support for different key actors, dynamics of conflicts and other transformative processes (Park, 2013). Therefore, there is a need to fill the gap by conducting more research on the peacebuilding practices in strong middle-income countries in order to comprehend the dynamics between the central government and former insurgent groups as well as with civil society. It is argued that the dynamics among the key actors in peacebuilding phases involves the process of legitimacy and authority and is conducted through participation, institution building or a combination of both. It is also important to investigate whether the provisions in the peace settlement and peacebuilding practices are working effectively to alleviate grievances as the underlying factor of the long-standing sub-national conflict. This research aims to provide insight into the dynamic of the peacebuilding process in alleviating grievances in Aceh and as such, is intended to contribute to the existing literature of peacebuilding by emphasising practices in strong middle-income countries.

To achieve its research goals, this thesis will primarily utilise the theory of grievance and relative deprivation as the impetus for the conflict in Aceh as well as the basis of the peace building approach. Wilmer (1998) argues that grievances are the basis of the distribution of political resources, and the failure of the state to redress grievance may lead to the breakdown of civil society or in the extreme, create anti-state and separatist mobilisation. The focus on

the breakdown of the system after the failure to deliver resources as the cause of grievance has been fundamental to the literature on ethnic conflict (Ockey, 2019), in which the case of Aceh falls into this category of conflict. I argue that grievance that refers to the transformation from perceived deprivation to frustration (Lu and Thies, 2011) can accommodate political repression, economic disadvantage or racial, religion or cultural discrimination into the analysis of this thesis. The multiple deprivations that have been experienced by Acehnese for decades in forms of political centralisation, economic inequality, the lack of the acknowledgement of identity and the rampant violations of human rights became an impetus for rebel movement. Hence, the peace agreement and the subsequent regulations in the national and local level should be aimed at alleviating the grievances. The grievance alleviation then is translated into the implementation of peace building through the methods of participation, institution building or both. I also choose not to employ a liberal peace building approach due to the absence of an external actor to impose liberal values and a sufficient institutional framework in Indonesia. The presence of an international actor that is either represented by international agencies or foreign countries is crucial in the liberal peace building literature (Richmond : 2008, Hartzell: 2014, Moore : 2011). In Aceh, support from the international actor was primarily performed by the Aceh Monitoring Mission, a short term civilian mission, but the rest of the peace building process is carried out by the Indonesian government. The insufficient institutional framework is also not applicable to Indonesia due to its working bureaucracy, strong military and police force and preceeding democratisation process. I further argue that the liberal peace approach is not applicable to be utilised to examine the peace building process in a strong and middle income country like Indonesia. Therefore, the lens of a relative deprivation-grievance approach will be more pertinent to answer the research questions that underpin this thesis about the durability of peace in Aceh, Indonesia, as a case study of peacebuilding in a strong-middle income country.

1.6 Organisation of the Thesis

The thesis is presented in seven chapters. Chapter 1 provides an introduction and background of the study and a statement of the problem to be investigated. Chapter 2 consists of a review of the literature and an identification of some gaps in our understanding followed by the explanation of methodology, framework, research question and hypotheses. Chapter 3 describes the historical background of separatism in Aceh, including the grievances as underlying factors of the conflict and the dynamic of proposed conflict resolution.

Chapters 4 to 7 discuss the post-conflict peacebuilding which will be categorised into four areas, derived from the literature and content of the peace agreement. Chapter 4 discusses

the process of political participation in the post-conflict era, including the transformation of GAM into a political party, local elections and broader mass participation such as that of women in politics. Chapter 5 provides insights into the economic aspects of the peace settlement. There are three main features: the reconstruction process, reintegration, and the special autonomy fund as peace dividend are elaborated in this chapter. Chapter 6 focuses on aspects of identity in peacebuilding by analysing the role of sharia and customary institutions. Chapter 7 investigates human rights and justice and discusses past human rights violations and the series of legal attempts and reconciliation. Chapter 8, the final chapter, articulates the discussion on the impact of peacebuilding practices in the subject of political participation, economic settlement, human rights and justice and identity on the alleviation of grievance in Aceh as well as the dynamics of authority, legitimacy, participation and institution building among key actors. Finally, this chapter draws conclusions, outlines the limitation of the study and recommends directions for future research.

Chapter 2: Literature Review and Methodology

2.1 Introduction

The main purpose of this chapter is to provide a literature review and methodology in order to lay a strong foundation for this study. While the major emphasis is the investigation of state-led peacebuilding in Aceh, Indonesia, this thesis is also complemented by the analysis of conflict, the formation of rebel movement and the dynamics of conflict resolution. Hence, the body of literature in this chapter will be divided into two major sections. The first outlines the scholarly works about the impetus for conflict and the establishment of insurgent groups. This is followed by a discussion of the concept of conflict resolution and peacebuilding. The first six frameworks consist of internal conflict, grievance, internal colonialism, legitimacy, collective action frame, conflict resolution, and peace settlement. These support the understanding of chapter three, which is focused on the development of the conflict, separatist movement and peace processes. The frameworks related to peacebuilding will be utilised to explain grievance alleviation and peacebuilding implementation in chapter four, five, six and seven with the inclusion of the concept of grievance and legitimacy. The next section of this chapter focuses on methodology, research questions and hypotheses. This chapter concludes with the elaboration of Aceh and Indonesia as a case study.

2.2 Internal Conflict: Conceptual Definition

The conflict in Aceh which is elaborated throughout this thesis is an internal conflict defined by Brown (1996) as a violent intrastate political dispute that primarily occurs within the borders of a single state. Other scholars use the term of intra-state war or intra-state conflict. According to Sarkees, Wayman and Singer (2003: 59) intra-state wars are "wars between or among two or more groups within the internationally recognised territory of the state". While in the same vein, Yilmaz (2007: 12) describes the intra-state conflict as "conflicts that occur within the borders of states". Park, Colleta and Oppenheim (2013:1) use the term "sub-national" instead of internal conflict and define it "as armed conflict over control of a sub-national territory within a sovereign state, where an opposition movement uses violence to contest for greater self-rule for the local population". Thus, it could be concluded that the primary marker of internal conflict is the locus that must be based within the border of a sovereign state. This study will purposefully use sub-national conflict as the term that fits best with conflict in Aceh. Sub-national conflict is chosen particularly because of the emphasis of "the contest for greater self-rule for the local population" a prevalent feature in the thirty years of the liberation movement in Aceh.

2.2.1 Types of Internal Conflict

Internal conflict can take the form of a riot or short-term unrest, or a civil war (Brown, 1997). Sarkees et al. (2003) classified internal war into civil war and inter-communal conflicts. Brown (1997) emphasises that the distinguishing features of a civil ware are at least 1000 casualties and a sustainable group identity and organisational capacity of the protagonists. Collier employed a similar definition: "civil war occurs when an identifiable rebel organisation challenges the government militarily, and the resulting violence results in more than 1,000 combat-related deaths, with at least five per cent on each side" (Collier, 2003: 11). Park et al. (2013) categorised internal conflict into three types:

> 1) State-Minority Conflict, which involves the active struggle over the presence, role, authority, and legitimacy of government actors and institutions in the conflict area; 2) Competition and Conflict between Local Elites that include rival clans, families and/or political factions that compete for dominance in their area 3) Inter-communal Conflict that comprises competition between different ethnic and/ or religious groups living close together, and often competing for scarce land and other resources (Park, et al, 2013 : 4).

Conflict in Aceh thus falls into the category of civil war (Brown 1997, Collier 2003) or state-minority conflict as defined by Park et al (2013) due to the massive number of casualties, sustainable identity and organisational capacity of the challenger group, and active struggle over the presence and legitimacy of government in the conflict area.

2.2.2 Internal Conflict, Identity and Secessionism

The demise of the Cold War has given opportunities for developing countries to express their demands for self-determination, independence and advancement, which had been suppressed during superpower rivalry (Olson, 2010). There was an increasing demand from ethnic groups for rights and recognition that was divided into several aspirations such as establishing autonomy and obtaining full independence or improvement of their status as an alternative to separation (Gurr, 2000). The right to secede itself is derived from the right of self-determination that is universally acknowledged in the UN Charter and the 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples. However, this principle was only applied to the case of decolonisation and not to cases of separatism of people or national groups within a nation-state (Carley, 1996). It, therefore, became one of the sources of conflict in the post-Cold War era. States mostly opposed this demand as they tend to consolidate and expand their power while ethnic groups seek to pursue their interest. This competing interest resulted in a violent internal conflict (Gurr and Harff, 1994).

The primary objection of states to devolving power to territorially-concentrated minorities is the possibility of secession. It may disturb the entire ethnic balance in the country and provoke groups in other regions to rethink their position in a state with a new ethnic balance (Horowitz, 2003). This trend was seen in Yugoslavia, which fragmented into five states; the Soviet Union, which split into fifteen; and Czechoslovakia, which divided into the Czech Republic and Slovakia. These emerging trends of secession in Europe have given momentum to new drives for other separatists in other regions and countries (Orentlicher, 2003), including the Asia-Pacific region. Asia and the Pacific have been plagued by severe ethno-nationalist strife. Reilly and Graham (2004) argue that the weakness of Asia-Pacific countries towards internal insurgencies is caused by the vulnerable state structures which deal with identity-based conflict insurgencies. Due to the impact of colonialism, many states in Southeast Asia and the South Pacific are artificial creations of the twentieth century, incorporating diverse ethnicities, races or religious group without strong cohesion (Reilly and Graham, 2014). Ganguly and Taras (1998) view the outbreak of ethnic violence as the result of ignorance of cultural divisions and popular aspirations. Thus, the emergence of religious or ethnically-based insurgencies could easily weaken the artificially strong state structure and make the conflict even more protracted.

In Indonesia, identity-based internal conflict first occurred in the post-colonial era. The nation-building process of post-colonial Indonesia was intricate due to its cultural-religious diversity and contested aspiration toward the future of the new nation. Islamic groups represented by M. Natsir aimed to combine nationalism with Islamic values to prevent the inclination of ultra-nationalism in Indonesia (Basyir, 2016). Other groups demanded a federal rather than unitary government for the new republic. The first Indonesian government under Sukarno was challenged by several domestic disturbances from religiously motivated DI/TII,[3] to centre-periphery discontentment such as PRRI/Permesta.[4]

After Suharto came into power as the second President of the Republic of Indonesia, any possible eruption of internal conflicts was restrained by a strong military presence and draconian laws. Suharto sought to forcefully integrate ethnically and religiously diverse Indonesia by promoting "Unity in Diversity" as the national motto. According to Sarsito

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[3] DI/TII stands for Darul Islam/Tentara Islam Indonesia (Darul Islam/Indonesian Islamic Army), a post-independence rebellion that strived to establish an Islamic State in Indonesia. This insurgency broke out in several areas such as Aceh, West Java, Central Java South Sulawesi and South Kalimantan.
[4] PRRI/PERMESTA: Pemerintah Revolusioner Republik Indonesia (Revolutionary Government of the Republic of Indonesia/Piagam Perjuangan Semesta Alam/ Universal Struggle Charter, a regional but not separatist rebellion which was mainly based in the central part of Sumatera and northern part of Sulawesi (Minahasa). They opposed President Sukarno's guided democracy and demanded a less centralised government. This movement was a reaction of the political polarisation in national politics, center-periphery economic discrimination and the centralisation of Indonesian army (Kahin & Kahin, 1995).

(2010), Suharto used Javanese culture and philosophy in his official duties, presenting himself like a Javanese King to concentrate power. Suharto also brought Javanese migrants to less densely populated provinces under the banner of a transmigration programme; many interpreted it as Javanisation of non-Javanese people and regions. His resignation resulted in social, political and economic instability, including a large number of horizontal conflicts in the form of inter-ethnic or inter-religious clashes, heightening the tensions of vertical-separatist conflict.

To sum up, among the types of internal conflict, ethnic conflict or identity-based conflict has been mounting which is driven by the aspiration of self-determination. The Asia-Pacific region, including Indonesia, is one of the worst affected areas for this type of conflict, due to the colonial project of the nation-state which created an artificial boundary regardless of ethnicity or race. It was exacerbated by the forced cultural assimilation strategy during Suharto's New Order era. This brief background of internal conflict and identity-based conflict and secessionism is beneficial to give a foundation of the conflict in Aceh which comprises the case study of my thesis.

2.3 Internal Colonialism

Michael Hechter offers a concept of internal colonialism, a broad-based approach which is beneficial for the analysis of identity and grievance. Hechter (1975) emphasises how heightened core-periphery interaction can result in structural inequality between various regions. The inequality is the result of the modernisation process which endows the group in the core with advantage at the expense of ethnically different groups in the periphery (Verdery, 1979). The superordinate group in the core attempts to stabilise and maintain the advantages through policies of the institutionalisation of existing stratification system and denying access to the less advanced groups based on the cultural distinction (Hechter, 1975). Hechter (1975) strengthened the standpoint that views primordial ties such as ethnicity as the stronger basis of identity rather than social class and argued that the impetus of social, regional unrest is the socio-economic deprivation of the peripheral region and its cultural community. Thus, the initial goal of an ethno-political movement is directed to obtain more intensive access and freedom in managing their natural resources (Brown, 1994).

In sum, as defined by Smith and Ng (2002: 95) internal colonialism is "an unequal exchange between the centre and periphery within a nation state, specifically entitled to the regions that are ethnically distinct and economically exploited". The core which is an ethnically different entity exploits the periphery either by concentrating the development of industries in the centre, transporting natural resources to the core or unfairly distributing the revenue between core and peripheries and thus, creating dependency of the periphery on the core. The other

important feature of internal colonialism aside from the structural characteristics is the presence of an identity component (Smith and Ng, 2002). Ethnicity, religious, race or language used by people in the periphery is different from people in the core.

This theory has been commonly utilised to test the occurrence of separatism or political tension in numerous countries. Brown (2008) explains how the concept of internal colonialism manifested in separatism in Southeast Asia. Uneven regional economic development between core and the peripheral regions of multi-ethnic societies in Southeast Asian countries is the result of policies of "internal colonialism". People who are culturally distinct in periphery perceive either that "their" resources are being diverted to the benefit of other communities or regions in the states or that they deserve a larger degree of influence in government due to their economic contribution. It reflects a perception of relative deprivation that could lead to the aspiration of separation if the demands are not well responded to by the central government (Brown, 2008). Liow (2006), as cited by Cederman, Gleditsch and Buhaug (2013), emphasises the factor of longstanding grievances among Malay Muslims in Southern Thailand and Bangsamoro in the southern Philippines which stem from overt socio-political and economic marginalisation and repressive central authorities. Internal colonialism positively contributes to the analysis of civil war, identity and grievances, particularly in development and modernisation settings that are experienced by most newly democratic countries in Asia and Africa. Grant Evans (2018) relates the theory of internal colonialism with the indigenous people and minorities rights in Vietnam. The indigenous highlander people in Vietnam struggle for regional autonomy by claiming the area of Central Highland as their tributary domain. This claim is denied by the Vietnamese government as well as by the academic community by accentuating the characteristic of central highland as "pre-nation social assemblages". The renunciation to the demand for regional autonomy from the indigenous people is reinforced by the communist regime to safeguard the unification of Vietnam.

Internal colonialism will also be a useful framework to analyse Indonesia's problem of separatism in Aceh. This thesis will elaborate internal colonialism in the period of conflict in Aceh and the possible repetition in peacetime. The cyclical pattern of internal colonialism in the post-conflict era warrants a careful analysis given the heterogeinity of the Acehnese community. The Gayo people in Central Aceh, for example, are categorised as indigenous and are not a major supporter of the rebel group in Aceh. Thus, it is important to examine their position vis a vis Acehnese and GAM as the dominant ethnic group as well as the exponent of the separatist movement after the peace agreement. In this thesis, internal colonialism will be used to complement the analysis of grievance as a major driver of conflict in Aceh, as described in the following section.

2.4 Grievance (Greed) and Conflict

Analyses of conflicts that emerged during the Cold War have often drawn on anthropological perspectives which emphasised grievance and the nature of post-colonial states (Jackson and Beswick, 2011). Zartman (1993), Azar (1990), Burton (1990) and Gurr (2000) are among the best-known advocates of grievance theory. A strong correlation between grievance and identity is stressed by Murshed. According to Murshed (2010:76) "central to grievances is identity and group formation; an individual's value may be related to his or her identity. Specifically, the relative position of the groups he/she identifies within the social order". Murshed (2010) argues that ethnic identities, whether based on race, language, religion, tribal affiliation or regional differences could be more effective causes for the formation of the group rather than temporary difference such as socio-economic class. In other words, grievance often correlates with seeking justice and the motivation emerging from a sense of injustice. It may occur when ethnically distinct people are marginalised and do not get a fair share of the natural wealth of the region that they inhabit (Tadjoeddin, 2007).

The construction of grievance could be explained by the theory of relative deprivation. Gurr (1970), one of the prominent scholars on political violence, described perceived or relative deprivation as:

> A perceived discrepancy between men's value expectation and their value capabilities, where value expectations are the goods and conditions of life to which people believe they are rightfully entitled, while value capabilities are the goods and conditions they think they are capable of attaining or maintaining, given the social means available to them. (Gurr, 1970: 13)

Furthermore, Gurr (1970) explains that relative deprivation occurs if the situation is unequal; only one party is improving while the other one is stagnant or worse. Concerning relative deprivation and conflict, Azar (1990: 12) coined the famous concept of Protracted Social Conflict, defined as "conflict which occurs when communities are deprived of the satisfaction of their basic needs based on communal identity".[5] Azar argued that deprivation of human needs is the underlying source of protracted social conflict (Miall, Ramsbotham and Woodhouse: 2005). Azar differentiated human needs into several categories, such as political access needs, security needs, and acceptance needs (Reimann, 2002). Azar (1990) includes the effective participation of individuals in political, market, and decision-making institutions as the component of political needs. Security needs refer to the material for physical security,

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[5]Azar used the term "community" as a generic reference to politicised groups whose members share ethnic, religious, linguistic or other cultural identity characteristics (Azar, 1990 : 7)

nutrition and housing, while acceptance needs relate to recognition of distinctive identity in culture and religion (Azar, 1990).

While grievance has been a dominant stream in the analysis of the causes of conflict, another perspective sees greed as the main factor. Collier and Hoffler assert that countries with rich natural resources are prone to civil war due to elite competition in seeking rent (cited in Beswick and Jackson, 2011). Their findings led to another stream of conflict analysis, very popular among economists, which put greed as the more powerful explanation of civil war. Collier and Hoffler argue that grievances are real causes, but they do not suffice to create a successful rebellion without the presence of greed (Beswick and Jackson, 2011). Collier (2006) discovered that in societies with a high proportion of young men who have few opportunities for employment (characterised by lack of education), but which depend significantly on primary exports, greed is as an important motive for violence, because there are opportunities for instant gratification through looting.

Ross used greed to analyse conflict in Aceh. He discovered that conflict in Aceh fits the Collier-Hoeffler model of civil war well. In terms of the natural landscape, Aceh is mountainous, has a small diaspora and a long history of conflict (Ross, 2003). Politically, it is semi-democratic and economically relatively poor, depending on natural resource exports (Ross, 2003). However, Ross also found four other factors that support rebellion in Aceh: entrepreneurship of Hasan Tiro to mobilise GAM, grievances such as an imbalanced distribution of LNG benefit, influx of Javanese migrant and military repression, the demonstration effect of the East Timor referendum and the credibility of central government in dealing with the conflict (Ross, 2003). Therefore, Ross' analysis does not strengthen the role of greed as the sole factor of conflict in Aceh, but more a mixture between greed and grievance because it also includes inequality of natural resources distribution, ethnicity and human rights abuse. Kingsbury & McCulloch (2006) also stresses greed as a contributing factor to the conflict in Aceh but focuses his analysis on the military business interest inside conflict in Aceh. However, Aspinall (2007b) challenges the theory of greed as the primary factor of the civil war in Aceh. He argues that natural resource exploitation became a part of the conflict in Aceh because it supports the construction of identity and narration as victims of Indonesia. The hydrocarbon industries in Aceh stimulated armed rebellion because of the presence of a collective action frame that turned localised grievances, such as land acquisition, into a perception of national suffering and liberation (Aspinall, 2007b). A similar opinion is written by McCarthy (2007), who emphasises that the management of Aceh natural resources was not the primary cause of the conflict. Rather, the main cause was state-managed exploitation of natural resources, which magnified other grievances and encouraged separatist discourse. The narration of natural resource exploitation was framed by ethnic political entrepreneurs to mobilise rebellion.

From these studies on the causes of internal conflict, it can be seen that the grievance approach has been dominant in the post-cold war era, particularly in early phases, and basing greed purely on economic motives. While greed has been increasingly popular especially among economists due to its measurability, there are critics of this approach, who see it as deceptively satisfying, but explaining conflict only partially. On the other hand, grievance, the transformation from perceived deprivation to frustration, can accommodate political repression, economic disadvantage or racial, religious or cultural discrimination into the analysis. It can be concluded that internal conflict is generally initiated by people deprived of their basic needs for communal identity. This deprivation can lead to grievances which eventually lead to the establishment of a rebel group.

Due to its ability to encompass other explanations, this thesis will mainly employ grievance to explain the impetus of conflict in Aceh. The perceived deprivation and grievances in Aceh is necessary to comprehend the underlying factors of conflict since it is closely related to the dynamics of conflict resolution. The grievance alleviation is depicted in most provisions of peace settlement in Aceh, including in subsequent national and local laws.

2.5 Legitimacy, Authority and Capacity

This thesis will employ the concept of authority, capacity and legitimacy to explain the dynamics of key actors of the peacebuilding process in Aceh. According to Teskey, Schnell and Poole (2012) authority, legitimacy and capacity need to be strengthened and forged to enable the state to deliver across key domains. These three concepts are frequently used to examine the process of state building and hence, will be beneficial to support the research framework in peacebuilding research.

2.5.1 Authority

One prominent area of literature regarding authority and legitimacy is derived from the writings of Max Weber. Weber defines authority as the probability that a certain specific command (or all commands) from a given source will be obeyed by a given group of persons" (Weber, 1947: 324). World Bank (2012) outlines state authority as "the ability of the state to project its political power over all its territory, to reach all citizens regardless of their location, to maintain law and order and protect citizens from predation and violence. It is the ability of the laws and rules of the state to trump all other laws and rules". Leslie Green adds that state authority "claims to bind many persons, to regulate their most vital interests, and to do so with supremacy over all other mechanisms of social control" (Green, 1998: 1). Crook (1987) stressed

the legal component by defining authority as "state ability routinely to obtain compliance with its laws and with the orders of its officials" (Crook, 1987: 553). According to Taskey et al. (2012), to exercise its authority, the state will rely on some degree of capacity to operate and some support from the population in the form of legitimacy. From the abovementioned definitions, authority is commonly associated with legal or *de jure.* However, in the conflict setting, particularly in fragile states with hybrid political order, the actual or *de facto* authority exercised by the informal institution could be more respected than legal authority exercised by formal institutions. As my case study is taking place in a stronger middle-income country in the post-conflict period, state authority remains strong and respected. Therefore, this thesis will primarily equate state authority with law, particularly the laws that regulate peacebuilding efforts in national and local levels.

2.5.2 Capacity

McAdams, Tarrow and Tilly (2001) define state capacity as the "degree of control that state agents exercise over persons, activities, and resources within their government's territorial jurisdiction (p. 78). Geddes (1994) defines it as "the capacity to implement state-initiated policies" (p. 14); Sofiter (2013) as "the ability of the state to effectively implement its chosen policies" (p. 2); and Besley and Persson (2011) as "the institutional capability of the state to carry out various policies that deliver benefits and services to households and firms" (p. 6).

However, Taskey et al. (2012) argue that state capacity is more than the sum of the capacity of individual organisations, but it depends on how a broader set of institutions interact and how they align with existing power relations and the goals of the ruling elites. As a result, not every state that has the sound capacity in delivering service and resources will gain legitimacy from the entire population of their territory, as will be further explained in the next section on legitimacy. Taskey also highlights critiques which point out that in peacebuilding efforts, the external peace builders primarily focus on building state capacity and neglecting legitimacy and authority (Taskey et al., 2012). In this thesis, a capacity that is described as the "the ability of the state to effectively implement its chosen policies "(Soifer, 2013: 2) will be utilised to assess the ensuing process after the transfer of authority from central government to former combatant. The former combatants must employ and maximise their capacity to gain output or performance legitimacy from the broader Aceh community in the post-conflict era.

2.5.3 Legitimacy

As a prominent scholar in the subject of the authority, power and order, Weber conceptualised legitimacy as the uniformity of social action oriented by belief in the existence of legitimate

order (Weber, 1947: 124). Thus, *belief* is the core understanding of Weber's definition of legitimacy. The emphasis on *belief* in legitimacy influenced other scholars such as Seymour Lipset and Robert Dahl. According to Lipset, "legitimacy involves the capacity of a political system to engender and maintain the belief that existing political institution is the most appropriate or proper ones for the society" (Lipset, 1959: 86). Dahl defines legitimacy as the "belief that the structure, procedures, acts, decisions, policies, officials or leaders of government possess the quality of "rightness", proper or moral goodness" (Dahl, 1963: 19). While according to Bernauer, Mohrenberg & Koubi (2016), legitimacy is described as "a situation where citizens believe that political authority delegated to policy-makers and political institutions is being appropriately exercised and thus deserves to be obeyed" (Bernauer et al., 2016: 2).

Mitchell (2018) argues that one of the sources of intractable intra-state conflict is competing for legitimacy between *socio-political* adversaries or between the incumbent (state and its agencies) and the insurgents (guerillas, protestors, secessionist or non-violent movement). It is supported by Park, Colleta and Oppenheim (2013)'s opinion that the legitimacy of the state, not capacity, might count as the essential factor in local contestation. Based on the two arguments about the competing legitimacy in conflict, this thesis will largely focus on the dynamics of legitimation between central government, GAM and broader Aceh society in the post-conflict era. While conflict is a time of contested legitimacy, peacebuilding could be interpreted as the process of developing the legitimacy of the former adversaries: the Government of Indonesia and GAM.

2.5.3.1 Approaches to Legitimacy

Mitchell (2018) categorises two approaches to legitimacy. The first approach is organic, departing from the "mythical precept" that the state represents the nation which demands loyalty, service, obedience and even lives from the people (Mitchell, 2018). In the post-colonial setting, the state and nation failed to converge because one state could consist of multiple ethnic and linguistic groups that weaken the organic basis of state legitimacy. The second approach is contractual, which implies a contract between the state and its citizen: the state must provide certain things (security, welfare, freedom) in return for the loyalty and obedience of the people (Mitchell, 2018). The violation of the contract by the state will break the agreement and result in disobedience, a transfer of loyalty and declining of legitimacy (Mitchell, 2018).

2.5.3.2 Sources of Legitimate Authority

Classical literature on legitimacy by Max Weber classified three sources of legitimate authorities (Weber, 1978):

1. Rational grounds: a legitimacy that is based on a belief in normative rules and the rights of authorities under such rules to issue commands.
2. Traditional grounds: a legitimacy that is based on the existing belief of the sacredness of traditions and legitimacy of the authority that exercises the tradition.
3. Charismatic grounds: a legitimacy that is based on sacredness, heroism or peculiar character of an individual person.

Hancock and Mitchell (2018) offer three broad bases of legitimacy that seem applicable in a protracted conflict setting:

1. Identity-based: a legitimacy that is based on the shared identity of affinity.
2. Ideology-based: a legitimacy that is based on ideology, value and norms.
3. Contractual-based: a legitimacy that is based on a social contract arising from a pragmatic or functional approach.

Identity and ideology are seen as the most secure sources of legitimacy that present *a priori*, while contractual-based or pragmatic legitimacy must be earned and sustained over time (Mitchell, 2018). The concept of legitimacy on rational grounds by Weber and contractual-based legitimacy by Mitchell have a similar meaning in that both parties are bound by a set of uniform principles or social contract. In the protracted conflict situation when identity or ideological legitimacy is hardly gained by incumbent/state/central government and often more easily obtained by locally-based insurgents, the common customary strategy for both parties is back to contractual based legitimacy (Mitchell and Hancock, 2018).

2.5.3.3 Types of Legitimacy

Scharpf (2003) defined two major types of legitimacy: input and output legitimacy. Input legitimacy is perceived as legitimacy through participation to ensure that decisions are made by involving the governed (Scharpf, 2003). Input legitimacy will increase if more people could take part in the decision making process. Output legitimacy is legitimacy through performance or policy solutions. If the needs of more people in society are met by performance or policy decisions, the output legitimacy will increase (Scharpf,2003).

This thesis will primarily use three sources of legitimacy (identity, ideology and contractual) from Hancock and Mitchell and rational-based legitimacy from Weber. They are chosen because identity, ideology and contractual or rational based legitimacy present throughout the

conflict period between GAM and the Government of Indonesia and in the peacebuilding process. According to Hancock and Mitchell (2018), in a conflict situation, the legitimacy between state and insurgent groups competes, and it could shift to or is claimed by insurgent groups due to the following reasons: state incapacity (lack of functionality), historical identities (identity) and accepted principles and norms (ideology). GAM claimed identity legitimacy based on their historical trajectory and affinity with most Acehnese along with ideology-based legitimacy through Aceh ethnonationalism. Regarding contractual-based or functional legitimacy, the legitimacy of the incumbent or Indonesia Central Government declined due to the perceived deprivation over the distribution of welfare, access to political participation, security, human rights protection and acknowledgement identity to Acehnese. This situation led to conflict when the insurgent/GAM challenged the central government and claimed the legitimacy that was previously owned by the state. Peace agreements between these two adversaries were designed to transfer authority from the central government to GAM. In doing so, the central government expects to gain legitimacy from insurgents/GAM. Subsequently, insurgents as the new local political power in Aceh also expect to gain legitimacy from the people in Aceh by exercising the authority given by the central government.

An important element to understand the dynamics of legitimacy from the incumbent/central government to insurgent/GAM and vice versa during the peacebuilding phase is input and output/performance legitimacy. Throughout the peacebuilding phases, we could expect to see the interplay of legitimacy between state/incumbent and GAM/insurgent based on the input and output legitimacy, in the forms of electoral politics, welfare and services provided by these two former adversaries. The people of Aceh that are governed by insurgents as the new legitimate political power will evaluate whether the new ruler fulfils input legitimacy by opening access to participation in the decision-making process or could outperform incumbent/central government in delivering output legitimacy. Conversely, the incumbent, due to strong and well-established various supporting institutions are better than the insurgent in input and output legitimacy. This dynamic might lead the incumbent to regain legitimacy from an insurgent or the people of Aceh. However, the interplay of legitimacy in the post-conflict era between the incumbent/central government and insurgent/GAM does not necessarily lead to contestation. The legitimacy of two parties could increase together especially when two parties build a political coalition to accomplish certain goals at the national level. On the other hand, the legitimacy of both sides is possibly going down together if they could not deliver satisfying output/performance legitimacy or if they do not open wide participation (input legitimacy) to the people of Aceh.

2.6 Social Movements, Collective Action and Framing

In analysing rebel movements, we need to include the aspect of social movements to understand how structurally-induced grievances can be mobilised into violent collective action. Grievances alone are not sufficient to create organised internal conflict; mobilisation is also needed (Tilly 1978; Tarrow 1994). According to Mihalka (2006) "social movements emerge and are sustained when they seek to redress perceived grievances, have sufficient resources to organise successfully, can exploit political opportunities as they arise, and can maintain coherence through attractive ideology".

Regan and Norton (2005) emphasise that the rational behaviour behind political mobilisation of a state in response to current or anticipated deprivation is based on common interests. This deprivation can be rooted in access to either material or political resources, although both are often linked and intertwined (Regan and Norton, 2005).

Other scholars underline political opportunities to explain social movements. Tarrow (1996: 54) describes political opportunities as "consistent but not necessarily formal, permanent, or national signals to social or political actors which either encourage or discourage them from using their internal resources to form social movements". Gurr (2000) argues that incentives and opportunities are two critical aspects of the likelihood of group protest or rebellion. Incentives are caused by "various forms of discrimination, while opportunity depends on several factors, one of which is the authority of the rebel leadership" (Gurr, 2000).

In addition to existing scholarly work on resource mobilisation theory and political opportunities, Benford and Snow (2000) observe a growing literature on collective action frame and framing processes to explain the character and course of a social movement. Collective action frames are action-oriented sets of beliefs and meaning (Simunovic, 2012). From a collective action frames perspective, a social movement is not viewed merely as a carrier of ideas and meaning that grows spontaneously without structural arrangements and existing ideology (Benford and Snow, 2000). The actors of social movements are seen as active agents engaging in production and maintenance of meaning for various groups: constituents, antagonists, bystanders or observers (Benford and Snow, 2000). The raw material of a grievance is not sufficient to encourage violent actions. It must be supported by the presence of collective collection action frames that accentuate the injustice (Aspinall 2007b). In the case of Aceh, the grievance is mobilised well by the narration of the ideology of Aceh nationalism and supported by the leader with charisma and strong authority.

Collective action frames and political opportunities are significant to analyse the occurrence of internal conflict. One country might have several sub-national entities with similar socio-

economic grievances, but only one or some of them could organise successfully into a cohesive movement. Collective action frames have become the distinct characteristic in the insurgency in Aceh. While other provinces in Indonesia such as Riau or East Kalimantan are also resource-rich, no significant insurgency movement either based on centre-periphery discontentment or identity has emerged. Chapter 3 of this thesis will explore the utilisation of the collective action frame in the mobilisation of conflict in Aceh.

2.7 Conflict Resolution and Peace Settlement

This section focuses on the resolution and settlement phases of the conflict in Aceh. Zartman (1995) argues that internal conflicts are the most difficult conflicts to negotiate. According to Licklider (2001: 698) "it was expected [that] civil wars conventionally would end with military victory as in the American Civil War or French Revolution". The theory was straightforward: "in interstate wars foreign conquerors might leave at some point, but in civil wars the stakes were permanent control of the government, losing such control would be fatal to the interest of either side and therefore compromise was impossible" (Ikle, 1971 as cited in Licklider, 2001: 670). In most civil wars, the process of resolution is elusive because of the asymmetrical nature of the conflict: the government is strong; the insurgency is weak. Negotiations are thus difficult because equality and mutual relations are the keys to a successful negotiation outcome (Zartman, 1995). However, over time, more combatants seem willing to discuss settlements with different outcomes, such as successful result in El Salvador, South Africa and Nicaragua failed case in Angola and Sudan (Licklider, 2001)

A negotiated settlement is seen as an attractive alternative way to end large scale violence because it seeks a middle ground among the adversaries. Specifically, each side will get enough concessions as an encouragement to participate in a common government which is expected to alleviate societal problems, forge ties with former adversaries and eliminate the risk of future conflict (Licklider, 2001). Sisk (2001: 788-789) gives three examples of the result of the negotiated settlement: partition, power-sharing and autonomy.

Partition refers to the creation of entirely new states granted full sovereignty and international recognition (Sisk, 2001). Some civil wars of the 1990s did end up in partition, including the breakup of former Yugoslavia and the independence of East Timor and Eritrea. Power-sharing is often conceived as a system to ensure group security in a multi-ethnic society which includes all segment of a diverse society in the decision-making process and consensus building (Sisk, 2001). South Africa in the aftermath of Apartheid is a good example of a power-sharing arrangement.

The last example of a negotiated settlement, autonomy, has no consensus definition (Sisk, 2001). This term is used differently depending on the context because the concept of legalistically is not well-defined. One of the definitions of autonomy is given by Heintze (1998:7): "autonomy is the granting of internal self-government to a region or a group of persons, thus recognising partial independence from the influence of the national or central government". The Basque Country and Northern Ireland are examples of autonomy arrangements in Europe.

Despite the absence of a consensual definition, one of the forms of autonomy, political decentralisation, has emerged as a frequent option in contemporary civil war settlements because it combines political aspiration and spatial acknowledgement (Lake and Rotchild, 2005). Decentralisation is perceived as the ideal middle ground between desire for self-determination and sovereignty (Lake and Rotchild, 2005). However, the principle of sub-state autonomy for national minorities is difficult to implement because of the rejection of devolution of power by the central government and the requirement of to reach a mutually satisfying agreement (Gurr, 2010). The common process is usually begun with demands for full independence and ended by a middle ground solution through autonomy for the ethno-nationalist rebel groups (Gurr, 2010). This thesis will further elaborate political decentralisation as the primary resolution of the conflict in Aceh.

Not all negotiated settlements are enduring; many of them have failed. Particularly for identity-based war, the risk of failure is even greater, often two-thirds of the time (Licklider, 2001). The difficulty for resolution is not limited to the resistance to negotiated settlement but also in maintaining its durability. Thus, the arrangement of socio-economics, politics and security are crucial in peace settlement to give confidence for the conflicting parties to comply with the agreement. Licklider (2001: 701-713) suggests several conditions to support the endurance of peace settlements: the principle of inclusiveness, which includes the integration of elites, resolving the security dilemma, establishing a working government, creating a working economy, the establishment of transitional justice/retribution and renegotiation of the settlement. Also, Crocker and Hampson (1996) propose specific requirements for a peace settlement:

> (1) it clearly states a discussion about a new constitution (or a new regional law in secessionist revolt) and the political order that will be created after the fighting stops, (2) it contains power-sharing provisions (Crocker and Hampson, 1996: 63).

Hartzell (1999) identified three aspects:

> (1) they regulate control of the coercive apparatus of the new state, (2) they deal with the allocation of political power in the new state, and (3) they address possible uneven economic advantage within the new state" (Hartzell 1999: 4).

Furthermore, Hartzell (1999) found that most enduring peace settlements are the agreement which institutionalises these three elements. Smith (2002) notes the necessity of addressing the factors underlying the conflict. Thus, this thesis argues that to support successful peacebuilding efforts, the implementation of a peace settlement which addresses grievance as an underlying factor of the conflict is crucial.

Tajik (2011) categorised the content of peace settlement in three components:

> 1) Procedural components are related to the process to establish and maintain peace, such as timelines of schedules of substantive issues such as elections, retrospective justice and disarmament along with the designated institutions to execute the programme.

> 2) Substantive components are aspects pertaining to mid and long-term post-peace settlement arrangements. They relate to the distribution of power, management of natural resources and structural changes to address past grievances and bring equality.

> 3) Organisational components are arrangements intended to promote the peace consolidation efforts after the agreement. They particularly consist of a neutral monitoring process and steering capacity. (Tajik 2011: 1-2)

The substantive component is the provision which is closely related to the elimination of grievances in the peace settlement. Substantive provisions are created to appease grievances on justice (Yawaranajah and Oulett, 2003). They include changes in social, political, and/or economic structures that allow for more resources, more opportunities, and more power for the previously aggrieved groups (Yawaranajah and Oulett, 2003).

A fair and just arrangement based on the characteristics of the conflict and conflicting parties is very important to sustain peace. In many cases, the new peace cannot be sustained because the content of the peace agreement does not properly address the underlying factors of the conflict or fails to establish firm and clear security. The peace settlement also needs to pay particular attention to power-sharing and economic arrangements. Power-sharing becomes a sensitive subject in the post-peace settlement, due to the competitive nature of democratic

contestation through elections. Economic inequality, which is often the main source of grievance, has to be properly addressed by appropriate regulations in the peace settlement.

More specifically in the case of peace settlement in Aceh, Ronnie (2016) uses the core concept of readiness from Pruitt to argue that the success of the peace process depends on the perception of the conflicting parties in the existing conditions that shape their motivations to achieve the peace process. The existing condition comprises of the perception both from the GoI and GAM. On the GoI side, President Yudhoyono used the cost-benefit analysis in re-evaluating the military operation with GAM and found that the economic cost of the military operation was higher than a negotiated settlement. The ongoing internal conflict is also perceived to be detrimental to domestic stability and foreign investment. There is also a perception of the infeasibility of a truly winning strategy to combat GAM. Yudhoyono perceived that amidst the weakened force of GAM and the chance that a military operation might have been able to destroy it, a military victory would not completely diminish the separatist idea, as long as the root causes of the conflict are not alleviated. On GAM's side, there was a pragmatic perception of the infeasibility of victory. The first reason is the failure of GAM diplomacy to attain international recognition, caused by the shift of international conditions following the global war on terror in 2001. In the aftermath of 9/11, there was greater attention given to terrorism issues than to human-rights based ones, including the right to self-determination as the basis of GAM struggle. GAM also perceived that their forces had been weakened during the martial law era. These various perceptions had shaped the GoI and GAM motivation to end the conflict and enter the new round of negotiation.

However, Ronnie (2016) argues the perception of readiness and motivation are influenced by various conditions interlinked in a different process. The pre-conditions occur in three layers: international, national and local. As previously mentioned, in the international setting post 9/11, the position of a state or a nation became a more important issue than the people, community or ethnic minorities. At the national level, the Yudhoyono administration built a strong coalition with political parties to secure a political decision in parliament, including proposing a negotiated settlement with the separatist organisation like GAM. Locally, there was a growing influence of civil society organisation in Aceh that encouraged the democratic mechanism of resolving the separatist issue through a referendum. In addition to the pre-conditions, Ronnie also calculates the availability of the Tsunami Fund to finance peace-building projects and the pre-negotiation process as an effort to enhance trust-building during the negotiation as the contributing factor to the successful peace settlement in Aceh.

While Ronnie's findings on supporting factors of the successful peace agreement in Aceh are important, as he stressed, his research examines the peace process and not the post-conflict

peacebuilding (Ronnie, 2016: 9). Therefore, his research is primarily intended to examine the durability of the peace agreement but not the durability of peace in general. My thesis is intended to examine the next process after the peace agreement, that is the durability of peace building. I argue that in the peace building process, the factors that maintain the durability of peace building will be different from those which supported the durability of the peace agreement. One of the distinct factors that contribute to the durability of peace in Aceh is the characteristic of the MoU Helsinki that properly addresses the multiple grievances in this province. The other two factors are the well-translated MoU's provisions into subsequent national and local law and the combination of participation and institution building methods in peacebuilding.

This thesis will explore the dynamics of conflict resolution in Aceh from the military operation to negotiated settlements in chapter 3. The earlier method of military operation created another grievance among Acehnese people. Among the series of negotiated settlements, only the negotiation in Helsinki which accommodated grievances and their alleviations succeeded to bring peace to Aceh.

2.8 Peace-Building

The second part of the literature review in this chapter will be focused on peacebuilding. Peace-building started to gain international prominence in the aftermath of the Cold War when UN Secretary General Boutros-Boutros Ghali introduced the "Agenda for Peace" in 1992. The Agenda for Peace consists of preventive-diplomacy, peace-making, peace settlement and peacebuilding. While preventive diplomacy, peace-making and peace settlement are designed before and during the conflict to enable hostile parties to find compromised solutions, peacebuilding is a post-conflict arrangement that is directed to maintain the durability of peace. It is a complex process that is aimed at preventing the recurrence of violence by alleviating the underlying causes of conflict through a wide range of aspects including economic transformation, political participation, grass roots and elite reconciliation and institution building (Maiese, 2003). Peace-building contains the components of resolution and prevention and is multidimensional to reach the sustainability of peace.

2.8.1 The Peace-Building Concept

The first official definition of peacebuilding mentioned in the Agenda for Peace is "action to identify and support structures which tend to strengthen and solidify peace to avoid a relapse into conflict" (Ghali, 1992:104). Ghali includes activities such as "rebuilding the institutions and infrastructures of nations torn by civil war and strifes strives", and "building bonds of peaceful mutual benefit among nations formerly at war and addressing the deepest causes of conflict, economic despair, social injustice and political oppression" (1992:102). Ghali

emphasises the avoidance of conflict relapse as the achievable goals of peacebuilding. The International Peace Academy includes a local perspective by defining peacebuilding as "an attempt to reduce the sources of present and ongoing antagonism and build local capacities for conflict resolution in divided societies—often in the face of open hostilities and raw trauma" (IPA 2001:2). Call and Cousens (2008) add the indicators of the absence of violence and participation in their definition of peacebuilding as "the actions undertaken by international and national actors to institutionalize peace and understood as the absence of amred conflict and a modicum of participatory politics" (Call and Cousens, 2008 : 10).

Peacebuilding involves a process comprising various functions and roles. It often involves a wide range of sequential activities that range from cease-fire and refugee resettlement to the establishment of a new government function that provides basic social services (Jeong, 2005). According to Bell (2001), however, the peacebuilding phase revolves around the efforts to strengthen the political institution, consolidate internal and external security and revitalise the economy and security.

Peacebuilding can be analysed through positive peace and negative peace lenses, a concept introduced by Johan Galtung. The absence of direct violence such as conflict or war is defined as negative peace. Stedman (2002: 2) proposes that "peacebuilding success can be measured in relation to the ending of violence and the conclusion of the war on a self-enforcing basis: when the outsider leaves, the former warring parties refrain from returning to war". Most peace settlements nowadays are directed to create negative peace, adopting the narrow approach of peacebuilding focusing upon stopping armed violence and maintaining a ceasefire over the short term.

In contrast, a positive peace embraces a broader understanding of peace that goes beyond the absence of direct violence (Jeong, 2000). This approach includes removal of structural violence, promotion of democratic values, development and national reconciliation (Newman, 2009). Galtung (1975, quoted in Miall et al. 1999:187) defined peacebuilding as "encompassing the practical aspects of implementing peaceful social change through socio-economic reconstruction and development". Galtung argues that cross-cutting issues such as gender and culture are the crucial element in the peace debate (Galtung, 2002, xvi). This thesis uses a broad definition of peacebuilding that closest o positive peace and is not only aimed at preventing the recurrence of the conflict but also at building sustainable peace.

Most peacebuilding operations under UN auspices have aimed to achieve negative peace. It is reasonable because successful maintenance of a ceasefire and quantifiable benchmarks such as numbers of refugees resettled, demobilisation and disarmament targets and employment indicators allow clear goals. It fits the nature of UN operations that are based on specific time

frames. This approach is commonly found in African and Middle East countries where the state institutions and physical infrastructure have been severely damaged, coupled with protracted hostility amongst ethnic groups or tribes. Peace-building operations with long term indicators such as establishing a culture of peace, economic equality, and national reconciliation are more feasible for implementation in emerging democratic countries with a working bureaucracy and adequate resources, such as some countries in Southeast Asia, including Indonesia.

2.8.2 Peace-Building in Practice

Bercovitch and Jackson (2009) stress the lack of general agreement about peacebuilding in practice. Doyle and Sambanis (2000) and Stedman (2001) tend to take a broad view and include all cases of post-civil war transitions to peace. Other authors such as Miall, Ramsbotham and Woodhouse (1999) and Paris (2001) focus merely on UN peace support missions. Chandler (2001), meanwhile, argues that fully developed peacebuilding covers operations in Bosnia, Kosovo, and East Timor. Bercovitch and Jackson (2009) aim to resolve this issue by suggesting three forms of peacebuilding operation:

> 1) Fully formed, comprehensive UN-directed peacebuilding operations 2) Peacekeeping operations with significant peacebuilding dimensions and post-conflict transition 3) A plethora of peacebuilding policies, projects and program within the wider activities of a large number of international, national and non-governmental development agencies (Bercovitch and Jackson, 2009: 177)

Worldwide, current peacebuilding missions are dominated by categories 1 and 2, especially in African and Middle Eastern countries. The last category fits the peacebuilding efforts in the Asia Pacific region, especially within Southeast Asia, where the role of the national government is visibly strong to control the direction of peacebuilding. Thus, it is interesting to investigate how the original concepts of the peacebuilding missions that are usually executed by UN agencies, regional organisations or foreign countries are predominantly conducted by the national government such as in Indonesia2.8.3 The Peace-Building Approach

Roland Paris (1997) argues that the growing number of peacebuilding operations in the world is not supported by attention to theoretical premises of the concept of peacebuilding, including the underlying assumptions. This lack of theoretical premise could lead to the false assumption that the motivation behind the peacebuilding is neutral (Phillipe-David, 2002). However, as Eva Betram (1995) points out, the reality is different:

> At root, full-scale peacebuilding efforts are nothing short of attempts at nation building; they seek to remake a state's political institution, security forces and economic arrangements (Betram, 1995 as cited in Phillipe-David, 2002: 25).

Bertram's notion of peacebuilding depicts the trajectory of peacebuilding operations in the post-Cold War era. The way peacebuilding is conducted is an emulation of the process of democratisation. The international community's involvement in promoting liberal democratic principles and institutions in societies emerging from internal violence is derived from the revival of the perceived link between peace and liberal democracy.

This following section will elaborate on the theoretical premise of peacebuilding that is divided into three approaches: Liberal Democratic Peace, Illiberal Peace-building and Non-Western/Hybrid Peacebuilding. While several elements of liberal, illiberal and hybrid peacebuilding will be useful as a tool in the analysis of my research, this thesis will not rely heavily on the prescribed approaches. I argue that state-led peacebuilding in consolidated democracies like Indonesia has its dynamic that does not specifically fit particular approaches.

2.8.3.1 Liberal Peace-Building

The liberal democratic approach was initially directed to foreign relations due to the disastrous impact of World War I. This approach was also applied to internal conflict that occurred in the aftermath of World War II. Based on the idea of democratic peace, Rummel (1995) argued that democratic countries have been more resistant to civil war because it is supported by a democratic mechanism such as mediation, negotiation and voting to deal with potential violent conflict. There is also concern that unstable countries marred with violent domestic conflict will be a prominent threat for regional and global security, which makes the imposition of liberal democratic peace more important (Sahin, 2009).

The liberal democratic approach is applied in several aspects, such as politics, economics, and human rights. In the political context, liberal peacebuilding is translated into free and fair elections and the limitation of government power. In the economic realm, it means the introduction of market economies and free trade while in human rights, it relates to the guarantee of freedom of speech, freedom of press and freedom of association. To outline, Paris (2001: 56) sees peacebuilding as "the effort to transplant western model of the social, political and economic organisation into post-conflict countries, or in other words, pacification through political and economic liberalisation".

Liberal peacebuilding is commonly conducted in a short to medium time frame to push political democratisation, economic liberalisation, and establishing the rule of law as the transition from fragility to stability (Krause and Jütersonke, Van Lieshout et al., as cited in

Valters, Van Veen and Denney, 2015). The element of democratisation, economic liberalisation and the rule of law are perceived as important aspects to building effective state institution (DFID, 2010).

2.8.3.2 Institutions before Liberalisation

Liberal peace as the major approach in peacebuilding has invited criticism. Some scholars (Miall et al. 1999; Paris 1997, 2001; Ramsbotham 2000; Tschirgi 2004) argue that the implementation of liberal peacebuilding amplifies the underlying factors of conflict: poverty and exclusion. Roland Paris is one scholar with profound criticism of liberal peace. Based on the failure of liberal peace in Rwanda and Angola that resulted in a resurgence of conflict, Paris (1997) argues that the primary fault of liberal peace is the introduction of market democracies. Liberalisation brought by international agencies has created destabilising side effects and harms the newly gained peace.

Paris' arguments were affirmed by Snyder (2000) who sees the impact of liberal peace from the aspect of the ethnic and cultural setting that often mislead democratisation into polarisation. In a certain cultural setting that is based on communities, tribes and clans, such as in Sub-Sahara, the Pacific and Asia, liberal human rights and democratic contestation can be culturally inappropriate and leads to fragmentation (Snyder, 2000). It is caused by political space created by democratisation that resulted in the establishment of new groups that are aimed to compete for political power (Snyder, 2000). The emergence of new groups is seen negatively by old elites as they threaten the status quo that they had been enjoying for decades. The old elites tend to secure their position by mobilising masses along primordial lines such as religion, ethnicity and race (Ottaway, 2002)

Richmond (2006) argues that liberal peacebuilding creates weak, dependent states that are marred by contested power-sharing and corruption. It occurs because post-conflict countries have an insufficient institutional framework to undergo the process of liberalisation (Fukuyama, 2004), while on the contrary, liberal peacebuilders believe that the population will simultaneously adopt the institutions implanted by international agencies regardless of their particular characteristics, culture and priorities (Richmond and Franks, 2008).

Paris (2007) affirms that some form of peacebuilding remains necessary and advocates fixing the peacebuilding mechanism and not abandoning it. Paris' (2007) primary suggestion is to delay the process of liberalisation until the establishment of capable political and economic institutions, as the early phase of democratisation and liberalisation can be very vulnerable (Snyder, 2000). In other words, Paris suggests the establishment of political stability rather than accelerated election and democratisation and calls it "institutionalisation before

liberalisation" (Paris, 2007). Paris also calls it as strategic liberalisation because it shares the primary goal of a liberal internationalist to promote political and economic liberalisation through peacebuilding operations but carefully attempts to avoid the destabilising effect of liberal internationalism (Paris, 2007).

2.8.3.3 Illiberal Peacebuilding

While at one end there is liberal democratic peace that adopts Westphalian principles, which often is used as a model in war-to-democracy transitions, there is illiberal peacebuilding at the other end of the continuum. De Oliviera defines illiberal peacebuilding as follows:

> a process of post-war reconstruction managed by local elites in defiance of liberal peace precept regarding civil liberties, the rule of law, the expansion of economic freedoms and poverty alleviation, with a view to constructing a hegemonic order and an elite stranglehold over the political economy (De Oliviera, 2011: 288)

The failure of global consensus to respond to civil war and inter-communal conflict has led to the emergence of illiberal practices in peacebuilding. After two decades of the domination of liberal peace during 1990 to 2010, norms of peace have become contested as they are gradually replaced by military victories as shown by the cases of Chechnya and Sri Lanka (Lewis, Heatershaw and Megoran, 2018). Lewis et al. (2018) offer the concept of Authoritarian Conflict Management (ACM) as a form of illiberal peacebuilding. Several characteristics of ACM are the rejection of international mediation, neglecting of the underlying factors of the conflict and opting to use state coercion and a hierarchical structure of power. Smith (2012) also mentions the use of military power as a major characteristic of illiberal peace. Regarding the cause of conflict, illiberal peacebuilding does not trust grievance and sees the conflict as mainly driven by greed (Lewis et al., 2018)

Illiberal peace is characterised by victor peace, where the victorious leadership determines the process of post-war reconstruction. Sri Lanka is one of the prominent cases of illiberal peacebuilding, where the Rajapaksa's government opted to use indiscriminate force to end its internal conflict. The post-conflict arrangement in Sierra Leone, Lebanon, Rwanda and Eritrea fit with illiberal peacebuilding precepts.

2.8.3.4 Hybrid Peace

Due to the destabilising impact of the western theoretical tradition of liberalisation and democratisation, there is a need to put more focus on the outcome of democratic contestation. This competitive aspect of democratisation may suit western culture well but could give a

different result if it is implemented in countries with different cultural settings. The establishment of a democratic institution must be adaptive and sensitive to local culture and political tradition (Jeong, 2005). Based on the cultural relativity and the evidence of the failed liberal peacebuilding, there is an increasing need to consider the implementation of hybrid or non-western peacebuilding approaches. MacGinty (2008) advises that "more attention must be given to non-state traditional actors and methods and their combination with modern forms of conflict transformation, be they state-based or civil-society-based". Furthermore, MacGinty (2008) reveals that traditional non-western approaches to conflict transformation and peacebuilding have not gained sufficient attention in political practice or academic research despite their promising success as an alternative method of conflict transformation in the contemporary era.

The main differing characteristic of hybrid peace compared to liberal peace is the acceptance of traditional institutions and values based on tribal, kinship, religion and ethnicity, combined with contemporary values such as democratisation and state institution (Yamashita, 2014). Many types of hybridity span between liberal state and illiberal institutions, norms, and practices. Jarstad and Belloni (2012: 1) define hybrid peace as follows`:

> a wide array of hybrid conditions, ranging from the formal inclusion of warlords into state institutions, to the influence of informal and traditional institutions and actors (such as clientelism, neo-patrimonialism, and non-state authorities like local chiefs), to instances where the state may possess formally democratic elements such as periodic elections, but is actually "captured" by narrow, illegal, and even violent groups.

The mixture between the implementation of liberal democratic practices and illiberal values is often unavoidable in several post-conflict countries in the transition period. Elements of clientelism and neo-patrimonialism occur particularly during the early stage of peace to keep the peacebuilding inclusive and ensure that all parties benefit from peace. However, Ockey (2019) criticised the "division of labour" of hybrid peacebuilding. Institution building is mainly carried out by well-financed and powerful international actors such as the UN, World Bank, or IMF and the participation aspect is left to civil society as the weaker actor.

From a different perspective, Ockey (2019) based on Eckstein's (1980) notion of contingent and inherent approach to conflict, argues that peacebuilding tends to adopt the contingent approach. The contingent approach is based on the assumption of the failure of the institution as the impetus of conflict and tends to focus on fixing or rebuilding state and economic institutions in creating sustainable peace (Ockey, 2019). Furthermore, he suggests that the

central focus of peacebuilding must be centred on the creation of effective mechanisms for past and newly emerging conflict and not only focus on state building or transformation of a single conflict (Ockey, 2019).

As mentioned at the beginning of this section, these frequently cited approaches – liberal, illiberal and hybrid – are not entirely relevant to explain the state-led peacebuilding in Indonesia. The major incompatibility with the liberal approach is that the peacebuilding process in Aceh occurs in the country with existing democratic institutions, albeit it contains significant shortcomings in its norms and institutions. The proponents of liberal peace strongly emphasise the establishment of a capable institution to provide security and development as the indicators of stable and functional states (Rotberg 2003; Doyle, 2005 as cited in Hartzell, 2014). Even before undergoing the democratic reformation in 1998, Indonesia already had strong military, police and governance institutions as well as a functional bureaucracy to deliver development and security to its people. There was also an absence of strong international peacebuilding actors in a long period in supervising peacebuilding in Aceh to enable the promotion (or imposition) liberal democratic values. The presence of international actors is one important characteristic in liberal peacebuilding as accentuated by Richmond:

> "guidance in, or control of, almost every aspect of state and society is provided by external actors, which construct liberal regimes through a mixture of consensual and punitive strategies. All of these approaches effectively combine an outside-in construction of peace, whereby outside actors import the specialised knowledge, procedures, and structures, with an inside-out approach, whereby disputants attempt to renegotiate this process according to their own interests, culture, and frameworks" (Richmond, 2010: 23)

Peace-building in Aceh was only supervised by the short term (sixteen months) and unarmed Aceh Monitoring Mission. The rest of the process is fully overseen and directed by the central government. De Rouen (2014) emphasises the possibility of the recurrence of peripheral ethnic wars that ended in a settlement (such as the case of Aceh) if the provisions of the peace agreement are slowly implemented or if there is a growing distrust by the former rebel movement of the government. Thus, it is appealing to observe the dynamics between former insurgents and the central government in managing post-conflict arrangements in state-led peacebuilding in Aceh where most of the peace building program and evaluation are carried out by the central government.

Most of the liberal peace building literature concerns the incompatibility of the liberal norms with existing local values and the inadequate institutional framework. Snyder (2000) and Ottaway (2000) highlight the clash between the participatory democratic channel through the election with the tribal or clan system while Fukuyama (2004) emphasises the problem of the insufficient institutional framework for the liberalisation process. However, peace building in Aceh is not plagued with these problems. Given the state-led building characteristic and the preceding democratisation process, peace building in Aceh is supported by existing state institutions, functional bureaucracy and the common practices of liberal democracy such as direct elections and the development of political parties. The two aforementioned factors: the absence of external actors and the sufficient institutional framework, all mean peacebuilding in Aceh does not fit with the liberal peace approach. Therefore, I choose not to employ the liberal peace framework in the analysis of this thesis.

The case of Aceh is equally incompatible with the illiberal peacebuilding stream as there was no obvious return of military role, the total victory of one group over another and total negligence of democratic principles. Hybrid value with a strong reliance on local norms also does not perfectly fit peacebuilding in Aceh. Even though MoU Helsinki and the subsequent regulations accommodate provisions related to local identity, the entire peacebuilding in Aceh could not be classified as "local peacebuilding".

Based on abovementioned considerations, this thesis will use neither a liberal, illiberal or hybrid approach to peacebuilding. I will rather employ the relative deprivation-grievance approach to analyse the durability of peace in Aceh. This thesis will also include a contingent and coherent approach in observing the dynamics of the peacebuilding process in Aceh, particularly during the implementation process that involved the methods of institution building and participation.

2.8.4 Timing and Phases in Peace-Building

The discourse over the timing and phases in peacebuilding emerged from the result of the third wave of democratisation. The difficult path from democratic transition to consolidation has led to the emergence of a new wave of "preconditionists" (Berman, 2007). The emphasis on the timing of the introduction of the core element of democracy leads to proposed transition strategies, namely sequentialism and gradualism. Sequentialism has been advocated by several scholars, including Samuel Huntington (1968), Fareed Zakaria (1997), and Jack Snyder (2000), who posit that successful democratisation should be based on sequential phases by following well-defined steps. It is commenced by increasing wealth and economic equality, accumulating state power before elections are held (MacLaren, 2009).

This argument is challenged by Carothers (2007) by introducing the concept of gradualism. The definition of democratic gradualism is different from sequencing. It does not translate into the complete postponement of fair and open processes of political competition, but does so in a cumulative and frequentative manner, until it reaches the desired goal (Carothers: 2007). Carothers offered this competing concept due to the possibility of the abuse of the concept of sequentialism in semi-authoritarian countries by "claiming that their partial political liberalization is a necessary halfway house on the way to democracy, when in fact it is a means to avoid altogether the kinds of far-reaching political changes that would threaten semi-authoritarian rule" (Carothers: 2007). In other words, the concept of sequentialism in liberal peacebuilding is often manipulated by authoritarian elites to prolong their undemocratic governance and political power.

While the first debate on sequencing has focused on the subject of democratisation, it is also influential in the field of peacebuilding. MacGinty (2016) proposed the concept of political time and sociological time to explain the phase of implementation of peacebuilding. Political time refers to procedural democracy such as an election or constitutional reform, while sociological time resonates political equality, broad public participation, transparency, accountability and anti-corruption (Brown and Langer, 2016). Most peacebuilding efforts are based on political time rather than sociological time, which is characterised by institutional reform in democratisation, constitutional reform and economic structural adjustment (Brown and Langer, 2016). Interestingly, Brown and Langer (2016: 444) based on Horowitz's findings (2013) conclude that the Indonesian style of incremental reform through a "piecemeal approach" might be successful in a post-conflict context. The slow process of constitutional reform was negotiated step-by-step with ongoing learning and adjustment, such as the transition from parliamentary elected president to direct presidential election found as an attractive alternative in peacebuilding (Brown and Langer, 2016).

In practical implementation, Bercovitch & Jackson (2009) based on data adapted from Miall et al. (1999) and Last (2000) make a framework of peacebuilding aims and tasks based on timing. He classified the aims and tasks into short, medium, and long-term measurements:

Table 2-1 A Framework of Peacebuilding Aims and Tasks

Peace Building Aspect	Interim/Short-Term Measures	Medium-Term Measures	Long-Term Measures
Military/Security	DDR, Separation of army and police, Maintaining law and order, Protecting the civilian population.	The consolidation of the new national army and integration of national police.	The demilitarisation of politics and the transformation of the cultures of violence.
Political/Constitutional	Negotiating political pacts, managing the transitional government, constitutional reform and institutional building.	Overcoming the challenges of the second election, deepen the reformation process.	Establishing good governance including respect for democracy, human rights, the rule of law, development of civil society within genuine civil society.
Economic/development	Humanitarian relief, essential social services, communication.	Rehabilitation of resettled population and demobilised soldiers, progress in rebuilding infrastructure and demining.	Stable long-term macroeconomic policies and economic management, locally sustainable community development, distributional justice.
Social	Overcoming initial distrust, facilitating intercommunal dialogue, consultation with local actors.	Managing conflicting priorities of peace and justice.	Healing psychological wounds, long term reconciliation, peace education.

Source: Bercovitch & Jackson (2009)

The series of tasks and aims in this table reflects peacebuilding efforts in non-emerging democratic and middle-income countries with strong involvement from UN agencies, regional

organisations or foreign countries. It can be seen from the provision of security such as separation of army and police, consolidation of the new army and constitutional reform. In the state-led peacebuilding process that has been predominantly conducted by national government, those processes have been completed. Thus, it is important to investigate the different characteristics of task and time measurement in national peacebuilding processes that have occurred in Indonesia, particularly when peacebuilding has approached the normalisation phase.

2.8.4.1 Transition and Normalisation Phases of Peace-Building

Due to the period of time my research has focused on, that is between 2005 and 2018, it is important to set out the phases of peacebuilding with more definitive terminology and a timeline. Table 2.2 provides samples of the classification of the peacebuilding phase and timelines from several institutions:

Table 2-2 Peacebuilding Phases and Timeline

Institution	Phase	Time
The Deutsche Gesellschaft für Technische Zusammenarbeit (2005)	Stabilisation Reorganisation Consolidation	1-3 years 4-7 years 8-10 years
The Center for Strategic and International Studies (2012)	Initial Response Transformation Fostering Sustainability	Short Term Mid-Term Long-Term (no specific timeline attributed to each stage)
The New Partnership for Africa's Development (2005)	Emerging Transition Development	90 days-1 year 1-3 years 4-10 years

Source: Reychler (2017)

Ball (2001), as cited in Bercovitch and Jackson (2009), classifies peacebuilding into transition and consolidation stages. In the transition phase, the major responsibility borne by peacebuilding actors is to provide security for civilians, establish a legitimate government, and manage IDP and refugee repatriation as well as commencing the process of political and economic reform. During the consolidation stage, the tasks include embarking on substantive economic and social recovery, promoting societal reconciliation and deepening political and economic reform.

In a broader meaning beyond conflict resolution, the Organisation for Economic Co-operation and Development/Development Assistance Committee defines a transition period as a "broad spectrum of activities along the path out of conflict [and complex disasters] and toward sustainable development, greater national ownership and increased state capacity" (OECD-DAC, 2012 : 1). It includes "recovery and reconstruction activities that traditionally fall between the humanitarian and development categories, and security-related and peacebuilding activities" (OECD, 2012: 1). Meanwhile, CSIS (2002, as cited in Lemay-Hebert and Vizoka, 2017) categorises normalisation based on the withdrawal of outside intervention, the functionality of governance and economic activity, and when internal and external relations are conducted according to generally accepted norms of behaviour. Richard Caplan defines 'normality' as 'a stable peace and the establishment of effective mechanisms of domestic democratic governance" (Caplan, 2005 as cited in Lemay-Hebert and Vizoka, 2017: 150). The Annex of Normalization from the Comprehensive Agreement of Bangsamoro between the Government of Philippines and MILF gives us the broad definition of normalisation as follows:

> A process whereby communities can achieve their desired quality of life which includes sustainable livelihood and political participation within a peaceful deliberative society. Normalisation aims to ensure human security. It helps build security that is committed to basic human rights where individuals are free from fear of violence and crime and where long-held traditions and values continued to be honoured. [6]

Given the trajectory of peacebuilding in Aceh that is entering the normalisation phase, this thesis will use and focuses on the transition and normalisation (or consolidation) phases.

2.8.5 Elements of Peace-Building

The process of peacebuilding is comprised of various functions and roles. Peacebuilding entails wide coverage of activities from "demobilisation of paramilitary groups and other security arrangements to refugee resettlement, economic reconstruction and the advancement of human rights" (Jeong, 2005: 6). The elements of peacebuilding in practice must be based on the grievances that triggered the conflict. Implementation of peacebuilding is the opportunity to address the grievance and deprivation that has been felt by the society in the deprived region. Among the various peacebuilding efforts in Aceh, political democratisation, economic liberalisation and human rights and justice and identity rule are the most profound elements to alleviating common and longstanding grievances.

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[6] Retrieved from https://peacemaker.un.org/sites/peacemaker.un.org/files/PH_140125_AnnexNormalization.pdf

2.8.5.1 Political Participation

Civil war and separatism are types of conflict that need political solutions. Therefore, in post-conflict areas, the transition from conflict to peace is marked by the participation of former combatants in the political process. Political participation is one of the important prerequisites for enduring peace. The nexus between political participation and conflict is affirmed by Barbara Walters (2004: 372) "countries whose citizens enjoy high levels of economic well-being and have access to a more open political system are significantly less likely to experience multiple civil wars than autocratic countries with low levels of individual welfare". The importance of political participation to reduce conflict is also affirmed by Valters, Van Veen and Denney (2015) who state: "political democratisation is assumed to reduce the legacies of conflict and marginalisation and to build a sense of civic identity by creating empowered and representative institution that can replace personalised political power". Zartman (1995) emphasised that the inclusion of the insurgency group into the political party (or the transformation of the armed group into a political party) is important to secure the transition.

The transition from conflict to peace requires a functioning and acceptable government. In post-conflict countries with divided societies, the formation of government and state building is difficult because ethnic, religious and regional loyalties often hamper the process of institutional building. Thus, it is also important when drafting a new constitution to accommodate all parties in the constitutional design of the future of the country to reduce the politicisation of ethnicity (Reilly, 2009).

Political transition in post-conflict areas is usually marked by two means of participation: through establishing political parties, and through elections. According to Zeeuw and Curtis (2010), the existence of political parties is essential to articulate aspiration from a society and to encourage alliances among different interests. The role of political parties is also significant in addressing grievances by accommodating different interests and demands from various communities and groups and translating them into manageable and workable programmes (Kumar, 1998). In terms of electoral politics, political parties are expected to select and prepare candidates for government and legislatures, manage electoral competition and get involved in political education (Zeeuw & Curtis, 2010).

While becoming the standard practice in peacebuilding, the establishment of political parties in post-conflict countries can have two opposite effects: it may help to consolidate peace by forming coalitions and transforming the energy of conflict into political contestation, but it can also worsen social fragmentation especially if the party formation is based on former conflict fault lines, such as religious or ethnic groups (Hillman, 2012).

Zeeuw and Curtis (2010) emphasise the importance of the integration or transformation of armed groups or paramilitaries into political parties or the national army. The dismissed non-state armed group must be transformed into new entities to prevent them from sparking another cycle of violence (Zeeuw and Curtis, 2010). Another problem arises from the inclusion or transformation of rebel movements which aspire to party politics. After spending years in the battlefield, rebel leaders or members of the movement have no knowledge about peacetime politics such as drafting budgets, public administration, managing development projects and dealing with international donors (Von Hehn, 2011).

While the establishment of political parties is beneficial in transforming former rebel movements into non-violent institutions, elections provide the means to start a new post-conflict political order based on the selection of representatives in parliament or government offices and confer legitimacy accordingly (Reilly, 2012). The successful election will positively contribute to national unity and reconciliation as it grants the people in the post-conflict area the right to vote and to be elected. However, elections might ignite new violence if the parties in post-conflict states are not yet ready for democratic contestation. It may occur particularly in a country where the competing parties are based on religious, ethnic, racial or tribal affiliations. Chapter 4 of this thesis will highlight the aspect of political participation of peacebuilding in Aceh, Indonesia. This aspect is one of the essential provisions of peacebuilding in Aceh because the conflict in Aceh was exacerbated by the lack of political participation, and it was addressed by comprehensive political settlements in the peace accord.

2.8.5.2 Economic Settlement

Perceived inequality is one of the primary causes of subnational conflict. Thus, in every peacebuilding effort, economic development needs to be carefully designed and implemented. A peace agreement creates high expectations for economic improvements due to better security conditions that lead to a favourable climate for investment and other economic activities. Development policies should be considered an integral part of a broader peace process, given that poverty and inequality erode peace (Jeong, 2005). Jeong (2005: 13) propose the direction of post-conflict development as follows: "equitable development that benefits the majority of people in the society combined with income-creating opportunities for the poor". This ideal condition requires development activities to be targeted to mitigate economic hardships and reintegrate the society across racial, religious and other divisions (Jeong, 2005).

Boyce (1996) adopted short- and long-term approaches to politics and the economy during the peacebuilding stage by emphasising the objectives of each phase: short-term economic policies

must promote microeconomic stability and strengthening of democratic institutions, while the long-term approach focuses on macroeconomic policy, with equality and democratisation.

Collier (2006) advises reducing military spending and accelerating growth. He argues that strong economic growth has proven to be more important for conflict prevention than political reform in post-conflict countries (Collier, 2006). The importance of stimulating economic growth post-conflict is also affirmed by USAID. In its publication "A Guide to Economic Growth in Post Conflict Society", USAID (2009) stresses the early need for a start in addressing the root of conflict in promoting economic growth in a post-conflict society. According to USAID, "evidence shows that early attention to the fundamentals of economic growth increases the likelihood of successfully preventing a return to conflict and moving forward with renewed growth" (USAID, 2009: 8). Each post-conflict situation is different, but in general, economic growth programs should aim to fulfil these following objectives.

Re-establishing essential economic governance restores the government's legitimacy, boosts employment and improves wellbeing as quickly as possible, addresses the root economic causes of the conflict, stabilises the economy and positions it to grow rapidly (USAID, 2009: 9).

Nevertheless, economic growth must be planned carefully in post-conflict peace settings. Robust growth that leads to economic marginalisation or inequality is the most common underlying cause of conflict. To prevent this, UNDP (2008) mentions the importance of inclusive growth. This approach emphasises the expansion of employment, reduction of economic inequality and the eradication of rent-seeking practices around the exploitation of natural resources (Pugh, 2011).

Extensive studies of the economic aspects of post-conflict peacebuilding are based on experience in African and Middle East countries, where the state institutions have been severely damaged or even non-existent. Unsurprisingly, they stress accelerated growth and rehabilitation. The situation is different in middle-income states where the economic foundation is still intact, and they have adequate resources to rebuild. Economic grievances in middle-income countries include the lack of inclusive growth and unequal distribution of wealth. Thus, it is important to have more studies on the economic aspects of peacebuilding in non-African and Middle East countries to find broader perspective, as I will explore in my research of peacebuilding in Aceh, Indonesia.

2.8.5.3 Fiscal Sharing (Peace Dividend)

The other element of economic development in post-conflict peacebuilding is fiscal power-sharing. Fiscal sharing is focused on the politics of peace dividends to generate an equal share of fiscal resources by reducing the proportion of central government and allocating a bigger share to local government (Alesman and Treisman, 2005). The impact of fiscal decentralisation on secessionist violence will depend on the true motives of those demanding secession. According to Aleman and Treisman (2005), there are three common motives for secession: autonomists, opportunities and local ethnic entrepreneurs. Autonomists aim to win greater authority to build local entities within existing states. Opportunists extort bigger shares of national wealth, while local ethnic entrepreneurs demand independence to gain local support (Alesman and Riesman. 2005: 176-177). Therefore, whether peace dividends are well utilised for society or are manipulated will depend on the leaders of the separatist movement.

The importance of fiscal sharing is acknowledged by scholars in the consociational school as it is argued by (Lipjhart, 1973; 1993: 188-189 as cited in Roeder and Rothschild 2005: 177): "Proportionality in the allocation of public funds is an essential element of successful power-sharing arrangement among ethnic groups". The central transfer to the most likely separatist region is also considered an effective strategy to prevent secession (Roeder and Rotschild, 2005).

Onder & Cordela (2016) state that natural oil revenue-sharing in post-conflict areas would generate various results. This scheme works in Aceh because fiscal decentralisation was part of the peace agreement between The Government of the Republic of Indonesia and the Free Aceh Movement in 2005. It did not work for Colombia Civil War resolution as 1991 fiscal reforms led to the appropriation of revenue by the rebel group to finance the movement. In Iraq, the result is mixed. Temporarily, oil revenue sharing between Iraq and the Kurdistan Regional Government might preserve Iraq territorial sovereignty, but in the long run, it could strengthen the Peshmerga fighters in their bid for independence (Onder and Cordela, 2016).

The subject of fiscal politics as peace dividends is crucial in post-conflict peacebuilding especially in sub-national conflict since the central government tends to allocate a large amount of funds to redress the imbalance of the distribution of natural wealth during the conflict. As was mentioned earlier, the impact of the distribution of the peace dividend will depend on the motives of separatism. It may generate optimal welfare for the wider public and alleviate grievances or will end up benefiting certain groups of elites who belong to one ethnic group. Thus, unless managed fairly, a peace dividend may contribute to the possibility of the repetition of internal colonialism, in which one group tends to exploit resources at the expense of the other. Centre-periphery economic disparity is one of the most profound grievances that

triggered conflict in Aceh. This deprivation was redressed by the arrangement of fiscal policy that allows Aceh to receive a greater share of the revenue from natural resources and an additional two per cent from the national budget ceiling for twenty years. This peace dividend warrants further investigation in my research because aside from its expected impact in remedying economic grievance, this fund is also the strong indicator of state-led peacebuilding that utilises a greater share of the internal fund rather than from international donors.

2.8.5.4 Human Rights and Justice

The rule of law and human rights are important aspects in peacebuilding to deal with past human rights violations, end armed violence and enter the judicial process for perpetrators. Human rights violations stemming from military operations are often not the original grievance of the conflict but create new grievances or intensify the old ones. However, the importance of human rights and the rule of law in peacebuilding is often sidelined and superseded by electoral politics and economic development. Lambourne (2004) identifies the shortcoming of the inclusion of human rights and justice in peacebuilding studies. Scholars such as David (1999), Stedman and Rotchild (1996) did not mention or discuss the aspect of transitional justice in their analysis of peacebuilding. Hartzel (1999) recognised the importance of justice in peacebuilding but did not include it in the analysis. Other scholars, Davis and Unger (2008) emphasise the importance of justice in creating sustainable peace. They argue that justice in peacebuilding is not merely about punishment but also as recognition of past mistakes, restoring the dignity of the victims, and rehabilitating and re-establishing their position in the society (Davis and Unger, 2008)

Practically, this ideal situation of the fulfilment of justice is difficult to achieve. In the interest of reaching an agreement and securing peace, the former perpetrators are often part of the new government as state apparatuses. They are the crucial elements in maintaining durable peace that make any attempt to establish a human rights court and conduct trials for perpetrators difficult. Hence, amnesty has become common practice in dealing with past human rights violations. If a war crimes tribunal is included in the peace settlement, it might be delayed with no definite time frame and require international intervention as occurred in the international war crimes tribunals for Rwanda and Former Yugoslavia. Lambourne (2004) also points out the lack of effort to analyse the concept of justice and reconciliation in post-conflict and how they are best achieved in a different post-conflict situation and cultural setting. However, other scholars such as Herman, Martin-Ortega and Sriram (2009) give a more optimistic view on the relationship between justice and peace by advocating complementary trajectories and not sequencing or delaying the justice process during the peacebuilding phase. One of their suggestions is to create a domestic human rights court as an

effort to prevent rejection of external intervention and strengthen the national judicial system accordingly (Herman, Martin-Ortega and Sriram, 2009).

The investigation of human rights and justice in Aceh is important in this thesis. While political and economic grievances are two dominant first factors of the impetus of conflict, the violation of human rights that occurred during a military operation in combating GAM resulted in heightened grievance and stronger resistance. The subject of human rights and justice in peacebuilding in Aceh will be further elaborated in chapter 7 of this thesis with the emphasis of the establishment of human rights court and transitional justice.

2.8.5.5 Identity in Peace Settlement

The acknowledgement of identity in peace agreement provision is, therefore, necessary to maintain the durability of peace. One of the attempts to manage problems related to identity in a post-conflict situation is to transfom them into the political arrangement. Consociational democracy is government by elite cartel designed to turn democracy with the fragmented political culture into a stable democracy (Lijphard, 1969). It is the form of governance that is commonly used in ethnically, racially or religiously divided society. Countries with a consociational democracy system institutionalise their cultural cleavages and use them to build a democratic structure through the power-sharing mechanism, either based on political parties which represent different groups or based on direct group identities (Ehrlich, 2017). Bosnia-Herzegovina is the primary example of post-conflict countries that employ consociational democracy to manage the tension of their cultural-religious diversity.

Another arrangement of the accommodation of identity component is the recognition of local and indigenous languages, customary institutions, freedom to perform religious worship and wear traditional attire, and inclusion of local languages in provincial school curricula in peace settlements. The Good Friday Agreement, which sought to end the conflict in Northern Ireland, included identity component in one of its provisions about economic, social and cultural issues as cited below:

> 3. All participants recognise the importance of respect, understanding and tolerance in relation to linguistic diversity, including in Northern Ireland, the Irish language, Ulster-Scots and the languages of the various ethnic communities, all of which are part of the cultural wealth of the island of Ireland.
> 4. In the context of active consideration currently being given to the UK signing the Council of Europe Charter for Regional or Minority Languages, the British Government will in particular in relation to the Irish language, where appropriate and where people so desire it:
> - take resolute action to promote the language;
> - facilitate and encourage the use of the language in speech and writing in public and private life where there is appropriate demand;

- seek to remove, where possible, restrictions which would discourage or work against the maintenance or development of the language;
- make provision for liaising with the Irish language community, representing their views to public authorities and investigating complaints;
- place a statutory duty on the Department of Education to encourage and facilitate Irish medium education in line with current provision for integrated education;
- explore urgently with the relevant British authorities, and in co-operation with the Irish broadcasting authorities, the scope for achieving more widespread availability of Teilifis na Gaeilige in Northern Ireland;
- seek more effective ways to encourage and provide financial support for Irish language film and television production in Northern Ireland, and encourage the parties to secure an agreement that this commitment will be sustained by a new Assembly in a way which takes account of the desires and sensitivities of the community (https://www.gov.uk/government/publications/the-belfast-agreement)

The most recent case is the Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao (OLBARMM), signed by President of the Republic of Philippines, Rodrigo Duterte in July 2018. The new law is considered to address the grievance, sentiments and demands of Muslims in Mindanao (Marcelo, 2018). This law stipulated the identity component on article II as follows:

Section 1. Bangsamoro People. – Those who, at the advent of the Spaniards, were considered natives or original inhabitants of Mindanao and the Sulu archipelago and its adjacent islands including Palawan, and their descendants, whether of mixed or of full blood, shall have the right to identify themselves as Bangsamoro by ascription or self-ascription. Spouses and their descendants are classified as Bangsamoro.

Section 2. Freedom of Choice. – The freedom of choice of other indigenous peoples shall be respected. There shall be no discrimination on the basis of identity, religion, and ethnicity.

Section 3. Bangsamoro Symbol. – The Bangsamoro Parliament shall adopt the official flag, emblem, and anthem of the Bangsamoro (https://peace.gov.ph/wp-content/uploads/2017/07/BBL-FINAL-DRAFT.pdf)

In the case of Aceh, identity emerged as the backdrop and narration of the conflict. The construction of the distinct Aceh identity compared to the "Indonesian Javanese Government" by Hasan Tiro, the leader of GAM, functioned as a driving factor to mobilise grievances into a consolidated liberated movement. This thesis will analyse the interplay of identity factors in peacebuilding in Aceh by focusing on provisions of the customary institution and Islam.

The component of peacebuilding is one of the important aspects of this thesis. Political participation, economy, human rights and identity represent the most profound grievances in Aceh that are addressed by the provisions of the peace settlement and its implementation in the aftermath of the negotiations.

2.9 Framework

Building upon several concepts in the literature review, this thesis will analyse the durability of state-led peacebuilding in Aceh Indonesia by utilising three frameworks: grievance alleviation, legitimacy, and peacebuilding methods. Grievance alleviation is instrumental in creating durable peace, and it lays a solid foundation for peacebuilding efforts. Grievance alleviation is typically stipulated in peace settlements. In yielding the expected result, grievance alleviations must be undertaken through various detailed regulations both nationally and locally. Political participation, economy, identity and human rights are chosen to represent Aceh's most profound grievances.

Legitimacy is chosen due to its ability to explain the dynamics between political adversaries, namely the incumbent or central government and insurgent or GAM in Aceh throughout the peacebuilding phase. Throughout the regulations (MoU and LoGA), the incumbent central government transferred several authorities to Aceh in terms of local politics, economy, identity, and human rights. It is, therefore, appealing to observe how the transfer of authority from the central government influences the legitimacy of insurgents/GAM to Aceh people in times of peace. How is the legitimacy of insurgents/GAM gained, maintained, strengthened diminished, or regained by the central government throughout the process of peacebuilding?

The other influential factor in determining the durability of peacebuilding is how the alleviation of grievances is conducted. Whereas this thesis does not specifically use the liberal democratic approach, it will utilise the concept of participation and institution building, two concepts that are associated with liberal democratic peace, as the methods of peacebuilding implementation in Aceh.

The framework of this thesis is constructed as follow:

Figure 2-1 Research Framework
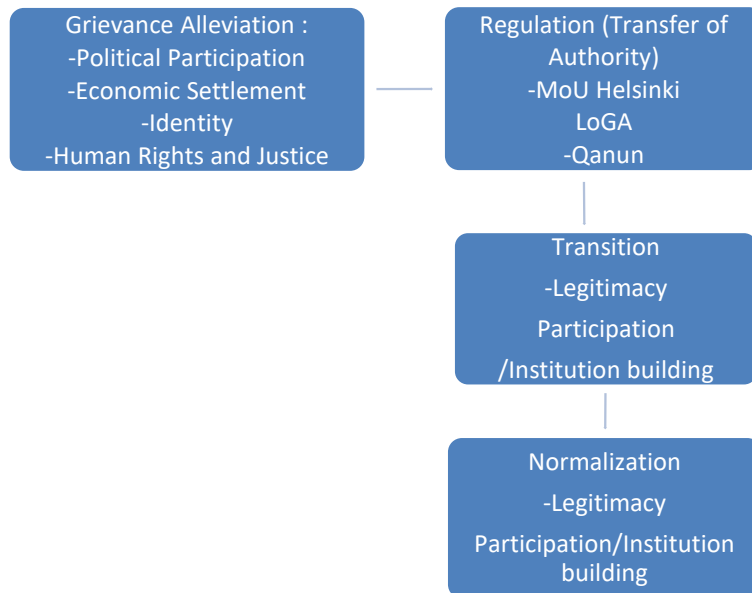
Another factor in analysing peacebuilding in Aceh is its trajectory from transition to the phase of consolidation and normalisation. Peace has been maintained for more than ten years without any major setback or escalating violence. Thus, it is important to observe which provisions of the peace settlement have been fully (or partially) implemented and which ones have yet to be implemented or have been withdrawn. The sequence or timing of each provision (politics, economy, human rights and identity) contributes to the durability and dynamics of peacebuilding in Aceh.

2.10 Hypothesis

In answering the research questions, the following hypothesis will be tested in analysing post-conflict peacebuilding in Aceh, Indonesia.

H.1. A peace agreement which addresses grievances will contribute to a durable peacebuilding process in middle-income countries with a relatively strong government like Indonesia.

H.2. In order to secure sustainable post-conflict peacebuilding, the peace agreement should be enacted in national and local law.

H.3. Participation aspects of peacebuilding will contribute to unification, recognition of identity and legitimacy to address the underlying grievance.

H 4. Institution building will increase legitimacy, secure resources and stabilise the conditions for lasting peace.

H.5. In a country where the bureaucracy, state institution and national identity have been relatively strong and settled like Indonesia, state-led peacebuilding that combines participation and institution building contributes to a durable post-conflict peacebuilding process.

The grievance is constructed by relative deprivation, a perceived inequitable resources distribution by the political and economic system because of the failure of institutional structure (Ockey, 2019). Legitimacy is described by Bernauer, Mohrenberg & Koubi (2016), as "a situation where citizens believe that political authority delegated to policy-makers and political institutions is being appropriately exercised and thus deserves to be obeyed" (Bernauer et al., 2016: 2). Participation, due to its broad meaning, is limited to the peacebuilding realm and understood as "the active involvement of the people in the conflict setting in the peacebuilding" (Nascimento, Jacobs and Keeler, n.d: 6). Participation in this thesis consists of electoral participation as well as general public participation, including women's political participation in the decision-making process. Institution building refers to the approach of liberal peacebuilding that is driven by the belief that the principal "problem" with conflict-prone and post-conflict states is the absence of effective state institutions that could be solved by (re) building a viable institution and are often based on a generic western model (Futamura, Newman & Tadjbakhsh,2010).

The first two hypotheses are formulated to analyse alleviation of grievance in Aceh through various conflict resolution methods, a peace settlement and subsequent regulations. The first hypothesis focuses on the construction of grievance alleviation in peace settlement while the second emphasises the dynamics of grievance alleviation in national law and bylaw (local laws). Hypothesis one and two are mainly used in chapters four, five, six, and seven to examine the nexus between regulation and grievance alleviation. Meanwhile, the third to fifth hypotheses will be used to examine the peacebuilding process. Hypothesis three and four aim to investigate the interplay of authority, capacity, legitimacy, participation, institution building and neo-patrimonialism throughout the peacebuilding process in Aceh. Hypothesis five aims to link hypotheses three, four and five.

2.11 Methodology

This research will use qualitative methods to analyse the case study of Aceh, Indonesia. One of the main distinctive features of qualitative research is that it allows the researcher to identify issues from the perspective of study participants and understand the meaning and interpretations that they give to behaviour, events or objects (Hennik, Hutter, Bailey, 2011). The researcher also needs to be considered a part of the research setting and be reflective and self-critical (Gray, 2009).

In addition to qualitative methods, this thesis employs a case study approach. According to Yin (1994, as cited by Hsieh, n.d), a case study is:

> An empirical inquiry that investigates contemporary phenomenon within its real-life context especially when the boundary between context and phenomenon are not clearly evident [It] copes with the technically distinctive situation in which there will be many more variables of interest than data points and as one results of multiple sources of evidence that data points with data needing to converge in a triangulating fashion, other results benefit from the prior development of theoretical proposition to guide data collection and analysis".

A case study should be considered to answer "how" and "why" questions (Yin, 2003). Case studies allow the researcher to explore or describe a phenomenon in context using a variety of data sources (Baxter and Jack, 2008). It is also beneficial to discover grounded theory (Eisenhart: 1989), due to its ability for hypothesis testing and theory development, (George and Bennet, 2005) and "well suited to new research areas or research areas for which existing theory seems inadequate" (Rowley: n.d). A case study approach can be conducted as a single case analysis or as a comparison of several individual cases (George and Bennet, 2005).

However, case studies are also criticised as lacking rigour due to flexibility in data sampling and data collection and analysis (Hsieh, n.d). The selection of sampling depends on the researcher, and it invites criticism about researcher bias. The amount of data is often too little to contain enough evidence (Hsieh, n.d). In order to minimise the flaws in the case study and ensure trustworthiness, Yin (2009) advises the researchers to use multiple sources of evidence, develop case study protocols, triangulate data, use theory for a single case study and use replication logic in multiple case studies.

2.11.1 Data Collection Methods and Procedures

Individual Semi-structured Interviews

Semi-structured interviews with the inclusion of some open-ended questions were chosen to obtain primary data. This was selected due to the flexibility to accommodate and explore new themes that arose during the interview process. The information received about the peace agreement and its subsequent regulations at national and local level consists of:

1. The level of engagement of the consultation process of local law derived from peace agreement and national law.
2. The opinion about the implementation of the peacebuilding provisions that consist of political participation, economy, human right-justice and identity, and their contribution to alleviating the grievances.
3. The level of political participation through the election and political parties.
4. The utilisation of peace dividend through fiscal politics (Special Autonomy Fund).

The interview questions are constructed from the main topics which represent variables in the framework as depicted in the table below:

Table 2-3 The Sample of Topics and Questions of Primary Data Collection

Sample of Topics	Sample of Questions	Hypotheses
The Information of Peace Agreement and Subsequent Regulations	1. What do you know about MoU Helsinki and LoGA? 2. Have you ever read the full text or part of MoU Helsinki, LoGA (Law of Governing Aceh) or Qanun related to MoU and LoGA?	In order to secure sustainable post-conflict peacebuilding, the peace agreement should be well enacted in national and local law.

The opinion about the implementation of the peacebuilding provisions what are their contributions to alleviating the grievances	1. What is your opinion about the impact of MoU Helsinki for political participation in Aceh? 2. What is your opinion about the impact of MoU Helsinki for economic development in Aceh? 3. What is your opinion about the implementation of Sharia Law in Aceh? 4. What is your opinion about the progress of human rights and justice in Aceh after peace agreement?	In a country where the bureaucracy, state institution and national identity have been relatively strong and settled like Indonesia, the implementation of a mixed peacebuilding approach contributes to a durable post-conflict peacebuilding process
The level of political participation through the election and political parties	1. Did you vote in the past legislative, municipality and gubernatorial elections? 2. What is your opinion about voter turnout in Aceh local elections? Do you think people in Aceh were an enthusiast to cast their vote? What is the reason for their enthusiasm (or apathy)? 3. Did you join any political parties? Is that local or national party? 4. Why did you decide to join this political party? 5. Who are the constituencies of your party? (ex-combatant, youth, women, student, professional, urban, rural)	1. Participation aspect in liberal democratic peace will contribute to unification and recognition of identity to address the underlying grievances 2. An institutionalist approach will secure resources and stabilise the conditions for a lasting peace

Women's Political Participation	1. What is your opinion about the representation of women in Aceh election, both in the legislative and gubernatorial/mayoral election? 2. Do you think political parties in Aceh have supported the representation of women?	Participation in liberal democratic peace will contribute to unification and recognition of identity to address the underlying grievance
Local Politics Dynamics	1. What is your opinion about local political parties in Aceh? Do you think it had accommodated MoU? 2. What do you think the causes of the breakup of local political parties of GAM? How did it happen? 3. What do you think about the dynamics and competition among local political parties in Aceh? Do you think it will bring negative impact to the peacebuilding process in Aceh, or on the other hand, competition is necessary for healthy political development in Aceh?	1. An Institutionalist approach will secure resources and stabilise the conditions for a lasting peace 2. Illiberal or hybrid peace governance with the common feature of patronage in acquiring resources and maintaining the old structure of power will integrate the former combatants to peace, but in the long run, will lead to the perpetuation of internal colonialism within Aceh

Document Analysis

1. Books and Journals

   Due to its intricate history of conflict, peace and disaster, Aceh has attracted a large amount of national and international research, particularly after the tsunami and peace agreement. Newspaper and Magazine Online articles and secondary data from this category were collected from international, national and local news sources. I attempted to compare articles related to the topic of this research from several sources to obtain a balanced viewpoint.

2. Official data from various government agencies

   I gained supplementary statistical data about voter turnout, women's representation in the legislative election and the allocation and disbursement of special autonomy funds from government offices such as the National and Provincial Election Commission and Local Development Planning Agency.

3. Reports from international agencies such as World Bank, ADB and UNDP and think thank organisations (ICG, IPAC, Amnesty International, Human Rights Watch)

These two methods have their strengths and weaknesses. Primary data guarantees originality and targeted information. However, it is time consuming, costly and without adequate skill, I will not obtain substantial information, for example in interviewing government officers, the answers are rather formal and based on what they have to say rather than what they want to say. There are also security constraints, especially if the locus of research is conflict or post-conflict areas. Secondary data is available in vast supply, time-saving, low cost, and comparable with other sources. However, it also contains several weaknesses such as incomplete and outdated information and could be very subjective and biased. Thus, the combination of both types of data is beneficial for a strong foundation for the analysis of my research.

2.11.2 Risks and Ethical Considerations

While Aceh is generally considered to be a safe place after conflict and disaster, I still take a cautious approach to doing field research in this province. All interviews are conducted in public spaces such as university buildings, government offices or cafes and during working hours (9 am to 5 pm). I also paid attention to cultural sensitivity and strong Islamic values in Aceh such as wearing modest clothing and covering the hair during the entire phase of data collection.

Although most questions were designed to examine current situations post-conflict, I responded carefully to any answers that were related to past traumatic experiences of conflict

and disaster, given the semi-structured type of interviews. I also anticipated possible suspicion or further questions regarding the difference of ethnicity between the researcher and the respondents. Ethnicity is an essential element for some respondents. It was proven by the first question from some respondents after I introduced myself: "which ethnic group are you belong to?" Being half-Javanese, an ethnic group that was considered as the representative of the central government and the "enemy" during the conflict era, then I have to be culturally sensitive if some respondents resorted to stereotyping or expressed anger and resentment toward Javanese people.

I placed a very high consideration of the safety and confidentiality of respondents. All respondents were contacted and given an official letter and information about the research before the data collection. Several respondents who had just been approached after snowballing sampling was conducted, were also given the same documents. Informed consent was explained to all respondents before the interview, and they could withdraw anytime from the interview if they did not feel comfortable to answer the questions.

I obtained human ethics approval from the University of Canterbury during phase one of data collection and from Bina Nusantara University for the second phase. The confidentiality of respondents is strictly maintained by using pseudonyms such as peacebuilding activist (PA), local political party (LPP), or student (S) in thesis writing.

2.11.3 Sampling

The resources of this research consists of several groups of respondents, represented by local (provincial and municipality) government officers, local and national political party officers, peacebuilding activists from the women's movement, media, education, community development and human rights, former peace agreement negotiators, lecturers, students, and political analysts. In phase one, 30 respondents were interviewed and 14 respondents were added in phase 2, making the total number of interviewees of this research 44. I used purposive sampling combined with snowballing in selecting the respondents.

2.11.4 Research Sites

The region of Aceh in Indonesia is chosen as the case study due to its peculiar trajectory of peace. Conflict in Aceh must be seen in the wider context of Indonesia's emergence as a democratic country. Indonesia is one of the countries which experienced domestic insurgencies in the aftermath of World War II. Aceh is a notable case of the unrest. Along with several troubled areas such as Maluku, Papua, East Timor, and Kalimantan, Aceh has been suffering civil war for almost 30 years. The guerrilla warfare performed by Gerakan Aceh Merdeka (GAM) was countered by strong military force and accompanied by massive human

rights abuses, which were conducted during President Suharto's administration, between 1968 and 1998.

In August 2005, the Memorandum of Understanding was signed in Helsinki between GAM and the Government of the Republic of Indonesia. The signing of this MoU concluded the thirty years of conflict between two parties. Eight years after MoU Helsinki was signed, the peace in Aceh remains durable. Aceh's peace durability is based on Hartzell, Hoodie and Rothchild's (2001) opinion that durable peace is reached if there is no return to war within five years from the peace agreement because the resumption of civil war after five years of peace is unlikely to happen. The pair of former combatant and youth activists won the 2006 gubernatorial election. The political achievement of former combatants was followed in the legislative branch by the impressive victory of Partai Aceh (PA), a political party established by a former GAM member, by winning almost half the votes in the province. The political transformation seemed complete, with the PA taking control of the parliament while other former rebels, including Governor Irwandi Yusuf and his vice governor, Muhammad Nazar, lead the executive's branch. The result of the post-conflict peacebuilding in Aceh led to positive discourse over the factors contributing to the favourable post-conflict situation in this province.

The favourable conditions of the post-conflict peacebuilding in Aceh regarding local democratic elections, the dynamics of the transformation of former combatants to politicians and economic reconstruction may lead to a premature conclusion that the liberal democratic approach has been successful in sustaining peace in the post-conflict area. It is emphasised by Aspinall (2009: 223) "Eventually, resolving the Aceh conflict became an agenda item in the international endeavour to remake Indonesia as a modern liberal democracy". This thesis suggests the importance of the investigation of the peacebuilding approach which has been applied in Aceh together with the analysis of the implementation of the MoU. Thorough research on the implementation of peacebuilding in Aceh will be beneficial in enriching the case studies of peacebuilding in a stable, middle-income country with a working bureaucracy and adequate security forces and where the national government has been dominant in directing and regulating the peacebuilding programs.

My research is conducted in two municipalities, Banda Aceh and Lhokseumawe, and in one regency: Aceh Tengah (Gayo). The selections of these particular areas are based on historical, ethnographic and political considerations as follows:

a. Banda Aceh: the capital of the province and the centre of bureaucracy. This area was severely hit by the tsunami which caused massive destruction and took 61,065 lives, reducing the population of Banda Aceh from 264,168 to 203,553 (Nurdin, 2006). Miller and Bunnel (2010) reveal the interesting finding that most writing about Aceh fails to notice that Banda Aceh is the capital of the province and its residents were not well-exposed to the conflict. It occurred because the footholds of the insurgency concentrated in rural Aceh such as Pidie, North Aceh, and Meulaboh. Thus the Banda Aceh residents were shielded from the worst part of the conflict (Miller and Bunnel, 2010). The situation had changed since the collapse of Suharto's New Order Government, which turned Aceh from the capital city that is heavily dominated by Jakarta's interests to a place filled by consolidated civil society who openly opposed the role of central government, particularly Jakarta's military approach to Aceh's conflict (Miller and Bunnel, 2006). Banda Aceh is the location of two prominent and influential universities: Syiah Kuala University and Ar-Raniry Islamic University, which gives space for academic discourse and activism towards conflict and peacebuilding. Banda Aceh will give insight into the political dynamics of conflict and peacebuilding between central and local government, as well as between rural and urban areas.

b. Lhokseumawe: a strong base of GAM. According to Schultz (2003), the number of GAM members in North Aceh- Lhokseumawe is 1,331, making it the place with the second-largest number of GAM members after Pidie. Lhokseumawe in North Aceh is also a site of ASEAN Aceh Fertilizer and Mobil Oil, a multinational company which has been operating the Arun gas field since 1968. Lhokseumawe is a sound example of economic deprivation and conflict. This area was rich in liquid natural gas, and it attracted several multinational and national companies, such as Mobil Oil (now Exxon Mobil), ASEAN Aceh Fertilizer, and Aceh Pulp and Paper to open and operate their businesses. However, the development of industrial zones in North Aceh and Lhokseumawe had created negative social and economic consequences such as environmental degradation and requisition of the land from small farmers without proper compensation (Kell, 1995). An only a small number of local people could be employed in the industry, and they usually did rudimentary jobs. Despite its plentiful natural resources, people in Lhokseumawe and North Aceh were economically marginalised, and Aceh is among the poorest provinces in Indonesia (Sukma, 2004).

c. Gayo: a highland area in the heart of the province and is located in the Barisan Mountain. According to Graf (2010), Gayo is the outlying area of the Aceh Kingdom with its distinct culture. They do not speak Aceh's language that is predominantly spoken in this province but speak an Austronesian language which is close to Batak

and absorbed several words from the Khmer language family (Graf, 2010). Apart from Gayo, the region is also inhabited by Chinese and Javanese migrants. The heterogeneity of Gayo has made this region more ethnically self-conscious but also more accommodative to Indonesian language and culture and also to migrants and other ethnic groups (Graf, 2010). During the conflict, the highland areas of Aceh experienced social fragmentation as some Javanese people or people who with Javanese descendants were recruited as paramilitaries to combat GAM.

d. On the other hand, they also became victims of the conflict by being banished, assaulted or even murdered. Around the year 2000, a movement emerged in Aceh's central highland district for the creation of a new province called ALA (Aceh Leuser Antara). This movement was joined several years later by a similar movement advocating for the creation of another new province, Aceh Barat Selatan (ABAS). The ALA and ABAS movement caused anxiety in Aceh during the drafting of LoGA (Law of Governing Aceh) when the question arose whether or not the final version of the law would provide for the possibility of partitioning Aceh (Ehrentraut, 2010). Gayo is a significant area in providing the landscape of ethnic group diversity and political affiliation in Aceh.

The selection of areas as mentioned earlier is expected to support effective analysis of economic and identity grievances as underlying factors of conflict in Aceh and how they have been addressed by the implementation of the peace settlement and peacebuilding approach. Those particular areas well represent the emergence of political-economic grievances and identity as a component of grievance. However, the primary objective of the selection of three research sites is to give a diverse range of data and opinion, but they are not treated as independent analysis.

2.11.5 Time Frame

Regarding the time frame of the study of the peacebuilding process in Aceh, this research is limited to the period between August 2005, when the Peace Agreement was signed, to August 2018. During that period, Aceh has conducted several local elections, experienced the dynamic of local politics including the fragmentation of GAM as a political party, the transformation from economic reconstruction to development and peculiar trajectories in human rights, justice and identity aspects.

I conducted data collection in two phases. The first data collection was conducted in 2012 and the second in 2018. These two stages of data collection have enabled myself to gain a more comprehensive insight into the dynamics of peacebuilding. During 2012 field research, Aceh had just conducted three local elections with the domination of primary local political actors.

In 2018, Aceh had another two elections that revealed the different local-national political landscape, a new development in institution building and civil society movement and also discourse towards the final stage of special autonomy fund as the peace dividend as a reflection of the normalisation phase.

2.12 Conclusion

A broadening interest in defining successful peace resolutions and securing lasting peace has developed into the study of peacebuilding. Peace-building is particularly important because internal conflict which dominated in the post- Cold War era has the potential to relapse. The alleviation of grievances is crucial to addressing the underlying factors of conflict. Due to its protracted nature, conflict relapses easily if the major causes are not properly addressed. This thesis aims at investigating the state-led peacebuilding process that leads to durable peace in Aceh Indonesia. Peace has been sustained for 13 years, without any significant outbreak of violence or major breaches of the peace agreement.

This chapter presents the literature review, methodology and case study. Based on the literature review, this thesis will employ the concept of grievance alleviations, how the grievance alleviations are properly addressed in a peace settlement and its subsequent regulations. There are four main grievances: political participation, economic settlement, human rights, and justice and identity, and these were chosen and used as the components of peacebuilding implementation. The other working concept that marks the process of state-led peacebuilding is the competing legitimacy between the incumbent/state insurgent during the conflict and its continuity in peacetime. Two concepts from liberal peace, participation and institution building will also be employed to give a more comprehensive analysis of the implementation of peacebuilding. Given the durability of peace, this thesis will also include time and phase of peacebuilding in terms of transition and normalisation stage. From the investigation of those three working concepts, this thesis will conclude the peacebuilding approach in Aceh and how it works to maintain the durability of peace.

Chapter 3: From Islamic State to Tsunami: The Framing of Grievance, Mobilisation, and Peace Settlement in Aceh

3.1 Introduction

Peace-building is inseparable from conflict and conflict resolution. Due to its focus on institution-building, coherent approaches that have dominated the study of peacebuilding have often detached the study from the preceding conflict and conflict resolution (Ockey, 2019). This thesis links conflict and peacebuilding, proposing the hypothesis that peace will endure if the peace agreement properly addresses grievances as the underlying factors of conflict. Against this backdrop, chapter 3 focuses on the analysis of the multiple grievances in Aceh, the construction and mobilisation of grievances into collective action by GAM, and the elaboration of the conflict resolution and peace settlement. Grievances are chosen to explain the conflict in Aceh because through the lens of grievance, various types of relative deprivation in Aceh, in politics, the economy, identity and later, human rights, could be explained. This is followed by the analysis of the process of the mobilisation of grievances into a separatist movement. The deprivation of political centralisation, economic injustice and the dominance of Javanese identity are not exclusive to the case of Aceh, yet those grievances were not strong enough to create the same sentiment and ethno-nationalist movements in other areas in Indonesia. Hence, the grievances in Aceh were well-narrated, framed and utilised to create the separatist movement and sustain the struggle for 30 years. This chapter concludes with the elaboration of conflict resolution and the peace settlement efforts in Aceh to alleviate the grievances and bring the conflict to an end.

3.2 Aceh: History, Culture, and Society

The Kingdom of Aceh was established in the 15th century, with Sultan Ali Mughayat Syah (1514-1530) as the first ruler. The Sultan expanded his power by annexing the Port of Daya on the west coast of Sumatra, the Port of Pidie on the east coast, and finally liberated the Samudra Pasai Kingdom, the first Islamic Kingdom in the archipelago, from Portuguese rule (Mitrasing, 2011). Aceh then rose as the centre of Muslim trade to replace Melaka after it was conquered by Portuguese in 1511. Along with two other Islamic kingdoms, the Ottoman Empire and the Gujarat Sultanate, Aceh formed a triangular alliance to challenge Portuguese supremacy in the spice trade (Ito and Reid, 2015). Islam thus became an important marker of Acehnese sultanates. Unlike Islam in most of Indonesia, which is imbued with Hinduism and *adat* (custom), in Aceh Islam completely supplanted Hinduism and the Sultans of Aceh integrated sharia law as part of the political culture (Abuza, 2016).

The pinnacle of Aceh's golden age came in the seventeenth century under Sultan Iskandar Muda, when Aceh existed as the important military and trade power in the region. In addition to establishing Aceh as a powerful and wealthy kingdom, Sultan Iskandar Muda maintained international relations with various European envoys from France, the Netherlands, England, as well as Siam and other Asian powers (Reid, 2006b). However, at the same time, the Sultan also resisted foreign intervention by resisting Portuguese intentions to build a bastion in the sultanate to prevent the infiltration of the Dutch (Pinto, 2012).

One of the important occurrences in the colonisation of Aceh was the Anglo-Dutch treaty in 1824, an agreement on the exchange of British and Dutch possessions. This treaty regulated the British possession of India and Singapore in return for Dutch control over British possessions on the island of Sumatra but with the retention of the independence of the Acehnese Sultanate (Hing, 2006). However, in 1871, the British broke the agreement of the Aceh sovereignty and granted full access to the Dutch to invade Aceh in return for trade concession and the acquisition of Ghana (Reid, 2006c). This breach of agreement played an important part in the construction of GAM's later independent claim as di Tiro strongly stressed the existence of independent Aceh during the era of colonialisation. In 1873, the Dutch officially issued a formal declaration of war to Aceh and began to launch relentless efforts to conquer it. The invasion was met with endurance and strong resistance from Acehnese elites and society. The war ended in 1903 with the capture and exile of Sultan Muhammad Daud Syah, but the Dutch occupation remained challenged by continuous guerilla war until 1914 (US Committee for Refugees and Immigrants, 1999). According to Aspinall (2009a), these two occurrences, the golden age of the Iskandar Muda Sultanate and the strong resistance of Acehnese to Dutch occupation are the important great myths that will support the construction of the narrative of Aceh's glorious past and heroic struggle of survival by GAM.

The 1990 census recorded the population of Aceh as 3.4 million, while the 2010 census recorded the population of Aceh as 4.4 million after the massive destruction from the tsunami of December 2004 (Reid, 2006a). In 2016, the population increased to 5.1 million (BPS Aceh). More than 80 per cent of Aceh's population is ethnically Acehnese, and they commonly speak Acehnese despite being educated in Indonesian as the national language (Reid, 2006a). Due to its strategic position in one of the busiest commercial lanes of Malacca Strait and the richness of agricultural products, Aceh has been a popular destination for migration. It attracted settlers from outside the archipelago: South Asia, East Asia, India, Europe, and from within the archipelago (Schroter, 2010). Most migrants have assimilated into the local population. The great majority of Aceh's population consider themselves Acehnese by history,

custom, and culture (Reid, 2006a). However, they come from a variety of different cultures, an important fact that places Aceh as a multicultural province in a multicultural state (Schroeter, 2010). Aceh's population consists of a majority of ethnic Acehnese, smaller groups of indigenous minorities such as Gayo, Alas, Singkil, Kluet, Batak, Tamiang and Aneuk Jamé, as well as a significant population of Javanese transmigrants (Schroter, 2010). Most Javanese settlers reside in Central and East Aceh, while Chinese entrepreneurs dwell in urban communities and maintain their identities (Schroter, 2010).

Map 3-1 Indonesian Map

Map 3-2 The Province of Aceh

Understanding of Aceh's diversity is necessary for the analysis of the conflict and peace in this province. The demographic landscape of ethnicity in Aceh is an important factor in determining the level of engagement with the rebel movement and separatism aspiration. People from Central Aceh with a distinct ethnicity and language, such as Gayo and Alas, tend to give less support to separatism. In contrast, support for GAM is dominated by people from the Acehnese ethnic group that resides mostly in coastal areas such as Bireun, Pidie, and North Lhokseumawe. Aceh's multiculturalism is also an important aspect of second order minority grievances, in which the ethnic minorities in Aceh experience and perceive a relative deprivation in comparison to the majority group in Aceh, which in turn is similar to how the majority of Acehnese feel towards the central government of Indonesia.

As has been elaborated in chapter 2, conflict in Aceh is primarily derived from grievances. Thus, it is necessary to elaborate on the typology and cause of grievances in Aceh. The next section is the elaboration of multiple grievances in Aceh that will be divided into four types: political, economic, identity and human rights and justice.

3.3 Multiple Grievances in Aceh

3.3.1 Political Centrality

Political grievances are the first type of discontent that Acehnese feel towards the Government of Indonesia. After Indonesian independence was officially proclaimed on August 17, 1945, the Dutch attempted to re-establish their authority, but they never returned to Aceh. The vacuum of colonial power gave Aceh complete political autonomy (Sjamsudin, 1985). The Acehnese demonstrated significant support for the establishment of the young republic by donating two Dakota planes to the Indonesian Air Force. Sukarno requested Aceh's contributions to purchase the first passenger aircraft in Indonesia and money collected by Acehnese was enough to buy two Dakota planes (Pratama, 2018). Aceh also became the site of brief emergency government headed by Prime Minister Sjafrudin Prawinanegara in the first half of 1949 (Reid, 2010; Aspinall, 2009a).

Aceh's support for the central government was actually motivated by the aspiration for the acknowledgement of their distinctness and contribution, as described by May (cited in Kell, 1995): "Aceh's loyalty to the central government during this period was inspired precisely by the fact that it was free to run its own affairs without central interference, and the Acehnese furthermore expected that their region's historical separateness and its contribution to the national revolution would be accorded due recognition in a future Indonesian state".

The discourse over the state's ideology and centre-periphery discontentment characterised the political situation during Sukarno's administration. Political grievances in Aceh occurred in 1950 when the idea of federation that was promoted by Aceh was rejected by Jakarta in favour of a unitary state (Kell, 1995). Jakarta also dissolved Aceh Province and incorporated it into the province of North Sumatra (Sulaiman, 2006). Frustration began to spread in Aceh, and its people felt that the Acehnese contribution in the national revolution had been forgotten once independence had been achieved (Sjamsuddin, 1985). This gave birth to the Darul Islam (Abode of Islam) rebellion in 1953, the first insurgency in post-colonial Aceh. The rebellion was led by Daud Ber'euh and aimed to create an Islamic Indonesian State. The rebellion was resolved in 1962 by the replacement of non-Acehnese troops with Acehnese and "the institutionalisation of Acehnese distinct identity by extending provincial status, the

designation of the special region and informal recognition of Islamic law in Aceh" (Bertrand, 2004: 168).

Centre-periphery antagonism also occurred in other parts of the country. The Guided Democracy of the Republic of Indonesia was challenged by another rebellion called PRRI (Pemerintahan Revolusioner Republik Indonesia, or The Revolutionary Government of the Republic of Indonesia) and Permesta (Universal People Struggle). Permesta was declared by military and civil leaders in East Indonesia while PRRI was a rebel movement led by officers of the Indonesian army in East, South and West Sumatera. According to Feith and Lev (1963), the major triggers of the PRRI rebellion was the over-centralisation of bureaucracy, the neglect of outer regions, corruption, and tolerance of communism. Permesta aspired to similar goals, criticising over-centralisation and demanding better development for eastern Indonesia (Raditya,2017). However, unlike in Aceh, these two centre-periphery antagonisms could be curbed during the Sukarno administration and did not re-emerge in the following years as demonstrated by GAM in Aceh. In other words, Aceh had additional factors in sustaining grievances over political centrality compared to other regions in Indonesia. The factor is the presence of a leader who effectively framed the grievance around an identity component that will be further explained in the subsequent section.

Nevertheless, political grievances continued after Suharto, the second president of Indonesia, came into power. Deprivation of political access needs took place by weakening the Acehnese social structure and political representation as portrayed by the diminishing role of the ulama. It is important to note that the ulama gained the ultimate power in post-colonial Aceh after eliminating the influence of *uleebalang* (aristocrats who are given the power to supervise districts and district warlords) through social revolution, known as Perang Cumbok in 1948. The role of the ulama as a social group with the capability to challenge the ideology of the central government of Indonesia was weakened by the central government (Braud&Grevi, 2005). The member of PUSA (Persatuan Ulama Seluruh Aceh/All-Aceh Religious Scholar Association) was reassigned to other parts of Sumatera Island without any prior consultation while a non-Acehnese person was appointed in Aceh (Sulaiman, 2006). The ulama's role was replaced by bureaucrats from the central government due to the implementation of Law No 5/ 1974 (Kell, 1995). This law also granted the prerogative right to the president to appoint the governor. The regional parliament still took part in the selection of provincial governor but the final result was highly determined by the central government by using scrutiny, approval, and veto, a system that made local aspirations were undermined and under-represented (Kell, 1995).

In terms of electoral politics, Suharto restructured the political party system in 1974 by cutting the number of political parties to only three: GOLKAR, the United Development Party (PPP), and the Indonesian Democratic Party (PDI) (Sulistyo, 2002). GOLKAR was designed as an ideological competitor to the Indonesian Communist Party (PKI). Later, after PKI was dissolved, GOLKAR served as a political machine for the New Order regime (Tomsa, 2008). PPP was formed by four joining Islamic parties: the Nahdatul Ulama (NU) Party, the Islamic Association Party of Indonesia (PSII), the Islamic Educational Movement Party (Partai Tarbiyah Islam Indonesia/Perti) and the Indonesian Muslim Party (Permusi), while PDI was comprised of former nationalist and Christian parties (Effendy, 2003). GOLKAR rapidly grew as a hegemonic political party with obligatory support from the bureaucratic apparatus while PPP and PDI became loyal opposition satellite parties (Sulistyo, 2012). According to Sulistyo (2001:4), "throughout Soeharto's 32 years in power, elections served more as a means of political mobilisation than participation, and as political machinery for the regime and did not allow for any meaningful political competition". In Aceh, GOLKAR was in tight competition with PPP in winning Acehnese votes. In the first election during Suharto's administration in 1971, Golkar gained 49,71 % of the vote, followed by PPP, which garnered 48,89% of the vote (Brown, 1994).

Interestingly, in the 1977 and 1982 elections, the vote for Golkar declined, while PPP garnered more electoral support (Ziegenhain, 2009). This result was surprising given the strong political mobilisation of GOLKAR. Although the vote for GOLKAR was recovered in the next elections, which was mainly due to the shift of the government strategy toward PPP, from coercion to cooperation (Brown, 1994), this electoral result could be a sign of early expression of grievances towards the political repression, centralisation and hegemony of the political party system in Aceh.

The key feature of political grievance in Aceh is the discontent over diminishing political autonomy. Standing up proudly as the inhabitants of a region that had a glorious monarchy, who launched the longest resistance towards colonial power and became a backbone of the Indonesia nationalist struggle, Acehnese experienced continuous weakening of their political autonomy after Indonesian independence. The discontentment over the political centralisation was common during the critical time of the nation-building and state-building process in Indonesia. Only in a few areas, however, including Aceh, has the resistance been sustained in subsequent years.

3.3.2 Economic Inequality

The exploitation of Aceh's natural resources had begun during the colonial era. In 1900, a Dutch company discovered oil in Peurelak and Tamiang, East Aceh, to be piped to Pangkalan

Brandan, North Sumatra (Sulaiman, 1999). Commercial plantations such as rubber and palm also developed rapidly and marked the integration of Aceh into the world economy, but mostly benefited capitalists from outside regions (Sulaiman, 1999).

In the post-independence era, there was new hope of a more prosperous Aceh, yet, the pattern of natural resource exploitation and economic deprivation remained. From 1942 to 1962, Aceh's economic infrastructure was severely damaged due to war and revolts (Sulaiman, 1999). According to Sjamsudin (1985), the major economic grievance in Aceh in Sukarno's administration was government negligence of agricultural and communication infrastructures. Acehnese is an agricultural community who predominantly cultivate *sawah* (wet paddy fields), a system that depends on a good irrigation system. The government did not seriously repair the abandoned irrigation system and affected farmers in Great Aceh, Pidie, North and Northeast Aceh, not only due to plummeting of their rice production but also because people in the abovementioned areas had no food substitution except coconut (Sjamsuddin, 1985).

Other grievances were caused by the obliteration of barter trade between Aceh and the Malay Peninsula and the designation of Belawan in North Sumatra as the export-import port (Sulaiman, 1999). During the barter trade period, Acehnese peasants could maximise their profits because they were able to directly sell their farming produce, especially copra or dried coconut, through the Port of Penang. The abolishment of barter trade by replacing it with an export-import system put Acehnese peasants in tight competition with Chinese, Tapanuli and East Sumatran traders (Sjamsuddin, 1985). The next grievance, the establishment of the Port of Belawan, is the impact of the incorporation of Aceh into North Sumatra province. The establishment of Belawan as the primary trading port in Sumatra created unemployment among the waterfront workers in Langsa Port, Aceh (Sjamsuddin 1985). The stronger position of Belawan also fed more grievances among Acehnese who are very proud of their glorious past as the centre of Muslim trade in the region.

Regarding oil and gas, the Japanese military transferred the management of oil field in Aceh to TMSU (Tambang Minyak Sumatra Utara/North Sumatra State Oilfield Enterprise) that was headed by Tgk A. Husin Al Mujahid and had an office in Langsa (Sulaiman, 1999). In 1957, the central government merged several oilfield companies, including TMSU, into PERMINA (Perusahaan Minyak Nasional or State Oilfields Enterprise), directed by Major General Ibnu Sutowo and headquartered in Jakarta. After experiencing natural resource exploitation in the colonial period, the post-independence era saw Aceh meet the same fate through the centralisation of oil and gas management under state enterprise. Economic grievances were

also exacerbated by neglected infrastructure and economic marginalisation. The central government abandoned the damaged post-war agricultural infrastructure, marginalised Aceh traders through the introduction of a modern export-import system and caused more unemployment due to the diminishing function of Langsa Port.

Photo 3-1 Arun ExxonMobil site in Lhoksukon, North Aceh

Source: www.acehtraffic.com

In 1968, Suharto was sworn in as the second president of the Republic of Indonesia. Suharto became well known for his state-led economy in guiding Indonesian development. According to the first five-year development strategy plan in 1969, Aceh was to be developed as an agricultural region and was prepared as the "rice barn of Indonesia." This plan was changed when Mobil Oil Indonesia discovered abundant sources of oil and gas in 1971. By the end of the 1980s, the province produced 30 per cent of the country's oil and gas exports ("Waging a Dirty War in Aceh," Asiaweek, as cited in Kell, 1995: 14). Other important industries in Aceh which contributed to the country's revenue were the ASEAN Aceh Fertilizer plant and the Kertas Kraft Aceh Factory, which produced sacks for the cement industry.

Photo 3-2 Army officers guarded Arun Exxon Mobil compound

Source: www.abc.com.au

The control over the management of oil and gas was continued by PERMINA, which was changed into PERTAMINA in 1968. The distribution of these natural resources treated Aceh unfairly as only about five per cent of the profit was returned into the province and the remaining profit was divided between central government and foreign companies (Heiduk, 2006) The unfair natural resource distribution was coupled by accumulated grievances toward non-Acehnese employees and contracts of infrastructures projects that were awarded to outsiders (Huber, 2004). The benefit of employment opportunities from the exploration of natural wealth was reaped mostly by migrants from outside Aceh, and not by local people.

As well as the gas and oil sector, similar grievances also occurred in the plantation industry. The need for foreign exchange for supporting national development for growth encouraged the New Order government to invite investors to exploit the jungle of Aceh by granting them licenses to exploit the woods (Hak Penguasaan Hutan-HPH). The top-down practice of granting HPH from the government to companies resulted in a clash of interest between HPH usage and local customary practices, especially in traditional felling and livestock areas (Sulaiman, 1999: 126). The rapid industrialisation also resulted in a problem of land

acquisition, in which the small farmer often did not get proper compensation for their land (Robinson, 1998).

The disparity in revenue sharing had been worsened due to the side effects of the industrialisation in Aceh: poverty and pollution. In mid-19991, it was reported that about 60 per cent of traditional fishermen in Lhokseumawe lived below the poverty line due to decreasing catches (Waspada, June 11, 1991, as cited in Kell: 2005). Lhokseumawe is the site of several industries in Aceh, and the low catch was attributed to the pollution from industrial waste. Despite its natural wealth, Aceh ironically is among the poorest provinces in the country (Sukma, 2004). In the aftermath of the Asian Financial Crisis in 1998, while the rest of Indonesia gradually recovered from the impact of the crisis, economic conditions in Aceh worsened the rise of poverty from 14,8 per cent in 1999 to 29.8 per cent in 2002 (The World Bank, 2006). In 2002, about 1.2 million people (on about 28.5 per cent of the population) in Aceh lived below the poverty line[7] (World Bank, 2006: 10). In sum, most Acehnese feel that they were treated unequally by Jakarta in terms of abandonment of economic infrastructure, unequal distribution of natural resources, poverty, unemployment and the side effects of industrialisation, such as pollution and land expropriation.

3.3.3 Identity

The construction of Islam as central to Acehnese identity began in the era of Sultan Ali Mughayat Syah, the first sultan of Aceh and the first ruler who embraced Islam (Reid, 1999). Aspinall argues that "*Acehnese* [emphasis added) saw themselves vertically located on relations to social hierarchy and horizontally bound to their fellow believers through the world religion of Islam" (Aspinall, 2009a: 47). This association with Islam is affirmed by Shaw (2008: 2) "Acehnese identity is derived from a combination of historical pride associated with the Acehnese Sultanate, the collective memory of the struggle against the Dutch colonisers, and a common and regionally specific form of Islam." Islamic identity has been persistently retained throughout history and has become a centre of the identity of Acehnese.

Islam was an instrumental factor in resistance during colonialism. The Dutch were considered to be a kafir (infidel) and the war against Dutch was called the Perang Belanda (Dutch War) or Perang Kafir (Infidel War) (Alfian, 1987). There was no conflicting relationship between Indonesia, Aceh, and Islam during the pre-independence period. Islam was in seen as uniting

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[7]The poverty line represents the monetary value of the typical food basket that provides 2100 calories per capita per day plus the necessary nonfood expenditures (World Bank, 2006 : 10).

factor for both Indonesia and Acehnese, as the Acehnese leaders assumed that the three identities were in harmony (Aspinall, 2009a).

However, the perception of harmonious nexus between Islam, Aceh, and Indonesia changed during the early establishment of the Republic of Indonesia in the post-independence era. Islamic terms were excluded from drafts of the Indonesian constitution, and the newly established republic was designed as a unitary nationalist-secular one led by Sukarno. Pancasila (the five principles) as Indonesia's state ideology put religion first as stated in its tenant "Belief in the one supreme God," but does not specifically mention Islam. This decision caused disappointment and was particularly resented by ulama and local leaders as it would potentially weaken their allegiance to the central government (Kell, 1995). The unitary system hampered distinct regional aspirations, including acknowledgements of official religion. This discontent was solved by the designation of Aceh as a special territory with informal recognition of Islamic law in 1959 and promulgated by the Law number 18/1965 about Local Government.

During the New Order era under Suharto's leadership, the major problem of identity of Aceh derived from the multi-communal setting of Indonesia. Indonesia is a multi-communal society with more than 300 ethnic groups who speak 250 different languages. However, instead of applying policy to accommodate that diversity, the national government under Suharto's leadership used politics of assimilation to create a single national identity. The purpose of the creation of this single identity is to gradually diminish ethnic loyalties and primordialism and create new loyalties to "modern" Indonesia as a central aspect of Indonesia's citizens (Berger: 1997: 323).

The Javanese culture heavily dominated the single Indonesian identity. During the early years of independence, most Indonesians were living in Sumatera, Sulawesi and elsewhere outside Java, but under the official hegemony Javanese culture as Sukarno, the first Indonesian President was Javanese (Aspinall, 2009a). Sukarno's authoritarianism and Suharto's strong mystical-spiritual Javanese background were seen as the domination of Javanese appearance in Indonesian politics (Aspinall, 2009a). In terms of regulation of local governance, Suharto's administration enacted Law No 5 year 1979 that tried to adopt village administration throughout the country based on Javanese *desa* (village) with the pattern of high population density and hierarchically ordered society (Vatikiotis, 1993). This model does not apply to all villages outside Java Island, as some of them are sparsely populated. Aceh has its village administration that is subject to supra authorities grouping several settlements under one leader, called *uleebalang*. Based on Taufik Abdullah's research, Vatikiotis (1993) argues that

"Aceh is one of the provinces that maintain a traditional non-Javanese pattern of village administration, despite the imposition of the Law No 5/1974" (Vatikiotis, 1993: 110).

Another policy that triggered identity-related grievance was transmigration. During Suharto's rule, transmigration was intended to move people from the capital city of Java to periphery provinces to ease overpopulation. It also aimed to promote inter-ethnic social communication and generate a sense of belonging to Indonesia as a nation-state (Suryadinata, 2015). However, there is a contradictory impact: transmigration eventually strengthened ethnic identity (Suryadinata, 2015). For some, transmigration in Aceh entailed Javanisation, although it constitutes relatively small numbers compared to other provinces (Barter, 2014). Aceh has never been a major transmigration recipient and remained homogenous with a Javanese population of only 7 per cent, much lower than North Sumatra's 33 per cent and Papua's 12 per cent (Barter, 2014). The presence of Javanese in Aceh is not only the result of the transmigration program. Some of them inhabited Aceh over a century ago and had integrated with Gayo and Acehnese.

Although only a small percentage, the Javanese population was the target of GAM attacks, especially during the post-Suharto era from 1999 onwards. GAM gave an ultimatum to Javanese communities to leave Aceh and sparked anti-Javanese violent. Sulaiman (199: 136) argues that "the anti-Java attitude which surrounded GAM was caused by the more political economy than racial/ethnic ones because national politics was dominated by the Javanese and the Javanese settlers of Gayo highland were employed as militias by the military." It connects the identity with political-economy factors, in which identity was mainly used to heighten and accelerate the impact of grievances.

The grievance over the deprivation of Islam as the important Aceh identity also presented during Suharto administration. The special region status granted by the central government to preserve Islamic values in Aceh is considered "existed in paper only and empty promise" (Kell, 1995). Two religious-based provincial policy initiatives in Aceh, obliging female students to wear jilbab (headscarves) and instituting compulsory Quran reading for primary school pupils were rejected by the central government (Kell, 1995). While the banning of the use of religious identity in public schools was applied nation-wide, Aceh demanded different treatment due to their special region status accorded to them in the aftermath of the Darul Islam rebellion.

The primary cause of identity grievances in Aceh is related to the abolition of Islam as the state ideology. Indonesia as a unitary state limited the acknowledgement of the distinct identity of one region, including the right to implement religious law. In Suharto's era, identity-related grievances still centred on the freedom to exercise Islamic practices but also coupled with

ethnicity. The laws on local governance and transmigration programmes were perceived as Javanisation efforts from Javanese-dominated government.

3.3.4 Human Right Abuse

Unlike politics, identity or economy, human rights violations occurred in the later phase as a grievance among the Acehnese. During the 30 years of conflict, "life in most of part of Aceh was dominated by the story of appalling human rights abuses that were committed by the Indonesian Army (Tentara Nasional Indonesia /TNI)" (Hadi, 2008: 66). Aceh Reintegration Agency (Badan Rehabilitasi Aceh/BRA) estimates that around 33,000 combatant and civilian lives were lost during the conflict (Braud and Gravi, 2005, as cited by Jeffery, 2012). The major casualties of conflict in Aceh were caused by several military operations as central government responses to the insurgencies. The first military operation launched in 1976 after GAM establishment was called Operasi Nenggala (Nenggala Operation). Nenggala Operation was performed by an estimated 30,000 members of Kopassus (Komando Pasukan Khusus/Indonesia Special Forces) that was tasked to separate GAM from the people, isolating them and destroying their military command and civilian infrastructure (Schulze, 2006). The second military operation was Jaring Merah Military Operation (1989 to 1998), that was considered to be the longest military operation in Indonesia since 1960 (Human Right Watch, 2003). In addition to crushing GAM, Jaring Merah Operation aimed at securing vital industrial projects in Aceh (Sukma, 2004). According to NGO HAM Aceh (as cited in Candraningrum, 2008), about 871 were killed, 387 missing people were subsequently found dead, there were 550 missing persons, and 102 raped victims during Jaring Merah Operation.

In the post-Suharto period, the counterinsurgency shifted from the military option to a security approach, a more comprehensive strategy including political solutions (Humanitarian Pause, COHA/Cessation of Hostilities Agreement and Special Autonomy). This comprehensive approach comprised military and non-military approaches aimed at reducing the capacity of the insurgents and winning the hearts and minds of the people. The names of the military-security operations were designed to be "friendlier" such as Operasi Sadar Rencong, or The Operation of the Rencong (Aceh traditional weapon) Awareness and Operasi Cinta Meunasah, or The Operation of the Loving Mosque. Nonetheless, according to Schulze, "the counterinsurgency failed because there was no strategy to integrate them into broader political strategy" (Schulze, 2006). The Security Recovery Operation or Operasi Pemulihan Keamanan dan Penegakan Hukum (OKPH) launched in 2001-2002 for example, was primarily aimed at giving pressure to GAM to be more flexible at COHA agreement (Schulze, 2006). However, despite the attempts to find a non-military resolution to the conflict, popular support for GAM increased (Robinson 1998, Weiser 2005). Robinson (1998), Sukma (1998) and Weiser (2005) argue that this trend was caused by the accumulated deprivation of the

human rights violations perpetrated by prolonged military operations since the 1990s and the failure of later administration to reach a peace agreement.

Photo 3-3 Indonesian military army patrolling with a gun in a school in Aceh

Source: www.theage.com.au

The atrocities and human rights violations that occurred during counter-insurgency operations increased the sense of grievance felt by Acehnese. Murder, abduction, and assault meted out by army personnel to GAM members or civilians which suspected as GAM supporters had been narrated across the generations. It created a deep-seated hatred among the Acehnese towards the Indonesian government and strengthened the image of "Indonesia-Javanese" Government identity constructed by Hasan Tiro.

Sukma (2004) stresses military repression and the politics of impunity as the driving force behind the resumption of the GAM rebellion in 1998. According to Brainwathe et al. (2010), "*Military operations* [emphasis added] had effectively crushed the insurgency at the cost of another generation of children imbued with hatred toward a predatory Indonesian state that had terrorised their parents" (Brainwathe et al., 2010: 536). Despite the elevating anger and repulsion, Acehnese are also confused by the government's inability and reluctance to try human rights violators from the earlier era (Sukma, 2004).

Grievances in Aceh are divided into prior and post GAM rebellion. Political, economic and identity grievances emerged before the GAM rebellion and served as underlying factors of the conflict, while human rights grievances resulting from the military operation in combating

counter-insurgency exacerbated the grievances and added more support to GAM. Political grievances were mainly derived from the politic of centralisation applied by the central government, due to the appointment of the local and provincial leaders by the central government. There were only three political parties, in which Golkar was the hegemonic electoral power. In the economic realm, dissatisfaction was generated by the unfair sharing of natural wealth. Oil and gas from Aceh' soil and the shore were transported to Jakarta, and only a small amount flowed back to Aceh in terms of social welfare or infrastructure. The presence of multinational corporations in Aceh gave little advantage to the local population around the manufacture sites. Identity grievance is related to the limitation of Islamic practices and teachings and the economic impact of Javanese migrants.

These grievances match the concept of internal colonialism, a geographically based subordinated pattern as emphasised by Hechter (1975) that heightened core-periphery interaction resulted in structural inequality between various regions. The core which is an ethnically different entity exploits the periphery either by concentrating the development of industries in the centre, transporting natural resources to the core or unfairly distributing the revenue between core and peripheries and thus, creating dependency of the periphery on the core. The convergence between political centrality, economic inequality and identity were compounded by rampant human rights violations from military operations, led to the creation of profound grievances among Acehnese towards the central government. The next section analyses the construction of grievances in the separatist movement further.

3.4 The Rise of GAM: Mobilisation of Grievance

Aspinall (2009a) argues that the politico-economic and cultural circumstances in Aceh were a normal situation in the context of Indonesia, rather than present as particular grievances. The marker of difference in Aceh is that it was the site of the past rebellion of Darul Islam. The settlement of the Darul Islam rebellion had generated "the expectation that Aceh would be treated more sympathetically and a tendency of local actors to interpret problems that were mundane in the national context as embodying uniquely malicious maltreatment" (Aspinall, 2009a: 56). This argument has a strong basis because, in other provinces that experienced a similar case of Darul Islam rebellions such as West Java, Central Java, South Sulawesi, and South Kalimantan, the insurgencies were brought to an end by the killing or capturing of the leaders without any negotiated settlement or concession.

Also, Aspinall (2009a) stresses the importance of going beyond objective grievance (political centralisation and exploitation of Aceh natural resources) to the construction of identity in analysing conflict in Aceh. The role of Hasan Tiro is paramount as the figure who produced

and perpetuated the construction of identity to mobilise the grievances into a rebel movement. Born as the descendant of Teuku Cik di Tiro, a prominent Acehnese hero during the Dutch colonialisation struggle, Tiro finished his primary-secondary education in an Islamic-based school in Aceh and enrolled in Islamic University in Yogyakarta (Aspinall, 2009a). When Aceh became the site of the emergency government of the Republic of Indonesia, Tiro was appointed as the personal secretary of Prime Minister Sjarifudin Prawiranegara (Reid, 2010). Tiro continued his education at Fordham University in New York and worked part-time as an information officer for the Indonesian delegation for the United Nations, United States (Reid, 2010). These two occurrences – working as the personal secretary of Prime Minister and as an Indonesia representative to the United Nations – demonstrated the early attachment of Tiro with the government of Indonesia. However, when the Darul Islam rebellion broke out in Aceh in 1953, Tiro opted to support the Daud Bere'uh movement and began to demonstrate his discontentment against the Indonesian government until he finally proclaimed the establishment of Free Aceh Movement in 1976. Most of his thoughts about using Acehnese identity to narrate grievances over what he mentioned as the colonisation of Java were written on in his book: The Price of Freedom: The Unfinished Diary". Therefore, it is important to analyse Hasan Tiro's narration as mentioned in some excerpts from his book.

Photo 3-4 Hasan Tiro with GAM soldier

Source: Tribun Aceh

> "The Javanese, nevertheless, are attempting to perpetuate colonialism which all the Western colonial powers had abandoned and all the world had condemned. During these last 30 years, the people of Aceh, Sumatra, have witnessed how our fatherland has been exploited and driven into ruinous conditions by the Javanese neo-colonialists: they have stolen our properties; they have robbed us from our livelihood; they have abused the education of our children; they have exiled our leaders; they have put our people in chains of tyranny, poverty, and neglect: the life expectancy of our people is 34 years and is decreasing – compare this to the

world's standard of 70 years, which is increasing! While Acheh, Sumatra has been producing revenue of over 15 billion US dollars yearly for the Javanese neocolonialists, which they used totally for the benefit of Java and the Javanese" (di Tiro, 1984: 16).

There are some grievances identified in this excerpt: economic grievances (the exploitation of the natural resources of the land of Aceh, neglect, and poverty), quality of life (life expectancy, education), political centralisation (tyranny, exile of leader), and center-periphery discontentment (the use of revenue from Aceh to the full benefit of Javanese). Hasan Tiro dubbed the Javanese "neo-colonialists," indicating that he framed the pattern as internal colonialism. The labelling of Javanese as "neocolonialists" is a strategy to garner broad support from the Acehnese. Stone (1979) argues that the leaders of nationalist [or sub-nationalist] movements have tried to inspire popular support for movements to promote greater autonomy, if not outright secession, by defining inter-regional relationships as 'colonial.'

In another passage, Tiro emphasis the identity of Acehnese, that according to him had been ruined by Javanese Indonesian propaganda:

Our first duty is to awaken our people to their proper destiny. To counter Javanese "indonesian" [sic] propaganda that had gone hitherto unopposed by us, that had misled our people, and made so many of them gone mad, suffering acute identity crisis and national amnesia, a situation that had brought our nation to the brink of disaster (di Tiro, 1984: 70).

It is interesting to observe how Hasan Tiro persistently used the term Java and Javanese, instead of Indonesia as the culprit of the grievances felt by Acehnese. These are three possible explanations present here. The first is that Aceh and Indonesia have similarities, especially in terms of a common religion. Aceh is not a case of discrimination and oppression based on religion such as in Southern Thailand, Mindanao or Kashmir. Indonesia is a country with the largest Muslim population in the world. Government policy on the banning of jilbab (headscarf) at public schools was not exclusively directed at Acehnese, but a national policy. Thus, creating conflicting relationships between Islam, Indonesia and Aceh will not work for the movement.

Secondly, Indonesia as a nation is an "abstract" entity just like Ben Anderson (1983) described as "imagined communities. Acehnese will have confusion in defining the entity of Indonesia as the enemy, as people in North and West Sumatra, with whom Acehnese have close relationships, are also Indonesian. Therefore, GAM must specify the common enemy to solidify the movement. The description of Java as a colonial power and the continuation of Dutch occupation serves this purpose well. GAM was established in 1976, a few years after

Suharto took power in 1968. During the early years of his administration, Suharto, who was famous for his state-led development policy, laid down the foundation of centralisation of politics, centralisation of the economy and the distribution of natural resources along with the dispersion of his Javanese personal identity. Tiro transformed abstract and vague Indonesia to the Javanese-Indonesia as the new common enemy to fight for, so Aceh could gain freedom and became an independent country.

The third reason centres on the level of analysis and comparison. Indonesia is at a larger level than Aceh, while Java and Aceh are at the same level. Therefore, the process of establishing a common enemy is easier. Bertrand (2004: 11) argues that:

> "Group fears and grievances are rooted in the context in which ethnic identity was rooted and constructed and mobilised. The fear and ensuing potential for political violence are direct results of a political system in which a group dominates the instrument of state power and uses them to deny similar access or privilege to other ethnic groups".

This is where the distinction between GAM in Aceh and other impoverished provinces lies; GAM knows how to mobilise past and current grievances into a movement. Bertrand (2004) has also pointed out the process of the development of stereotypes about members of other groups being greedy, untrustworthy, or arrogant as a hidden transcript. The possibility of when this subtle discontent will emerge to the surface is hard to predict, but the existence an elite, charismatic leader will be an important factor in orchestrating the grievance and hidden script (Bertrand, 2004). In the case of Aceh, it was supported by the return of Hasan Tiro, a charismatic leader who utilised the political, economic, identity and human rights deprivations and crafted them into the narration of the Javanese internal colonialism to mobilise the aggrieved people in Aceh.

3.4.1 The Three Phases of GAM Development

3.4.1.1 GAM Phase 1

GAM was founded by Hasan Tiro in late 1976. As was mentioned in the previous section, Hasan Tiro started to demonstrate his disagreement towards the government of Indonesia after the Darul Islam (Abode of Islam) rebellion broke in 1953. Tiro wrote an open letter to Prime Minister Ali Sastroamidjojo, accusing the government of "dragging Indonesia to the depths of political and economic collapse impoverishment and civil war" (Aspinall, 2009: 41). Furthermore, "Tiro threatened to open formal diplomatic relations between the Islamic Republic of Indonesia [Tiro's preferred name for Darul Islam] and foreign countries and the

United Nations" (Aspinall, 2009: 41). This statement seemed like the early attempt of Tiro to internationalise political struggle in Aceh, which was partially supported by his diasporic experience. Tiro's provocative act caused his passport to be revoked, and he was deported. However, in 1974, Hasan Tiro was given a visa by Syarif Thayeb, an Acehnese aristocrat who became the Indonesian Ambassador and enabled him to return to Aceh (Sulaiman, 2000). After his first public visit in 1974, Tiro made several clandestine visits to Aceh in the following years and established Aceh Merdeka (Aspinall, 2009). The declaration of the establishment of Aceh Merdeka was made by a small group of Tiro's aides at Tjokkan Hill Pidie district on 4 December 1976, a date when the Dutch shot Tengku Tjhik Maat, Hasan Tiro's uncle (Van Klinken, 2001).

The declaration is written in the same book, *The Price of Freedom: The Unfinished Diary of Tengku Hasan di Tiro* :

> I have finally decided to do what I have believed all along to be my destiny in life: to lead my people and my country to freedom. That is my life mission. I will be a failure if I fail to do so. Acquisition of wealth and power has never been my goal in life because I have both in my country. Nor do I want to do it because I look to it as an achievement or a career: I have to do it as a duty, an obligation put on my shoulders by my ancestors on account of future generations, a duty received and a debt that must be paid because of the past and the future of my people. I have been brought up by my family to think so, and I have seen confirmation and expectation from my people to be so. For I have been born to the di Tiro family of Acheh, Sumatra, the family that had ruled my country and had provided leadership to it through war and peace for so many generations and for centuries in the long history of our country (Hasan Tiro, 1984).

Hasan Tiro based his claim of the freedom of Aceh on the narrative of Aceh sovereignty:

> Our fatherland, Acheh, Sumatra, had always been a free and sovereign state since the world began. ... However, when, after World War II, the Dutch East Indies was supposed to have been liquidated ... our fatherland, Acheh, was not returned to us. Instead, our fatherland was turned over by the Dutch to the Javanese—their ex-mercenaries—by hasty fiat of colonial powers. The Javanese are alien and foreign people to us Achehnese Sumatrans ... 'Indonesia' was a fraud: a cloak to cover up Javanese colonialism.

Aspinall (2009a) analysed Tiro's historical claim of the narration of the sovereignty of Aceh and proposed three causes. The first is that Aceh was an independent state and a great nation from time immemorial. Second, the Acehnese were illegally attacked by the Dutch, and although they resisted heroically, this assault ultimately resulted in the theft of Aceh's independence. Third, the illegal conquest by the Dutch was continued by the Javanese who used the fabrication of Indonesia.

Foreign scholars such as Gerry Van Klinken and Tim Kell considered Tiro's claim of Aceh sovereignty as "inaccurate, simplistic, propagandistic" (Van Klinken, 2001: 339) and "inherently flawed" (Kell, 1995: 63). Tiro denied several important historical facts about the support of Acehnese for the establishment of the Republic of Indonesia in the post-colonial period, such as the donation from Acehnese merchants to buy Dakota aircraft, and the period when Aceh became the site of emergency government as has been mentioned in an earlier section. Another support was demonstrated through the following declaration by four respected ulama (Teungku Haji Jakfar Siddik Lamjabat, Teungku Haji Abdullah Indrapuri, Teungku Haji Hasan Krungkale, and Teungku Muhammad Daud Beureueh) (Ichwan, 2011):

> On behalf of all Acehnese ulema', stating, among other things: All the elements of people who have united are standing behind the two great leaders Soekarno and Hatta, and are waiting for the order and duty to be done. It is our conviction that such a struggle is a sacred struggle called Perang Sabil [Holy War in the Path of God]… Do obey and comply with all commands of our leaders for the safety of our motherland, religion, and nation (Ichwan, 2011: 187).

Aceh was also part of the Republic of Indonesia in 1950, albeit being merged with Province of North Sumatra, after the United States of Indonesia was dismissed and replaced with a unitary state system. Connor (1981) argues that there are two preconditions for the development of self-determination: the first being the national consciousness of people, and the second the popular sovereignty of people. Given the facts that even until recently many peoples still cannot achieve national awareness, this factor is necessary but not sufficient for the gestation of self-determination (Connor, 1981). Popular sovereignty thus constitutes the oher part of the necessary condition. However, popular sovereignty often presents as "illusionary fiction rather than as a reality," and the propagation is supported by manipulative regimes or individuals (Connor, 1981). It is evident that the early framing of Aceh nationalism as an independent state and the illegal occupation by the Government of Indonesia constructed by Hasan Tiro is factually inaccurate and flawed. Nevertheless, as long as Tiro could lead his followers to the belief that the movement is nationalist through effective framing, regardless of the facts, Tiro could unify the goals and preferences.

Tiro only had limited support to commence his struggle as he had been living overseas for quite a long time and had lost his connections and networks among Acehnese. Two major groups supported the establishment of GAM: the first was a small number of young intellectuals and professionals who were frustrated by the way Aceh had developed under the hegemony of Jakarta. The second group consisted of the older men involved in the Darul Islam rebellion, particularly the ones that initially refused to compromise with the government and

remained loyal to Daud Ber'euh (Aspinall, 2009a; Sulaiman, 1999). This movement was only supported by direct involvement of around 200 people and suffered a lack of active support, foreign assistance, arms and preparation (Kell, 1995). With many leaders captured or killed by the army, Hasan Tiro escaped abroad (Aspinall and Crouch, 2004). However, this initial revolt succeeded in spreading propaganda from its base in Pidie to North and Central Aceh and Aceh Besar (Kell, 1995). This short-lived rebellion marked the first emergence of GAM as a separatist movement. In the first phase, GAM attempted to construct framing on internal colonialism in Aceh through several grievances: authoritarian government and political centrality, exploitation of land and unequal distribution of revenue. These grievances are framed around an identity component by accusing Java and Javanese as the culprits of the inequality and deprivation. While the political centrality and authoritarian government (political grievances) are the legacy from Sukarno's administration, the economic grievances around the unequal share of natural resource revenue were reinforced by the discovery of the abundant source of gas in Northern Aceh.

3.4.1.2 GAM Phase 2

The second phase of GAM that commenced in 1989 was primarily supported by international exposure which was lacking during the preceding stage. The new squad in the second phase mostly graduated from military training in Libya from 1986 (Schulze, 2004). Libya was known as a country that provided training programmes for separatists and militias (foreign revolutionaries) from around the globe. Upon returning to Aceh, this new squad with better capacity and networks consolidated its command structures in rural areas of Aceh Besar (Greater Aceh), Pidie, North Aceh and East Aceh (Barber, 2001 as cited in Schulze, 2004). In addition to military training assistance from Libya, GAM development in the second phase was also supported by the diaspora network in Malaysia. Aceh has historical ties with the Malay Peninsula from the colonial period and is the home of the relatively large and well-established Acehnese population (Aspinall, 2009). The geographical proximity between Aceh and Malaysia also enabled fast travel and underground arms smuggling (Aspinall, 2009a) to support the movement. The Acehnese diaspora in Malaysia also actively spread the GAM campaign and organised fundraising (Aspinall, 2009a).

Due to the stronger capacity and network, GAM began to extend their sporadic attack to wider targets such as Indonesian police, soldiers, bureaucrats and suspected informers (Schulze, 2004). They mainly launched the attacks in the mountainous areas, as GAM personnel were very familiar with the terrain. The national government responded to this insurgency by launching Red Net Military Operation and put Aceh under the Military Operation Zone accordingly. The government realised that GAM, a small-scale revolt which could have easily

been curbed in mid-seventies, had already grown into a fully-fledged separatist movement. This awareness meant the central government was never confident that they had completely destroyed the movement (Aspinall, 2009a), a reason that placed Aceh in a military operation zone for a decade, which was marred by widespread violence.

The framing used by GAM in their second phase is not much different than what GAM employed during the first phase of the rebellion. Political centrality and economic inequality were still the dominant grievances (Aspinall, 2009a). Economic grievances were strengthened by the Acehnese diaspora in Malaysia who witnessed the development of infrastructure and the relatively better standard of living of Malaysia compared to Aceh (Aspinall, 2009aa). The rapid development in Malaysia is often used by GAM campaigners to highlight the backwardness of Aceh and the economic mistreatment of Aceh by the Indonesian government (Aspinall, 2009a).

3.4.1.3 GAM Phase 3

The third phase of GAM emerged following the Indonesian domestic political turbulence initiated by the Asian Financial Crisis in 1997. Hyperinflation caused by the crisis had undermined the government by 1998 and helped bring about an end to Suharto's 30 years of authoritarianism (Weiser, 2005). A sudden national leadership change brought instability in politics, security, and the economy and weakened central government power. It caused domestic unrest and provoked the seeds of the separatist movement around the country or in the case of Aceh, intensified it. During this period, GAM changed its strategy by employing an armed struggle and a political attempt at pushing a referendum, a demand that was inspired by the East Timor case. Amid the new wave of democratisation and reformation in the aftermath of Suharto's power, the public dared to openly protest human rights abuses committed by the military, which responded with an apology from the commander in chief, General Wiranto (Sukma, 2004). This was followed by lifting the Military Operations Zone status on August 7, 1998, and a plan to withdraw *non-organic*[8] troops from the province (Sukma, 2004).

GAM heightened their attacks due to the more defensive posture of the military. One of the largest raids was led by Ahmad Kandang, involving hundreds of youths in Kandang, Aceh Utara who burned the flag and tortured two soldiers (Sukma, 2004). The escalated attacks from GAM unexpectedly caused more tension and justified the deployment of more troops in successive military operations: Operasi Wibawa (Operation Authority), Operation Sadar

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[8] The term organic refers to soldiers permanently stationed in a particular region as troops deployed under regional military command (Sukma, 2004: 40). Thus, non-organic means the additional forces that were temporarily deployed especially for overcoming unrest and security disturbances in particular regions.

Rencong I, II and III (Operation Rencong Awareness) and Operasi Cinta Meunasah (Operation Love Mosque). Based on the statement of National Police Chief General Roesmanhadi, the main objective was "to hunt, arrest, and crush all members of GAM across Aceh" (Sukma, 2004). Thus, instead of bringing more peace, the early post-Suharto period witnessed mounting violence in Aceh and more operations, although these were primarily conducted by police rather than the military.

GAM constructed a different type of grievance framing in the third phase. The widespread human rights violations occurred during the Jaring Merah (Red Net) Operation, and the subsequent military operations in the post-Suharto era are framed as a new grievance on human rights and justice. Unlike the previous framing of grievances that stressed politics, economy, and identity that is regionally or nationally based, human rights and justice grievances contain a universal value. However, it should be noted that in addition to its relevance with universal value, human rights abuse in Aceh also had a direct impact on individuals in ways the previous grievances around politics, the economy, and identity did not. The violation of human rights and justice also heightened the previous grievances and completed the framing of the deprived and discriminated Acehnese.

In this phase, GAM is supported by groups of student activists and NGOs such as SIRA (Sentra Informasi Referendum Aceh/ Aceh Referendum Information Center) and SMUR (Solidaritas Mahasiswa Untuk Rakyat/ Student's Solidarity for People) to amplify the demand for self-determination that was based on the human rights and democratic values. The three phases of the development of the GAM rebellion can be summarised in the table below:

Table 3-1 The Three Phases of the GAM Rebellion

Phase	Characteristic	Location	Active Members	Casualties	Framing of Grievances
1976-1982	Establishment and power consolidation. Propaganda was widely used to gather sympathy and support	Pidie, North Aceh and East Aceh.	Less than 500	>100	Identity, economic exploitation, political centrality, and authoritarian government

1989-1998	Reconsolidation of power. Violence and Random attacks on Indonesian military personnel	Limited in mountainous areas with support from GAM personnel living in foreign countries: Libya, Sweden, Singapore and Malaysia	250-750	1990-1992 : 2000-10,000	Identity, Politics, Economy
1999-2003	Development of a military wing, armed struggle and supported by a diplomatic mission	Extended to almost 17 regencies within Aceh.	5000-15,000	1999: 393 2000: 1041 2001: 1700 2002: 1230	Human Rights violations and the continuation of grievances around politics, economy, and identity

Source: Nurhasim (2008) and Weiser (2010)

As highlighted by Benford and Snow (2000) social movements (and political parties) employ collective action frames (diagnostic, prognostic and motivational) as attribution and articulation of the movement. In GAM's case, Hasan Tiro laid a diagnostic framing that blames various grievances experienced by Acehnese on the "Javanese Indonesian Government." The major framing of grievances consists of politics, economy, and identity. Tiro then promoted the independence of Aceh from the Republic of Indonesia by accentuating internal colonialism through language such as "Aceh's illegal occupation by Indonesia", "neo-colonialism," and "economic exploitation." In their later phase, GAM began to employ universal motivational framing such as "human rights violation" to support their independence cause.

3.5 The Peace Settlement and The Alleviation of Grievances

In the post-Suharto administration, the dynamic of conflict in Aceh was mixed between a defensive profile of the military and the beginning of non-armed efforts to reach a peaceful solution, but also further deployments of troops and the dominant role of police in Aceh rather than military. Until 1998, the conflict was unresolved and included harsh repression. The post-Suharto era allowed more peaceful means, including discussions of atrocities and voicing aspirations for a referendum. The first positive response initiative came from President Abdurahman Wahid, who endorsed a referendum briefly. However, he soon dismissed it because the remnants from East Timor's struggle still lingered, especially between military and nationalist groups (Kay, 2003). There were two initiatives for peace talks in the post-Suharto era, which were coordinated by the Swiss-based NGO, the Henry Dunant Center. The first, Humanitarian Pause, was signed in the President Wahid administration and the second one, Cessation of Hostilities Agreement (COHA) was produced under Megawati, Wahid's successor. However, neither agreement was durable. Humanitarian Pause was designed as a truce between GAM and the Indonesian military, and aimed to "allow for the delivery of humanitarian assistance to the population and to promote confidence-building measures toward a peaceful solution to the conflict situation in Aceh." (Aspinall and Crouch, 2003). Its ceasefire was violated frequently by both sides and did not stop the violence in the field.

HDC initiated another peace effort, the Cessation of Hostilities Agreement (COHA) in 2002. Like the preceding attempt, COHA prioritised confidence-building measures by designating specific places for the storage of GAM's weapons the as the compromise of full disarmament and gradual relocation of TNI before proceeding to "all-inclusive dialogue" to address more substantive issues. COHA also collapsed due to persistent violence in the field and unmet demands between GAM and the Government regarding the subject of the local parties and local elections (Aspinall and Crouch, 2003). The government considered the 2004 election in Aceh would be conducted in the same manner as other provinces in Indonesia, while in GAM's perception, the 2004 election was intended to elect the leaders of the Acehnese nation and would include a referendum on Aceh's independence from Indonesia.

In September 2004 the duo of a retired army general, Susilo Bambang Yudhoyono and former Coordinating Minister for People's Welfare, Jusuf Kalla, won the first direct presidential election with more than 60 per cent of the vote. Both were seen as promising leaders to bring a peaceful resolution to the Aceh conflict (Aspinall, 2005). President Susilo Bambang Yudhoyono was the Coordinating Minister for Political and Security Affairs under Presidents Megawati and Abdurrahman Wahid, and he was in charge of initiating the earlier efforts of peace negotiations (Aspinall, 2005). Vice President Jusuf Kalla was well known as the very active government officer who advocated various peace talks. Before getting involved in Aceh

peace efforts, Kalla was the architect of two peace talks which ended two inter-communal conflicts in Indonesia: the Maluku and Poso Declarations (ICG, 2005). With his background as a successful businessman before joining politics, Kalla often used an economic-business approach to negotiate peace between conflicting parties.

In the middle of new efforts to broker a peace deal in Aceh, the tsunami and earthquake struck on December 26, 2004, that caused 200,000 deaths and left 400,000 homeless (Weiser, 2005). The calamitous impact of the earthquake and tsunami greatly affected the peace process. Both parties felt that it was "morally wrong" to resume the fighting in the middle of massive destruction and huge casualties. As a result, for some weeks there were "no major incidents," and there was an agreement to continue the peace talks (HDC, 2005).

On January 27, 2005, representatives of the government and GAM met again after the last attempt at peaceful talks in May 2003 (Kingsbury, 2006). The talks were held at Vantaa, a city near Helsinki, and were managed under the auspices of the Crisis Management Initiative (CMI) (Kingsbury, 2006). The Crisis Management Initiative had been approached by Finnish businessman Juha Christensen to act as a mediator between GAM and GoI (Kingsbury, 2006). The formal invitation from the CMI for GAM and the GoI to meet was issued on 24 December 2004. Following the tsunami, this invitation was accepted. The Helsinki Negotiation was conducted in five rounds between January-July 2005 and concluded by the signing of a Memorandum of Understanding (MoU) on August 15, 2015 (Morfit, 2007).

Photo 3-5 The Helsinki negotiation between Government of the Republic of Indonesia and GAM, mediated by Marti Ahtiisari

Source : www.waspada.co.id

86

Table 3-2 The Phases of Conflict Resolution in Aceh

Administration	Conflict Resolution Policies	Impact/Result
Soeharto (1968-1998)	Military approach	1. Stability in Aceh 2. Human Rights Violence 3. Breeding of GAM new generation
Habibie (1998-1999)	Security operation with the political approach by endorsing 10 Habibie's programs for Aceh	Ineffective due to a short period of Habibie administration
Abdurrahman Wahid (1999-2001)	1. Humanitarian Pause 2. COHA 3. Presidential Instruction No IV/2001 on Aceh Conflict Settlement 4. Special Autonomy for Aceh	1. Wahid did not follow up Habibie's ten programs for Aceh 2. Humanitarian Pause was not effective in terminating the violence 3. COHA failed due to the breach of ceasefire by two conflicting sides.
Megawati Soekarno Puteri (2001-2004)	1. Special Autonomy for Aceh, Law No 18/2001 2. Presidential Instruction No VII/2001 on Aceh Conflict's Settlement 3. Continuation of COHA 4. Martial Law in Aceh, Presidential Decision No 23/2003	1. Special Autonomy did not prevent the independence aspiration as the central government exclusively took the decision on the autonomy without consultation with GAM 2. Presidential Instruction was not effective without the conducive security situation in Aceh

Adapted from Nurhasim (2008: 104)

The Helsinki MoU covers a wide range of issues around underlying factors of conflict in Aceh such as the transformation of GAM into a local political party and redistribution of Aceh natural wealth. However, the MoU also laid the foundation of the future of durable peace such as an affirmation of dropping the demand for independence followed by general amnesty for imprisoned GAM members and the establishment of the monitoring mission to oversee disarmament, demobilisation, and reintegration (DDR). Thus, the MoU has been praised as comprehensive and creative, with clear provisions and timelines (Sukma, 2007, Feith, 2007).

The further arrangement of the provisions of the MoU was regulated the Law on Governing Aceh (LoGA) by the Indonesian Parliament (DPR) on 11 July 2006 to give a detailed framework for the operationalisation of the clauses of the MoU.

Unlike the two preceding negotiations which primarily focused on security and cease-fire, the Helsinki negotiation went further to solve the problem of deprivation and did more than creating a truce between two conflicting parties. It was made possible by the domestic environment after Yudhoyono and Kalla, two supportive figures of a peaceful solution of the conflict in Aceh, were selected as the president and vice president in the first direct democratic election in Indonesia. While not present as the primary driving force of peace settlement, the tsunami could be counted as a "peace enhancer" in Aceh. The tsunami brought Aceh, including its long-standing conflict, into the wider international community. The tsunami caused great loss on both sides, GAM and the Government of Indonesia, and created a conducive situation for another attempt to reach peace.

Table 3-3 Grievances and the Alleviations in MoU Helsinki

Grievances	MoU Helsinki Provisions
Political Grievances	1. The Establishment of the Local Political Party 2. Free and fair local elections
Economic Grievances	1. The rights of Aceh to raise funds with external loans, set interest rates beyond the rates set by the Central Bank of the Republic of Indonesia. 2. The development and administration of all seaports and airports within the territory of Aceh. 3. The jurisdiction of the utilisation of living natural resources in the territorial sea surrounding Aceh. 4. The entitlement of 70 percent of the revenues from all current and future hydrocarbon deposits and other natural resources in the territory of Aceh, as well as in the territorial sea surrounding Aceh. 5. The transparency of the collection and allocation of revenues between the Central Government and Aceh by agreeing to outside auditors to verify this activity, and to communicate the results to the head of the Aceh administration. 6. The full participation of GAM in the BRR. 7. Reintegration of former combatants into society

Identity	1. The establishment of Wali Nanggroe (an indigenous leadership institution).
	2. Aceh will have its flag, crest, and hymn
Human Rights and Justice	1. The establishment of the Human Rights Court
	2. The establishment of the Truth and Reconciliation Commissions

MoU Helsinki sufficiently addressed the underlying factors of conflict in Aceh by including the provisions of grievances in Aceh. Politically, the MoU addressed grievances in political freedoms and centrality by giving special rights of the establishment of a local political party and independent candidate to compete in the election. These provisions lead to larger opportunities for former GAM members to be actively involved in Aceh's local politics. In the economic realm, dissatisfaction with unfair distribution of natural resources was fixed by arranging new distributions of oil and gas between the central government and the Aceh provincial government, in which the later party obtained a 70 per cent stake. Aceh is also entitled to a special autonomy fund, often referred to as a peace dividend, to be utilised for development in Aceh in post-conflict. Identity-related grievances were alleviated by the establishment of Wali Nanggroe, a customary institution to preserve Aceh's cultural identity. The last grievances on human rights and justice were responded to by the establishment of the human rights court and Truth and Reconciliation Commission (TRC). The basic provisions of MoU were elaborated in subsequent laws, the Law of Governing Aceh and Qanun (bylaw).

3.6 Conclusion

The grievance approach is chosen to analyse conflict in Aceh as it could represent the multidimensional deprivation that occurred in this province. Grievances in Aceh consist of politics, economy, identity, and human rights violations. Identity is unique because it serves as a mobilising factor rather than grievance, while the grievance over human rights violations came out in the later phase of the conflict due to the rapid military operation launched by the Indonesian Government. Political-economy grievances began to emerge during the Suharto administration due to the politics of centralisation. It limited political participation in electoral democracy by the implementation of the dominant party system. In the economic realm, the distribution of Aceh natural wealth was unequal with a bigger percentage going to Jakarta or MNC, not to mention environmental degradation caused by the operation of the MNC. Political-economy grievances were mobilised by highlighting the distinct identity of Acehnese. It was well narrated and framed by Hasan Tiro, the founder of the Free Aceh Movement

(Gerakan Aceh Merdeka/GAM). In later phases of the conflict, the grievances were added to with human rights and justice violation caused by Indonesian military operations to curb the rebellion. While an initial aim of the military operation was to crush GAM, it eventually created new grievances and bred more support for GAM. However, the similar grievances that occurred in other provinces in Indonesia did not create the parallel impact of separatist rebellion like in Aceh. In this case, we must count the process of grievance framing constructed by Hasan Tiro. Tiro successfully framed the sentiment of Indonesia-Javanese Government neo-colonialism (or internal colonialism) over economic exploitation, and political centrality occurred in Aceh and was reinforced by the component of glorious history and distinct identity. This framing is necessary to establish and sustain the separatist movement in Aceh.

The dynamic of conflict resolution in Aceh changed in the post-Suharto era from a counter-insurgency approach to a positive gesture toward peaceful resolution and dialogue following the new wave of democratisation. The two negotiations facilitated by the Henry Dunant Center, a Swiss-based NGO, failed due to unmet demands between the Indonesian Government and GAM. The thirty years of conflict were finally brought to an end by the Helsinki negotiation that was mediated by Marti Ahtisaari from the Crisis Management Initiative in August 2005 in the aftermath of the disastrous tsunami which produced a peace agreement called MoU Helsinki. The Helsinki peace agreement successfully concluded the conflict because it aimed at addressing grievances as underlying factors of the conflict in Aceh and not only creating a truce like the two other preceding negotiations. MoU Helsinki stipulated political participation, economic development, identity and human rights and justice in its provisions. Aceh was given more access to political participation through the right to establish a local political party and nominating an independent candidate to compete in the election. In enhancing economic development, a large special autonomy fund was provided as a peace dividend. Aceh also gained a fairer distribution of their natural wealth such as oil and gas with a 70 per cent stake.

Regarding its identity, Aceh was granted the right to establish Wali Nanggroe, a customary institution, and have their flag and anthem. Lastly, to bring justice to the victims of human rights violations during the conflict, the human rights court and the Truth and Reconciliation Commission would be established in Aceh. This successful peace settlement was also highly supported by a national leader, Susilo Bambang Yudhoyono and Vice President Jusuf Kalla who favoured peaceful resolution rather than a military operation.

Throughout this chapter, it can be seen that conflict in Aceh was primarily caused by grievances and perceived deprivation of some aspect in politics and economy between what

Acehnese perceived to be rightfully entitled to and what they had in reality. These grievances were framed and mobilised by an identity aspect by Hasan Tiro to establish a separatist movement and were accentuated by rampant human rights violence during the military operations. It took a comprehensive peace settlement that could address grievances but also maintain the ultimate objective of the territorial integrity of the Government of Indonesia. MoU Helsinki could balance these two demands by stipulating the attempt of grievance alleviation rightly to its provisions. The Helsinki peace agreement and MoU Helsinki form an example of peace solutions for separatism without employing military repression or allowing the disintegration of the state.

Chapter 4: Political Participation in Post-conflict Peace-building

4.1 Introduction

The post-conflict peacebuilding process in Aceh is marked by the provision of political participation as a means of alleviating political grievances. According to Aguswandi and Zunzer (2008), based on a statement from a GAM leader, the conflict in Aceh was not merely about violence, but a political conflict that required a political solution. As has been highlighted in chapter 3, Aceh experienced political-governance grievance in terms of incorporation of their province into the province of North Sumatra in the post-independence era. During Suharto's New Order, most of the political positions in the government and bureaucracy were filled by non-Acehnese. In electoral democracy, party politics were dominated by Golkar, a single majority political party which was supported by compulsory membership of civil servants. Challenging the nation-wide domination of Golkar, most Acehnese voted for the United Development Party (Partai Persatuan Pembangunan/PPP), an Islamic-based national party which positioned itself as loyal opposition in the New Order era. While the hegemonic party system and centralism were part of the nationwide political landscape, only in a few provinces, including Aceh, did they create grievance and further mobilisation of ethno-nationalist movements. As was elaborated in chapter 3, Aceh had a charismatic leader, Hasan Tiro, who mobilised grievances around political centralisation successfully into separatism.

The provisions of political participation in the Helsinki MoU and the Law on Governing Aceh (LoGA) were intended to widen political participation in Aceh by adopting liberal peace methods: transforming the rebel movement into a political entity and conducting elections to allow former GAM members to have democratic contestation. In other words, political participation in post-conflict Aceh is predominantly channelled through electoral participation. The preamble of the MoU states that the Government of Indonesia and GAM would create conditions for "fair and democratic government" and that direct local elections (Pemilihan Kepala Daerah/Pilkada) would be held shortly after the peace agreement is signed. It also stipulated a number of changes to the electoral system, establishing that for the first time in Indonesia's history, independent candidates could contest the 2006 election (Barron, Clark and Palmer: 2010: 129) The LoGA allowed for local political parties to be established in Aceh and for their members to compete for seats in provincial and district legislatures in 2009. This staged approach to allowing independent candidates to run for office allowed former rebels to stand while GAM was still forming a political party, a process that required time (Barron et al., 2010).

Political participation is one of the aspects of peacebuilding that shows robust development and has been highly praised as a major achievement of the peace agreement. From 2005 to 2018, Aceh has been able to conduct three provincial and district/municipality elections and two legislative elections that were relatively peaceful without significant electoral violence leading to the outbreak of new conflict. GAM leaders and sympathisers were elected as governor and vice governor, while a political party established by former GAM combatants has won most of the vote from Acehnese people. The efforts to address political grievances as one of the types of relative deprivations experienced by Acehnese have been ostensibly successful, as marked by participation in electoral democracy.

This chapter takes a closer look at the development of political participation in Aceh. It begins with a description of the regulation of political participation in the MoU, LoGA and Qanun (bylaw) as an effort to alleviate political grievances in Aceh. The second section is an in-depth investigation of local elections in the post-conflict era, which is comprised of gubernatorial and legislative elections. This section will be complemented by an analysis of voter turnout, electoral institutions, electoral violence, representation of primary groups competing in local elections, women's political participation, and the electoral relationship between national and local political parties. The third section focuses on the transformation of GAM from a rebel movement to the political institution by reviewing the dynamics of Partai Aceh and Partai Nasional Aceh as their political outlets. The last part summarises the contribution of political participation in alleviating grievances and provides analysis of the implementation of peacebuilding provisions on local elections and local political parties. This chapter will also analyse the process of participation, institution building and legitimacy during the transition and normalisation phases of peacebuilding.

4.2 Grievance Alleviation

4.2.1 MoU

The aspect of political equality is paramount in the Helsinki agreement. It is demonstrated by the inclusion of the right to participate in elections as voters and to compete as independent candidates through local parties (Tornquist, 2011). The MoU mandates political participation through these provisions:

1.   As soon as possible and not later than one year from the signing of this MoU, GoI agrees to and will facilitate the establishment of Aceh-based political parties that meet national criteria. Understanding the aspirations of Acehnese people for local political parties, GoI will create, within one year or at the latest 18 months from the signing of this MoU, the political and legal conditions for the

establishment of local political parties in Aceh in consultation with Parliament. The timely implementation of this MoU will contribute positively to this end (Memorandum of Understanding Between the Government of the Republic of Indonesia and The Free Aceh Movement Article 1.2.1)

2. Upon the signature of this MoU, the people of Aceh will have the right to nominate candidates for the positions of all elected officials to contest the elections in Aceh in April 2006 and thereafter. (Memorandum of Understanding Between the Government of the Republic of Indonesia and The Free Aceh Movement Article 1.2.2)

3. Free and fair local elections will be organised under the new Law on the Governing of Aceh to elect the head of the Aceh administration and other elected officials in April 2006 as well as the legislature of Aceh in 2009 (Memorandum of Understanding between the Government of the Republic of Indonesia and The Free Aceh Movement Article 1.2.3).

It is important to note that the establishment of local political parties is a "compromise of grievance alleviation" between the central government and GAM from self-determination to self-government. GAM's ultimate aim of self-determination had been negotiated in Helsinki and was reshaped as self-government. Political grievances of Acehnese were addressed by granting access to greater participation in local politics and governance through local political parties. At the beginning of negotiations, central government offered the concept of "Aceh (local) based national party" and promised to supply 1000 members of Yudhoyono-Jusuf Kalla affiliated political parties to support the establishment of a locally based national party in Aceh (Nurhasim, 2008). GAM negotiators refused the idea, and they kept demanding the establishment of a local political party without national attributes as the manifestation of self-government.

On the other hand, the GoI objected to the idea due to an existing regulation, Law No 12/2003, that restricts the establishment of a local political party. Both parties insisted on their standpoints and forced Ahtisaari to mediate this disputed provision directly. The Government of the Republic of Indonesia finally accepted the provision allowing local political parties but with the condition, "in consultation with parliament". There was thus an authority transfer from central government to Aceh by granting the political right to establish local political parties as the primary means to alleviate political grievance in Aceh, a privilege unique to Aceh.

4.2.2 Law of Governing Aceh (LoGA)

The provision of elections and the establishment of local political parties were spelt out in national regulation, the Law of Governing Aceh (LoGA). Elections were comprehensively specified in article 65 to 74 with the regulations on nomination, ratification and inauguration of governor/deputy governor, and mayor/deputy mayor, voter's rights and election supervision. The regulations on local elections were also supported by the stipulation of the establishment of the independent electoral commission (Komite Independen Pemilu – KIP) as an election organiser, and for handling dispute settlement prior and after Election Day.

The provisions of local political parties are stipulated in articles 75 to 95. The regulations on local political parties consist of the administrative requirement of establishment, principles, objectives, functions, rights and obligations, finance, membership and the conditions to participate in a local election. The aspect of gender mainstreaming is also included in this law, by the mandatory affirmative action for the political party to nominate 30 per cent female candidates (Satriyo, 2011).

As was anticipated by central government negotiators, the decision for the establishment of local political parties became a heated debate in the National Parliament before being promulgated in the LoGA. In the Indonesian political party system, a party is eligible to register or run in the election if it has functioning branches in at least 50 per cent of the provinces and 50 per cent of the districts in those provinces (Aspinall, 2009b). This regulation goes beyond the number or percentage, but it is about the sensitive issue of separatism and Indonesian unity because the establishment of political parties based on territoriality could provoke disintegration. Provision of independent candidacy was also perceived negatively by the members of the National Parliament. PDI-P, a nationalist party and the primary opponent of peace negotiations with GAM was supported by other parties such as Partai Kebangkitan Bangsa (PKB), Partai Amanat Nasional (PAN) and Partai Persatuan Pembangunan (PPP) in voicing disagreement with the local political party and independent candidacy in Aceh. Together with the State Intelligence Agency (Badan Intelijen Nasional/BIN), these parties perceived that a local political party and independent candidates would lead to local elections serving as a referendum and as an entry point for GAM to continue their separatist agenda (Aliabbas, 2008). After a series of revisions, lengthy debates in parliament and public, particularly over the possibility of disintegration brought about by local political parties, President Susilo Bambang Yudhoyono signed the Law on the Governing of Aceh (LoGA) on 1 August 2006, accepting local parties and independent candidates in provincial elections (Stange &Patock, 2010), which became the legal basis for the 2006 local election. Yudhoyono used his position as a retired general to obtain agreement from military groups and Kalla as

the senior Golkar politician successfully managed the opposition in parliament to secure these provisions in the LoGA.

4.2.3 Qanun (Bylaw)

Political participation is one of the post-conflict peacebuilding provisions that has been frequently stipulated in the subsequent local laws (Qanun). From 2006 to 2017, the DPRA (Dewan Perwakilan Rakyat Aceh/ Aceh Provincial Parliament) has produced and enacted numerous political-related Qanuns. All of the political-related Qanuns emphasise elections and local political parties, including financial assistance and the establishment of Local Election Commissions (Komite Pemilihan Umum Daerah/ KPUD). The number of Qanuns with political content is higher than other subjects like the economy, law enforcement or human rights. A large number of the promulgation of politics-related Qanun demonstrates the priority of peacebuilding in Aceh which heavily emphasises political development in the first years after the peace settlement.

In addition to its importance in transforming armed insurgency into electoral politics, the political settlement in Aceh marks a model of more progressive democracy in Indonesian politics especially by allowing the establishment of local political parties and independent candidacy in local elections. Hamzah claimed Aceh was a "political, social, cultural and military laboratory, the results of which are often copied by other provinces, Aceh has become an inspiration for other regions" (Hamzah,2009:310). The provision of independent candidates in Aceh has created discourse over the possibility of other provinces and districts obtaining similar political rights. In 2007, Lalu Ranggalawe, a legislative member from Central Lombok West Nusa Tenggara province filed a judicial petition on the Law No 32/2004 about Local Government to the Constitutional Court (Khafid, 2007). The court accepted it in 2007, and the legalisation of the participation of independent candidates in local elections was enacted by Law No 12/2008. However, the provision of local political parties remains exclusively applied to Aceh and not other provinces. Several groups in Papua demanded similar rights to establish local political parties like in Aceh, but the government declined the request based on the absence of regulations on the subject of local political parties in Papua.

LoGA and the Qanun demonstrate the efforts of the central government to address political grievances by transferring political authority from the incumbent to insurgent. The establishment of local political parties and independent candidacy were the exemplary cases of authority transfer as a compromise of self-determination demanded by GAM to provide further legitimacy to the insurgent group. The initial resistance from the National Parliament, intelligence and military groups to the stipulation of local political parties and independent

candidacy had exposed the challenging path of state-led peacebuilding towards the greater legitimacy of the former separatist group. Since the local political party was still considered a risk to the unitary state as they could potentially promote the idea of separatism, the government's agreement on the establishment of the local party in Aceh caused apprehension among nationalist and military groups towards similar demands in other provinces.

4.3 Political Participation in Post-conflict Peace-building

4.3.1 Local Elections

In post-conflict peacebuilding, elections are a primary aspect of the political solution. Reilly (2002a) emphasises the importance of elections in the post-conflict period due to their stimulation of the development of democratic politics, the formation of the government and the legitimacy of the new political order. Elections in the post-conflict period are a way to ensure inclusive participation, either by the right to vote or to run for office. However, accelerated elections in post-conflict areas are potentially harmful to the sustainability of the newly reached peace. It might raise the level of polarisation and contestation which may lead to conflict recurrence. The loser may be provoked to contest results violently, while the winner may also be tempted to oppress other contenders. Timing of elections also matters. Early elections in the post-conflict period tend to expose deep social cleavages which can weaken rather than strengthen the peacebuilding process (Reilly, 2016). The negative impacts of electoral democracy in post-conflict society is one of the primary criticisms of liberal democratic peacebuilding as I have outlined in chapter 2. Local elections, however, were mandated and have successfully been conducted in Aceh. They were comprised of three gubernatorial elections, in 2006, 2012 and 2017 and two legislative elections in 2009 and 2014. The first election in 2006 was conducted less than two years after the peace agreement. These following sections will elaborate each election with the results and their dynamics of participation and limitations on participation. This thesis is mainly focused on gubernatorial and provincial legislative elections as a representation of Aceh's political dynamics at the provincial level. However, the comparison of votes between a candidate from local-national parties at the district level, and the result of national legislative elections will be elaborated in the section on the electoral landscape as well as the analysis of the results of presidential elections in Aceh.

4.3.1.1 The First Gubernatorial and District Head Election (2006)

The gubernatorial and district head elections (Pemilihan Kepala Daerah, or Pilkada for short) in 2006 were an important milestone for peace in Aceh and also for Indonesia in general. It

was the first election in the post-conflict period and the test case of the provision of independent candidates in a local election, the new feature in the history of electoral politics in Indonesia. This local election in the post-conflict period was administered by Komisi Independent Pemilu or the Independent Election Commission of Aceh. The election was supervised by the Aceh Monitoring Mission (AMM) as part of their mandate to support the peace process in Aceh. It aimed at electing a governor, a vice governor, and 19 heads of regencies (mayor and regent) across Aceh.

According to a survey conducted by IFES (2006) before the election, the majority of Acehnese were aware of the local elections and willing to participate. Seventy-eight per cent of Acehnese were well informed that local elections would take place in December 2006. About 56 per cent of the Acehnese said that they were very likely to vote, 33 per cent were somewhat likely to participate, and two per cent would abstain (IFES 2006).

There were 11 candidates who sought to register for the election, comprising of four pairs from political parties and seven pairs from the independent stream. Independent candidates must collect the signature of a minimum of three per cent of the Acehnese population (approximately 130,000 names) to be able to run for the election.[9] The signatures must be validated by the ID card of each signatory, but it can be verified collectively in the sub-district or village office. Since the eligibility of the independent candidates to compete in Aceh elections was only announced on December 11, two weeks before the election, many of the candidates complained about the limited time to collect signatures (ANFREL, 2006). After struggling with procedural requirements, eight pairs of candidates, six from political parties and two from the independent stream were finally verified by the Independent Election Commission to compete in the 2006 election as shown in table 4.1

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[9] LoGA article 68, point d.

Table 4-1 The List of Candidates in the 2006 Gubernatorial Election

No	Name of Candidate	Party	Background
1	Malek Raden (Governor)	GOLKAR	Bureaucrat and Politician (former member of Acehnese Regional Representatives Council (DPD))
	Sayed Fuad Zakaria (Vice Governor)	GOLKAR	Politician from GOLKAR
2	Humam Hamid (Governor)	PPP	Academic (Doctor of Sociology and Lecturer at Syiah Kuala University)
	Hasbi Abdullah (Vice Governor)	PPP	Academic (Lecturer at Syiah Kuala University) and GAM Negotiator
3	Irwandi Yusuf (Governor)	Independent Candidate	GAM Spokesperson
	Muhammad Nazar (Vice Governor)	Independent Candidate	Former Student Activist, Founder of SIRA (Sentra Informasi Referendum Aceh/ Information Center for Aceh Referendum)
4	Azwar Abubakar (Governor)	PAN	Politician/Former Acting Governor of Aceh
	Nasir Jamil (Vice Governor)	PKS	Politician/ Former member of Aceh Legislative Council in 1999-2000
5	Tamlicha Ali (Governor)	PBR (Partai Bintang Reformasi/ Reformation Star Party)	Military/Former Military Territorial Commander Wirabuana (South Sulawesi Province)
	Harmen Nuriqmar (Vice Governor)	PBR	Politician/ Parliament member from PBR
6	Djali Yusuf (Governor)	PPP (Partai Persatuan Pembangunan/ United Development Party)	Military /First Acehnese appointed as Iskandar Muda Military Territorial Commander (Kodam Iskandar Muda, a military territory of Aceh Province)

	Syaqas Rahmatillah (Vice Governor)	PPP	Academic/ Lecturer at Ar-Raniry Islamic State Institute
7	Iskandar Hoesin (Governor)	PBB (Star and Crescent Party)	Bureaucrat / Former Government Officer in Provincial Office of Ministry of Transmigration and Ministry of Human Rights and Justice.
	Saleh Manaf (Vice Governor)	PBB	Bureaucrat/ Former head of Bekasi Regency, West Java
8	Ghazali Abbas (Governor)	Independent Candidate	Artist (Poet and Singer) and Politician (Former Legislative Member from PPP)
	Salahuddin Al Fatah (Vice Governor)	Independent Candidate	Professional/ Owner of Seulawah Air (Aceh local government-owned airline company. This airline was launched in 2002 but suspended its service in 2003 due to mismanagement.

Source: IFES (2006) and ICG (2006)

The list presents a range of backgrounds for candidates from politicians or former bureaucrats to former military, professionals, and artists. The presence of two candidates with military backgrounds was intriguing since the Indonesian army was seen as the principal enemy and perpetrator of human rights violations during the counter-insurgency.

While this election included the participation of a large number of candidates (compared to other provinces in Indonesia, the number of candidates in local elections varies between two to five) from diverse backgrounds, the real competition was seemingly between two GAM representations. The first contenders were Human Hamid and Hasbi Abdullah, under a national political party, PPP, and the second candidates were Irwandi Yusuf and Muhammad Nazar, who ran as independent candidates. Hamid-Abdullah represented politically active intellectuals and the GAM elite, while Irwandi-Nazar was representative of more grassroots intellectual-activists. Irwandi was the GAM spokesperson and propagandist, and Nazar was a former student activist who established SIRA (Central Information for Aceh Referendum). Nazar set up SIRA in November 1999, inspired by the East Timor referendum that eventually led to independence. SIRA was supported by youth and students. Both Irwandi and Nazar were political prisoners during the conflict era in Aceh. The results of the 2006 gubernatorial election are shown in table 4.2:

Table 4-2 Result of 2006 Gubernatorial Election

No	Name of Candidates	Result (%)
1	**Irwandi Yusuf** **M. Nazar**	**38.2**
2	Hasbi Abdullah Humam Hamid	16.6
3	Malek Raden Sayed Fuan Zakaria)	13.9
4	Azwar Abubakar Nasir Jamil	10.6
5	Djali Yusuf and Syaqas Rahmatillah	7.8
6	Iskandar Hoesin Saleh Manaf	5.5
7	Tamlicha Ali Harmen Nuriqmar)	3.9
8	Ghazali Abas Shalahudin Al Fatah	3.2
	Voter Turnout	**85%**

Source: ICG (2006)

The first post-conflict electoral competition was won by Irwandi Yusuf and Muhammad Nazar with 38 per cent of the votes in the first ballot. This result indicated that KPA was successfully working as a political machine for GAM, to mobilise votes at district levels (Stange and Patock, 2010). While KPA secured votes from GAM members, Nazar's SIRA Network also attracted a significant share of the vote from students and youth. The Irwandi Yusuf-Muhammad Nazar team emerged as representatives of the successful transition of GAM from an insurgent movement to a non-violent political entity. Irwandi-Nazar also succeeded in mobilising voters, using centre-periphery discontentment by building an image as the candidates who consistently refused to cooperate with any national parties (Prasetyo, Tornquist and Birk, 2009).

The candidates from GAM backgrounds won six out of 23 districts and municipalities in district elections, a sound achievement, given their first participation as independent candidates. The non-Acehnese-dominated districts such as Central Aceh and Singkil remained under control of the Partai Golkar as one of the strongest national parties in Aceh. While there

is no single factor to explain the GAM victory, there are several factors that might contribute to their electoral achievement. They consist of the combination of the structure of KPA as a superior local mass organisation in the post-conflict period that was supported by SIRA as an activist and student wing organisation, the emphasis that GAM candidates were the only ones who could ensure lasting peace in Aceh, and scepticism with established national political parties (Sindre 2008, ICG 2007). The triumph of GAM candidates in the first election in the post-conflict period also demonstrated the initial legitimacy shift from central government to former insurgents.

4.3.1.2 The First Provincial and District/Municipality Legislative Election (2009)

While the 2006 gubernatorial election was the first local election post-Helsinki, the 2009 elections were the first national-level elections for Aceh in peacetime (Carter Center, 2009). Legislative elections in Aceh were a test case where local parties could compete for the very first time in Indonesian electoral democracy. Particularly for Partai Aceh, the 2009 election was a chance to prove its capacity as a local political party that was perceived as the representative of GAM, after victory in the 2006 gubernatorial election. The 2009 legislative election was to elect legislative members to the National Parliament (DPR), Provincial Parliament (DPRA), District Parliament (DPRK) and Senate (DPD). Unlike provincial and district level parliaments, candidates from Aceh who ran for National Parliament seats had to be nominated by national political parties, not by local political parties.

Despite the strict regulations on party formation[10], six local parties managed to meet the administrative criteria required to register for the 2009 elections. Local political parties represented diverse interest groups in Aceh, including religious communities and the urban middle classes, not all of whom automatically identified with GAM's struggle. The following table provides a brief overview of the local political parties that registered for the 2009 provincial and district/municipality legislative elections (Hillman, 2012; Hamzah, 2009):

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[10] Local political parties had to be established and formed by at least 50 (fifty) citizens of the Republic of Indonesia having the age of 21 (twenty-one) years old who have been permanently domiciled in Aceh by heeding the representation of women at least 30% (thirty percent) (LoGA article 75 clause 2). Local political parties must have a management of at least 50% in the District/city and 25% (twenty five percent) of the total number of districts in each of the relevant Districts/cities. (LoGA article 75, clause 8).

Table 4-3 Local Political Parties in 2009 Aceh Legislative Election

Party Name	Description of Party	Logo
Partai Aceh	The party represents the former Free Aceh Movement, founded by the rebels' exiled leaders and some senior ex-combatants.	
Aceh Sovereignty Party (Partai Daulat Aceh, PDA)	Founded by Muslim cleric (ulama) and graduates of local Islamic boarding schools (santri) to promote the implementation of Shariah law in Aceh.	
Safe and Prosperous Aceh Party (Partai Aceh Aman Sejahtera, PAAS)	Founded by Ghazali Abbas Adan, former politician, artist (poet) and United Development Party member.	
The Independent Voice of the Acehnese People's Party (Suara Independen Rakyat Aceh, SIRA)	Founded by former pro-referendum activists under the leadership of Aceh Vice Governor Muhamad Nazar.	
The Aceh People's Party (Partai Rakyat Aceh, PRA)	Founded by left-leaning student activists. The party had a critical stand on foreign investment in Aceh.	
The Aceh United Party (Partai Bersatu Aceh, PBA)	Founded by academic and former National Mandate Party (PAN) member of the Indonesian House of Representatives.	

Source: Hillman (2012), Hamzah (2009)

Most of the local political parties used religious or Acehnese-ness symbols as a strong message to their constituents of their appeal to ethno-nationalist identity. Partai Aceh and SIRA used

colours, symbols and patterns that were heavily associated with the GAM logo. Partai Daulat Aceh featured the Qur'an in its logo, while Partai Aceh Aman Sejahtera Aceh featured the traditional Aceh hat, and Partai Bersatu Aceh used a map of Aceh Province in its logo. PRA was a compelling case as they boldly featured a yellow star on a red backdrop logo, a colour and symbol combination that is frequently used in communist countries.

Before the legislative elections in April 2009, political tension escalated. There were concerns about pre-election violence and the security of the election from both sides, Partai Aceh and its competitors. There were cases of the killing of party activists who were affiliated with Partai Aceh, while in the Partai Aceh stronghold areas, there were reports of intimidation by Partai Aceh (Carter Center, 2009). Partai Aceh supporters also seemed to face widespread intimidation in multiple districts, allegedly undertaken by police and military forces (Carter Center, 2009).

The election results showed that PA won an overwhelming victory, gaining a total of 33 seats out of 69 (or 48 per cent) in the DPRA followed by Partai Demokrat, a new political party associated with President Susilo Bambang Yudhoyono with 10 seats and Partai Golkar, the "New Order" party with eight seats. Partai Aceh also dominated 17 of 23 districts in the District Parliament election. PA won an absolute majority (between 52 and 75 per cent) of seats in their stronghold districts: Pidie, Pidie Jaya, Bireuen, Aceh Utara, Lhokseumawe, Aceh Timur, and Aceh Jaya, and lost in the districts where the population is more heterogeneous such as Gayo Lues, Aceh Tenggara (South East Aceh), Aceh Singkil, Subulussalam, Bener Meriah, and Central Aceh (ICG, 2009, Tornquist and Uning, 2009). Apart from the impressive victory of Partai Aceh, only one other local party, Partai Daulat Aceh, obtained one seat in DPRA, while the other four local parties could not secure seats in DPRA.

Table 4-4 The Result of 2009 Legislative Election

No	Political Party	Number of Seat in Provincial Parliament (DPRA)
1	**Partai Aceh**	**33**
2	PD	10
3	Golkar	8
4	PAN	5
5	PKS	4
6	PPP	3
7	PBB	1
8	PKB	1
9	PKPI	1
10	Partai Daulat Aceh	1
11	Partai Patriot	1
12	PDI-P	1

Source: Merdeka (2009)

There are several contributing factors to the victory of Partai Aceh. The first one is the party's strategy. Partai Aceh sustained its strategy of influencing the broad mass of uneducated people in rural Aceh, claiming that they were the only party that had been mandated by MoU Helsinki and the sole representatives of GAM. Representatives of Partai Aceh said a primary goal would be the full implementation of the Helsinki MoU and full self-government in all but the six areas that under the agreement are the preserve of the national government: foreign affairs, external defence, national security, monetary and fiscal matters, justice and religious freedom (LPP2, personal interview, September 2012). Secondly, KPA as GAM political machinery had again proven its effectiveness to gather votes. Regarding human resources, most of the leaders of PA and their supporters were ex-combatants who had been very well prepared for the competition and PA was the only local party that had well-functioning offices all around Aceh, heavily supported by the KPA structure. PA also successfully broadened its support from affiliated mass-based organisations among fisherfolk, farmers and religious scholars (Tornquist and Uning, 2009).

The first legislative election had been successful in terms of the transformation of the rebel movement into a political entity through a local political party as well as the legitimacy shift from incumbent/central government to insurgent/GAM. The victory of Partai Aceh strengthened the GAM political legitimacy that had been achieved previously in the 2006

gubernatorial election. However, the failure of other local parties to gain a seat in the local parliament indicated the supremacy of one local group in Aceh. It is essential to see the development of local political parties in Aceh in the broader electoral participation of Aceh society and not only limited to GAM. The ultimate victory of Partai GAM, therefore, has indicated that the provision of the local political party in Aceh was beneficial initially for GAM only. In other words, it demonstrates the limited participation in the transitional phase of peacebuilding in Aceh.

4.3.1.3 The Second Gubernatorial Election (2012)

Aceh's second general election was supposed to be held in 2011 in accordance with the five-year cycle of the governor election but was delayed until 2012 due to political tension between the former combatants. Unlike the 2006 election, the number of contestants in the 2012 gubernatorial election included only five pairs of candidates as shown in table 4.5. Interestingly, three out of five candidates, or 75 per cent, were running through the independent stream, one pair was the representatives of Partai Aceh, and another was nominated collectively by three national parties. The nomination with no formal party affiliation was still chosen as one of the means of political participation in Aceh. There are some contributing factors to the popularity of independent candidacy: the persistent antagonism to national parties among voters, and the high cost of the patronage system of political parties in electoral competition. While independent candidacy gives a positive impact on political participation, the popular option to run as an independent candidate also raises questions about the function of political parties, especially the local ones, in post-conflict Aceh as an institution to prepare candidates for public office. The background of candidates was also less diverse than the 2006 election with the representation of incumbent, former GAM elites, former bureaucrats, technocrats, academics and religious clerics.

Table 4-5 The List of Candidate of Governor and Vice Governor in Aceh Gubernatorial Election 2012

No	Name	Party	Background
1	Tengku H. Ahmad Tajuddin AB (Governor)	Independent Candidate	Tengku Ahmad Tajudin or Abi Lampisang was the head of the Education Islamic boarding school Al-Muhajirin and served as a Khadi (judge) in GAM
	Ir. H. Teuku Suriansyah, M.Si (Vice Governor)	Independent Candidate	Suriansyah is a senior politician from Golkar party with extensive experience in National Parliament. In the post-Suharto administration, he was tasked to help President Abdurahman Wahid as an advisory council regarding Aceh issues.
2	Irwandi Yusuf (Governor)	Independent Candidate	Irwandi Yusuf is the former Governor of Aceh for the period 2006 to 2012, and during the conflict, he was a propagandist and spokesperson of GAM.
	Muhyan Yunan	Independent Candidate	Yunan is well known as a technocrat. He is former chief of Bina Marga and Cipta Karya Directorates in Aceh, two state-owned enterprises on construction, and had handled various construction projects across Aceh.
3	Prof. Dr H. Darni M. Daud. MA (Governor)	Independent Candidate	Darni M Daud is a Rector of Syiah Kuala University.
	Dr Tgk. Ahmad Fauzi. M.Ag (Vice Governor)	Independent Candidate	Fauzi is a lecturer at Tarbiyah Faculty, Ar-Raniry Islamic Institute.
4	H Muhammad Nazar (Governor)	Partai Demokrat, PPP and SIRA	Nazar is a former student activist and the force behind Aceh's attempt at a referendum during the Abdurahman Wahid presidency. He was the former vice-governor of Aceh after the conflict.

	Ir. Nova Iriansyah, MT	Partai Demokrat, PPP and SIRA	Iriansyah is the former chairman of the Democrat Party in Aceh and served as a Member of the National Parliament (DPR RI) from 2009-2014.
5	dr. H. Zaini Abdullah (Governor)	Partai Aceh	Zaini Abdullah is one of the most prominent figures among governor candidates. He is the former foreign minister of GAM and was involved actively in GAM's diplomatic campaign. He is a medical doctor by profession,and graduated from Uppsala University, Sweden.
	Muzakir Manaf (Vice Governor)	Partai Aceh	Manaf is the other famous figure in GAM. He is the former commander of the GAM Army wing and became head of the KPA after conflict.

Source: Serambinews (2011)

This second gubernatorial election was marred by electoral disputes and violence. The election was postponed from 10 October 2011 to 14 November 2011, then to 24 December 2011, 16 February 2012, and finally to 9 April 2012 (ICG, 2012), due to the dispute over independent candidacy between the GAM-based PA that dominated the Aceh parliament and Irwandi, the incumbent. GAM elites that dominated the Aceh parliament through PA not only declined to nominate Irwandi but aimed to block him from being re-elected as governor of Aceh. GAM used the provision in the MoU Helsinki allowing independent candidates only in the first election. The independent candidacy was considered a violation of law by Partai Aceh, even though it had already been acknowledged and enacted in national law after judicial review. This conflict is elaborated further in the subsequent section on the establishment of local political parties.

As a result of this rift, violence was drastically increased with as many as 157 electoral-related violence cases recorded by Perludem and Bawaslu. Amidst the escalated tension, violence and complications the electoral commission successfully managed the process. The positive intervention from the national government to postpone the local election and reopen the registration of candidates through a Constitutional Court ruling contributed to a peaceful election. KIP announced the results on 17th April 2012. Voter turnout was confirmed at 75.73 per cent of 3,244,680 registered voters (ANFREL, 2012). The result of the second gubernatorial election is depicted in table 4.6 below:

Table 4-6 The Result of 2012 Gubernatorial Election

No	Name of Candidates	Total Vote /Percentage
1	**Dr. H. Zaini Abdullah** **Muzakir Manaf**	**1,327,695 (55.78%)**
2	Drh. Irwandi Yusuf Dr. Ir. Muhyan Yunan. M.Sc	694,515 (29.18%)
3	H Muhammad Nazar Ir. Nova Iriansyah, MT	182,079 (7.65%)
4	Prof. Dr. H. Darni M. Daud. MA Dr. Tgk. Ahmad Fauzi. M.Ag	96,767 (4.07%)
5	Tengku H. Ahmad Tajuddin AB Ir. H. Teuku Suriansyah, M.Si	79,330 (3.33%)
	Voter Turnout	**2,457,196 (75.73%)**

Source: Republika (2012)

This election seemed to be a competition between Irwandi and Zaini Abdullah. Fachry Ali, an Acehnese political scholar, commented that "the Acehnese still hold figures with GAM backgrounds in high regard" (Simanjuntak and Elfrida, 2012). Partai Aceh repeated its campaign strategy by stressing that they were the main benefactors of peace in Aceh and invoked the sentiment of the public towards the MoU Helsinki as the only valid document of peace. Partai Aceh also used the MoU to defend their rejection of Irwandi's independent candidacy.

While the 2006 gubernatorial and 2009 legislative elections could be considered to be the early learning path of local democracy, the 2012 election showed significant setbacks, with the return of violence and conflict. This feature is common in a transitional phase of peacebuilding when former combatants must undertake democratic competition. It is interesting to observe that Partai Aceh attempted to create a democratic image by resorting to a legal framework during the dispute over Irwandi candidacy. However, their behaviour in preventing one candidate from legally competing in the election undermined the democratic principles. Another appealing feature is the support of the central government for the peaceful competition between former combatants. While the central government had transferred authority by granting self-government to a local political party, Jakarta used the national authority, in this case, the Constitutional Court ruling, to maintain the legitimacy of local
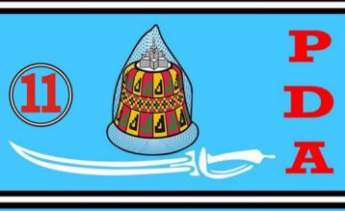
democracy in Aceh when it came under threat of violence. This indicates one of the characteristics of state-led peacebuilding that keeps the substantial authority of the central government to safeguard the post-conflict vulnerability. The intervention from central government is possible due to the existing institution of the state.

4.3.1.4 The Second Provincial and District/Municipality Legislative Election (2014)

In 2014, only three local political parties along with national parties competed in legislative elections. Partai Nasional Aceh, a local political party, established by Irwandi, the former governor of Aceh from 2006-2012 passed the verification process to join the election. Partai Damai Aceh also passed verification after changing the name from Partai Daulat Aceh due to its inability to reach the parliamentary threshold. Partai Aceh was automatically eligible to join the election given to a sufficient number of seats from the 2009 election

Table 4-7 The Local Political Parties in 2014 Election

No	Political Party	Description	Symbol
1	Partai Aceh	This party represents the former Free Aceh Movement, founded by the rebels' exiled leaders and some senior ex-combatants.	
2	Partai Nasional Aceh	The new local political party established in 2012 by Irwandi, Governor of Aceh (2006-2012). This party is seen as Partai Aceh's rival with the same constituent that consists of former combatants.	

3	Partai Damai Aceh	One of the local political parties competed in the 2009 election but had to change their name due to failure to meet the electoral threshold. The stakeholder and mission are still the same: dayah (Islamic boarding school), leaders-disciples, and the implementation of sharia in Aceh.	

Source: Hillman (2012), Hamzah (2009), PNA website

Contrary to the initial analysis that predicted this election to be a battle between two prominent local political parties of former GAM elites, the competition occurred between local and national parties as shown in Table 4.8. Partai Aceh still dominated the DPRA with 29 seats.

Table 4-8 The Result of 2014 Aceh Legislative Election

No	Political Party	Number of Seats in DPRA
1	**Partai Aceh**	**29**
2	Golkar	9
3	Nasdem	8
4	PD	8
5	PAN	7
6	PPP	6
7	PKS	4
8	Gerindra	3
9	**PNA**	**3**
10	**Partai Damai Aceh**	**1**
11	PKB	1
12	PBB	1
13	PKPI	1

Source: Serambinews (2014)

The number of seats gained by Partai Aceh dropped from 33 out of 69 total seats to 29 out of 81 total seats in DPRA, a drop from 47.8 per cent to 36 per cent. This result is quite surprising given its dominant electoral machinery and allegations of fraud in the counting process (IPAC, 2014). Prior to the election, Syaifullah, a former GAM member from Cinta Raja Village, Aceh Tamiang, one of the GAM stronghold areas, predicted that Partai Aceh would lose at least 40 per cent of votes because "most of the party cadres in legislative and executive branch has forgotten their supporters" (Gunawan, 2014). Syaifullah also adds that Cinta Raja Village is now open to elect any contenders and the people currently tend to elect non-party figures (Gunawan, 2014). His opinion is affirmed by one of my respondents who said that after the 2009 election, voters in Aceh started to shift their consideration from party affiliation to individual qualities of the candidate, particularly "the morality aspect", followed by the monetary rewards promised by the candidate (Personal Interview, LPP PNA 12-B, August 2018).

To expand on one of my respondent's opinions about the shift of voter preference from political parties to individual figures "who promised money", it is important to note patronage and money politics in Aceh elections. Darwin (2016a) observe a significant change of Partai Aceh campaign methods in Bireun. While they still emphasised Acehnese ideology, they started to employ patronage and money politics extensively. Partai Aceh's decline in seats could also be explained by the presence of PNA, a local political party with similar constituents that reduced Partai Aceh's vote in their strongholds such as Bireun and North Aceh. Another factor mentioned by Aryos Nivada (Serambinews, 7 May 2014) was the "incorrect political coalition" with a national party, Partai Gerindra. For most Acehnese, the leader of Partai Gerindra, Prabowo Subianto is still closely associated with military power with the memory of rampant human rights violations during the conflict period.

Figure 4-1 Comparison between Partai Aceh seats in DPRA Between the 2009 and 2014 Elections
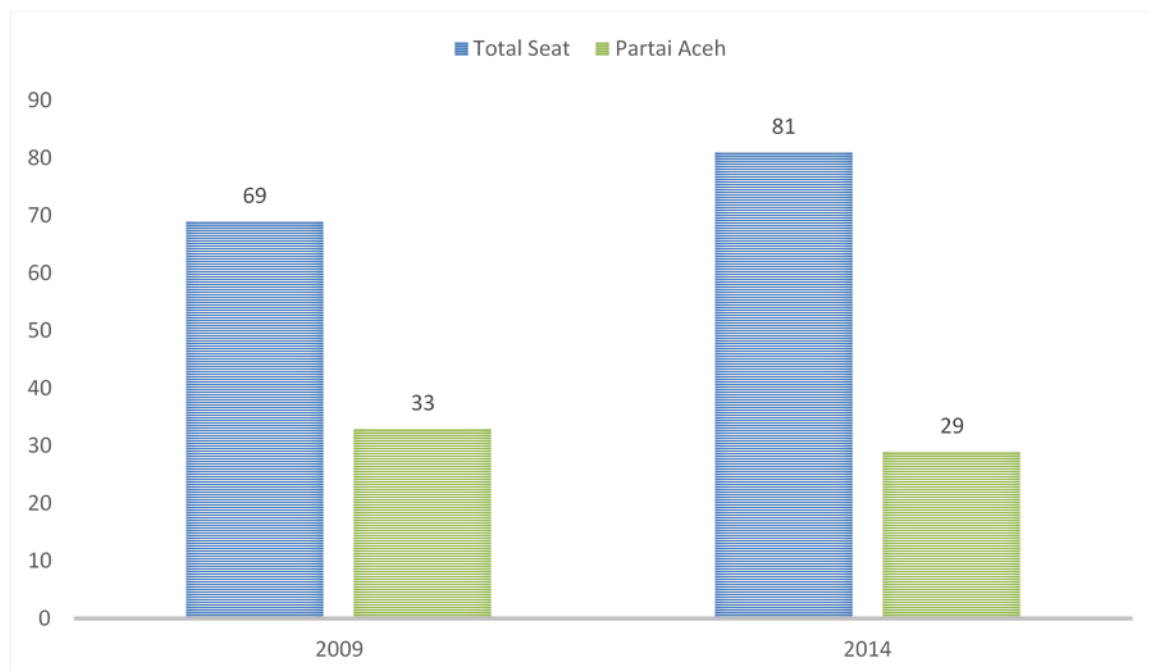
Source : Aceh Independen Election Comission

On the other hand, PNA ,which was initially perceived as a strong competitor for Partai Aceh, unexpectedly performed very poorly, only winning three out of 81 seats in DPRA. IPAC (2014) argued that PNA failed to offer innovative development agendas, contrary to its image as a GAM reformist party and chose to glorify JKA/Jaminan Kesehatan Aceh (Aceh Health Insurance), Irwandi's past successful populist program. PNA also did not use its limited budget for effective campaigning and disbursed it to minor expenses such as party uniforms (IPAC 2014).

The 2014 election was the first legislative election that brought two GAM-based local political parties into democratic contestation. There were several new features of this election: significant electoral related violence as elaborated further in the section on electoral violence, a smaller number of local political parties, and the stronger grip of national parties in Aceh local elections. How do we interpret these features? The first possible explanation is that GAM has monopolised the idea of local political parties as self-government in Aceh. Even though there was PNA as a challenger of Partai Aceh in this election, the competition remains between the former combatants who showed limited participation in elections. Competition between former rebel groups in the democratic realm is still marred with violence that could indicate the need for a longer transition in managing the political dispute. In terms of legitimacy, there

is an indication of growing legitimacy of the incumbent/central government by the number of votes gained by several national parties in the 2014 Aceh legislative election as well as the continuation of the coalition between Partai Aceh with Partai Gerindra.

4.3.1.5 The Third Gubernatorial Election 2017

The 2017 gubernatorial election was the first local election after peace in Aceh had lasted for more than ten years, a condition that could be considered to meet the timeframe of durable peace. This election also showed that Aceh had entered the normalisation phase after the transition period from conflict to peace as shown by a coalition between local and national parties as well as a decreasing level of electoral violence, as will be elaborated in subsequent sections.

The independent candidacy requirement was made stricter in the 2017 election as a result of the amendment in National Election Commission Regulation Number 9/2015 regarding the Nomination of Head of Local Government. While in 2006 and 2012 election verifications could be done collectively in sub-districts or village offices, in the 2017 election every supporter had to be validated personally by signature, stamp, and thumbprint. The 2017 election seemed to be a competition between candidates from the independent stream and political parties, both local and national as shown in table 4.9. There were three candidates supported by coalitions of national and local parties and all-national parties, while three others ran as independent candidates. This election was also a race between the incumbent governor, incumbent vice governor and former governor, which made the election an inter-incumbent competition.

Table 4-9 The Third Gubernatorial Election 2017

No	Name of Candidate	Political Party	Background
1	Muzakir Manaf (Governor)	Partai Aceh, Gerindra, PAN, PPP (Djan Faridz camp) [11]PKS, PBB	Muzakir Manaf was the vice governor of Aceh (2012-2017) and former GAM Commander.
	Tengku Ahmad Khalid (Vice Governor)		TA Khalid is the former head of DPRK (district level legislative) Lhokseumawe (2004-2009) and the head of Partai Gerindra in Aceh.
2	Zakaria Saman (Governor)	Independent	Zakaria Saman is the former GAM Minister of Defense and a member of Tuha Peut (council of consensual decision making) in Partai Aceh.
	Teuku Alaidinsyah (Vice Governor)		Teuku Alaidinsyah is a lecturer in the Faculty of Engineering, Syiah Kuala University and the Head of Aceh Red Cross.
3	Zaini Abdullah (Governor)	Independent Candidate	Zaini Abdullah is the former governor of Aceh 2012-2017.
	Nasarudin (Vice Governor)	Independent Candidate	Nasarudin, born in Gayo, Central Aceh was Central Aceh Head of Regency for two terms, 2007-2012 and 2012-2017. He is a member of Partai Golkar.
4	Irwandi Yusuf (Governor)	PNA, PD, PDI-P, PKB, Partai Damai Aceh.	Irwandi Yusuf is the former governor of Aceh 2006-2012 and ex GAM propagandist.

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[11] In 2015, the United Development Party (PPP), a party that attracted many voters during the conflict era in Aceh, was split into two camps. Muhammad Romahurmuzy and Djan Faridz both claimed to be legitimate leader of the party. The central government de facto supported Romahurmuzy chairmanship. In December 2017, Romahurmuzy won the appeal in the Supreme Court that made his chairmanship legitimate.

	Nova Iriansyah (Vice Governor)		Iriansyah is the former chairman of the Democrat Party in Aceh and served as Member of the National Parliament (DPR RI) from 2009-2014. He also had extensive experience in construction companies and associations.
5	Abdullah Puteh (Governor)	Independent Candidate	Abdullah Puteh is the former Governor of Aceh 2000-2004. In 2005, Puteh was sentenced to ten years in prison due to overcharging the state for a helicopter purchase, causing state financial loss of IDR 6.654 billion (USD 445 million).
	Sayed Mustafa Usab (Vice Governor)		Sayed Mustafa Usab is a former National Legislative Member from Aceh, affiliated with Partai Amanat Nasional/PAN.
6	Tarmizi Abdul Karim (Governor)	Golkar, Nasdem, PPP	Tarmizi Abdul Karim is an experienced bureaucrat. He was governor ad-interim of Aceh (February-June 2012, during the heightened conflict of the gubernatorial election in Aceh), governor ad interim of South Kalimantan and East Kalimantan (July-December 2008) and South Kalimantan (August 2015-February 2016).

	Teuku Maschalmina Ali (Vice Governor)		Teuku Maschalmina Ali is the former governor's office secretary in South Aceh and the head of the Regional Office of Manpower and People Mobility Department.

Source: Serambinews (2016), Harian Aceh (2016)

The Aceh 2017 election repeated the inter-GAM candidate race of 2012. After being defeated by Zaini Abdullah and Muzakkir Manaf in the 2012 election, Irwandi was no longer running as an independent candidate. He and his running mate Nova Iriansyah were nominated by a coalition of two local parties (Partai Nasional Aceh and Partai Daulat Aceh) and three well established national parties (Partai Demokrat, PDI-P and PKB). His team's strongest rival, Muzakkir Manaf and Tengku Ahmad Khalid were also nominated by a coalition of local and national parties: Partai Aceh, Partai Gerindra, PKS and PAN. Meanwhile, Partai Golkar and Nasdem took their position by supporting Tarmizi Abdul Karim, an Acehnese who is also a senior bureaucrat at the national level.

Soon after the election, Irwandi-Nova Iriansyah and Muzakkir-Tengku Ahmad Khalid both claimed victory based on their internal count. However, the final result was announced by KIP Aceh with the victory of Irwandi-Nova with 37.22 per cent followed by Muzakkir-Tengku Ahmad Khalid in second place with 31.74 per cent. Both candidates finally accepted the official result without any further protest or violent acts. The complete results of the 2017 election are depicted in table 4.10:

Table 4-10 The Result of 2017 Gubernatorial Election

No	Name of Candidates	Total Vote /Percentage
1	**Irwandi Yusuf** **Nova Iriansyah**	**898,710 (37.22%)**
2	Muzakkir Manaf Tengku Ahmad Khalid	766, 42 (31.74 %)
3	Tarmizi Abdul Karim Teuku Maschalmina Ali	406,865 (16.85%)
4	Zaini Abdullah Nasarudin	167,910 (6.95%)
5	Zakaria Saman Teuku Alaidinsyah	13, 981 (5.51%)
6	Abdullah Puteh Sayed Mustafa Usab	41, 908 (1.74%)
	Voter Turnout	**72.78%**

Source: Detiknews (2017)

Post-conflict local elections in Aceh provide us with the dynamics of the incorporations of combatant and broader Acehnese society into democratic contestation as well as participation and legitimacy post-conflict. The provision of a local political party and independent candidacy has been well utilised by Acehnese as shown by the robust electoral participation. Candidates from GAM emphasised Aceh ideology in their campaign, as well as their claim as the sole legitimate benefactors of peace and the utilisation of KPA as political machinery. GAM has been dominant in three elections in 2006, 2009 and 2012, the time frame that could be categorised as a transitional phase.

The trend gradually changed during the 2014 and 2017 elections when coalition-building with national parties become stronger and essential for winning elections. This marks the normalisation phase when close relations with national political parties are no longer seen as a negative political option or a betrayal. The partnership with national political parties is seen as crucial to protect GAM's political power as well as to secure Aceh's interest in the national decision-making process. This occurs because Aceh's interest in national legislation is the authority of the National Parliament, and to become a member of the National Parliament, the local political party must be nominated by the national party. The 2014 and 2017 elections also demonstrated divisions in GAM through the competition between two GAM parties, Partai

Aceh and Partai Nasional Aceh. While igniting violence, in the beginning, this division creates competition and prevents one-party domination, something crucial for local democracy in Aceh.

Traditional literature on liberal democracy put elections as a crucial factor in creating a politically legitimate government. Elections are considered therefore to be important post-conflict arrangements for creating political legitimacy in a highly contested environment among former adversaries. In state-led peacebuilding in Aceh, elections are the competition of legitimacy between the central government that is represented by national political parties or candidates nominated by national parties and the local political parties and local candidates. In the case of Aceh, legitimacy was gained by local candidates in gubernatorial elections by victory in three consecutive elections in 2006, 2012 and 2017, while in legislative elections, the victory of a local political party (Partai Aceh) in two elections in 2009 and 2014 indicate that a local political party gained support from most Acehnese. However, the increasing vote gained by national political parties in the 2014 legislative election and the coalition made by local political parties with national political parties in the 2017 gubernatorial election could be the indication of regaining legitimacy of the central government. The declining number of votes for Partai Aceh in the 2014 election indicated diminishing legitimacy of local political parties due to their failure to achieve output legitimacy by poor performance in governance.

Another important factor in a local election is the development of a local political party system in Aceh. From the beginning of peacetime until the normalisation phase, Partai Aceh remains the strongest local political party in Aceh. Other local parties that compete in a legislative election often failed to reach the parliamentary threshold. Most of the other local political parties dissolved or changed their names to be able to join the next election, such as Partai Daulat Aceh, a party that represents religious groups. There is a low level of local party sustainability to challenge Partai Aceh domination. The establishment of a new GAM-based party, Partai Nasional Aceh (PNA), was a promising start. Even though the early performance of PNA was disappointing, its presence contributes to the more progressive development of the party system in Aceh. Further analysis of Partai Nasional Aceh can be found in the subsequent section on local political parties. The low presence and sustainability of local parties also contributes to the frequent independent candidacy. Due to the limited number of GAM-based parties and reluctance to be nominated by the national party, GAM-affiliated candidates prefer to run as independent candidates. While opening wider access to political participation, the high number of independent candidates is an indication of the slow development of the local party system in Aceh

4.4 Voter Turnout

Voter turnout is one of the most widely used indicators of political participation (IDEA, 2012). According to the Ministry of Social Development Report of New Zealand (2010), "voter turnout is an indicator of the confidence the population has in political institutions, the importance they attach to them, and the extent to which they feel their participation can make a difference". Aceh shows an interesting pattern of voter turnout as an indicator of their political participation.

Figure 4.2 shows a comparison of voter turnout in the legislative election between national level and Aceh during the conflict era. According to IDEA (2002), during the New Order Era, analysing voter turnout rate in Indonesia is difficult, partly because the data could be deceiving due to mobilisation attempts by the government or military officers.

In the 1997 Legislative Elections, voter turnout in Aceh was higher than the national average. Since Aceh was still a conflict area with a strong military presence, the high turnout rate could be a result of mobilisation. The rate plummeted drastically in 1999, in the first legislative election after the overthrow of Suharto. While the nationwide figure also showed a significant slump, a low rate of voter turnout in Aceh could be an indication of their political protest to the central government towards the political repression, economic inequality and military operation during the conflict. According to one respondent, in the 1999 election, a high absentee rate in Aceh was a symbol of "political strike against the central government" (Personal Interview, LPP PA 4-B, August 2018).

In 2004, during the second legislative election after Suharto, the real number of voters was hard to gauge because the election occurred during the martial law period. Aceh first experienced martial law from May 2003 to May 2004 following the failure of the Humanitarian Pause. The high rate could be another result of mobilisation by the military or police.

Figure 4-2 Comparison of Voter Turnout between National and Aceh in Legislative Elections in the Conflict Era
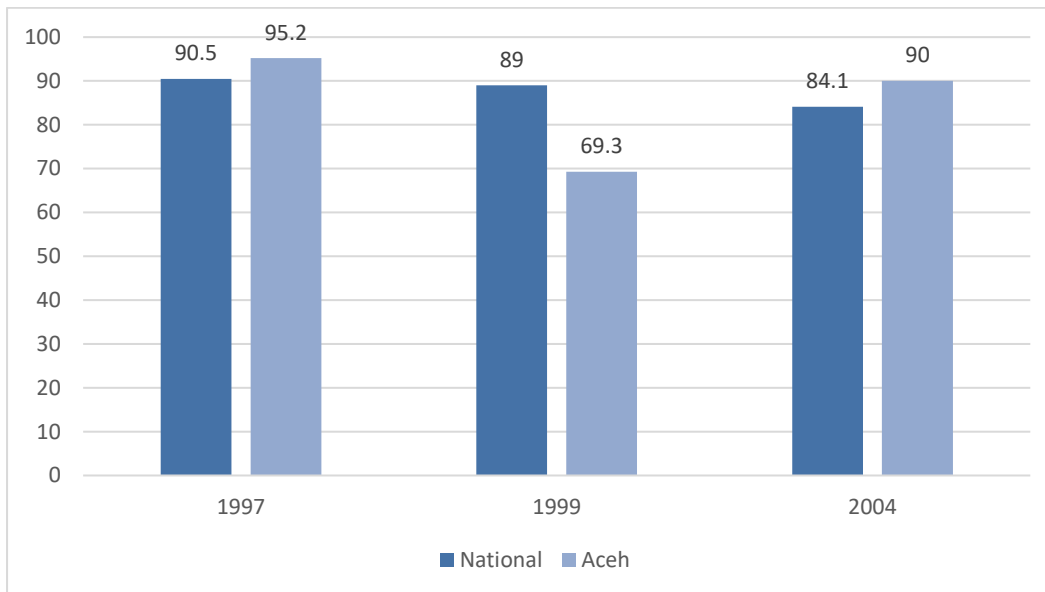
Data summarised from IDEA (2002) and General Election Commission

Figure 4.3 shows voter turnout during the presidential elections in 2004, 2009 and 2014. The 2004 presidential election occurred before the peace settlement, and Aceh was still under civil emergency status (May 2004 to May 2005). Thus, the high turnout could be the result of mobilisation. In the 2009 presidential election, voter turnout recorded a very high rate at 87 per cent while the national average only reached 71.7 per cent. This result could be interpreted as a post-conflict positive attitude among Acehnese towards national politics. However, this trend changed in the 2014 presidential election as the voter turnout decreased to 63 per cent. The possible explanation of this significant slump is unfavourability of the two contenders: Prabowo Subianto and Joko Widodo.

On one hand, Prabowo is the former general and commander of Kopassus (Indonesia Special Army Forces) representation of military power. On the other hand, Joko Widodo represents the PDI-P, the unpopular "secular national" party that is detached from Acehnese. This confusion is voiced by my respondent:

> "Prabowo is a bad person, he is from the military, but Jokowi is also not a good
> one, he is from the PDI-P" (Interview with PA-5-B, August 2018).

This unfavourable view of candidates who associated with two groups that are perceived as hostile to Aceh led to non-voting behaviour higher than the national average. Nur Djuli (as cited from Sholeh, 2015) asserted that "people could not just stay at home and let human rights

violators like Prabowo Subianto govern the country". However, his acclamation did not represent most Acehnese as they opted to abstain.

Figure 4-3 The Comparison of Presidential Election Voter Turnout between National and Aceh
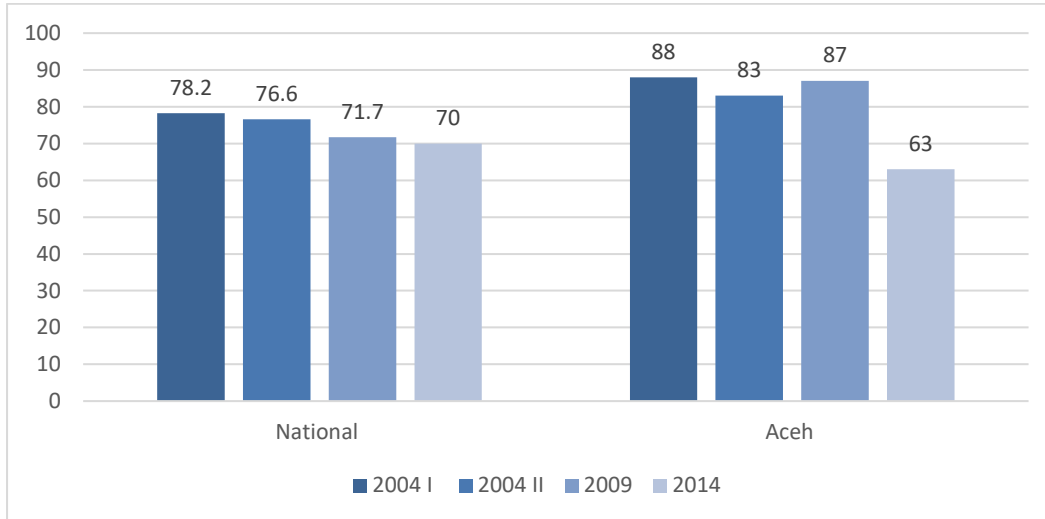
Source: KPU and BPS

Figure 4.4 shows another appealing development in electoral politics in Aceh. In two legislative elections in the post-conflict era, the rate of voter turnout in Aceh was higher than the national average. In the 2014 elections, voter turnout reached 77.58 per cent, bigger than the provincial percentage required by National General Election Commission at 75 per cent. The higher rate of voter turnout in Aceh than at the national level might indicate the enthusiasm towards the establishment of a local political party that enabled Acehnese to have more options in electoral democracy. This result could also be signalling the effective political machinery of political parties, especially Partai Aceh in mobilising voters.

Figure 4-4 Comparison of Legislative Election Voter Turnout between National and Aceh in the Post-conflict Era
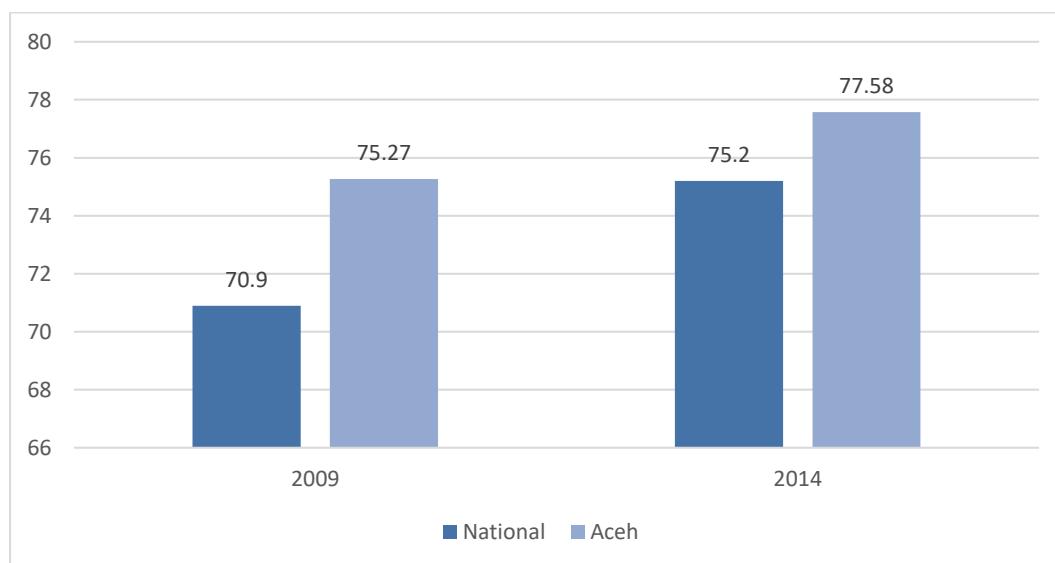
Source: KPU and KIP Aceh

One respondent explains the overall good turnout rate in Aceh elections as a result of the high level of political awareness among Acehnese.

> "Acehnese are fond of politics; they have good political awareness. During the conflict era, one of the manifestations of political awareness was the efforts of Acehnese students to help internally displaced persons. In the aftermath of conflict, we have local political parties, and those who ran for office are our friends, we know them. Moreover, for us who are critical of political parties, we have independent candidates. So, this is the time for us to open a new hope for Aceh" (Personal Interview, LPP PA 4-B, August 2018).

One respondent describes the political participation in Aceh, particularly during the 2006 gubernatorial and 2009 General Elections, as based on "Acehnese logic" and resistance spirit (Interview with LPP PNA 12-B, August 2018). They saw governor candidates from GAM and local political parties rooted in GAM as symbolic of Aceh resistance that encouraged them to vote (Interview with LPP PNA 12-B, August 2018).

Unlike the increasing trend in legislative elections, figure 4.5 shows a pattern of declining voter turnout rate in gubernatorial elections, starting from a high rate (85 per cent) in the first election, followed by a steady decline in the ensuing elections:

Figure 4-5 Voter Turnout in Aceh Gubernatorial Elections in the Post-conflict Era
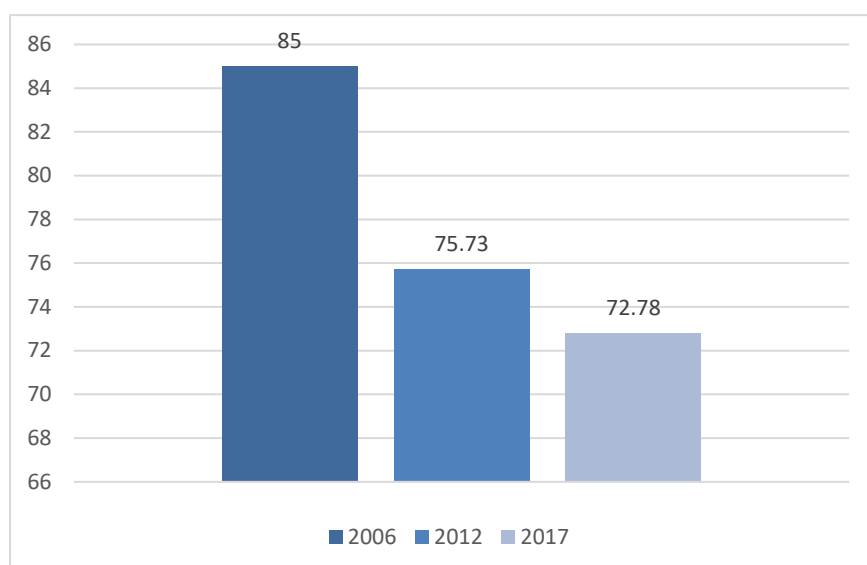
Source: Serambinews

During the first two elections after the conflict in 2006 and 2009, people were enthusiastic about voting due to their hope that former combatants would transform Aceh. Their expectations were slowly diminished by the poor performance of the elites (Personal Interview, WA 13-B, August 2018). One respondent from a women's organisation described the declining vote of Partai Aceh and lower voter turnout in 2012, 2014 and 2017 elections as "the exhaustion of Acehnese over local political process" (Personal Interview, WA 13-B, August 2018). Nevertheless, the growing number of non-voters especially during the presidential election mirrors a national trend. In gubernatorial elections, if we compare the overall turnout, Aceh is relatively better or on par with West Java or DKI Jakarta elections. In three West Java gubernatorial elections in 2008, 2013, and 2018, the voter turnout was recorded at 67 per cent, 63 per cent, and 73 per cent respectively. In DKI Jakarta, three gubernatorial elections in 2007, the first round of 2012 and the second round of 2017 were scored at 65.4 per cent, 65 per cent, 68 per cent and 77.1 per cent. The last gubernatorial elections in West Java and DKI Jakarta were heavily surrounded by identity politics which explained the higher turnout compared to previous years.

In addition to becoming one of the indicators of political participation, voter turnout was also a manifestation of political legitimacy (Grönlund and Setälä, 2004). During the 1999 election, the first legislative election in the Reformation era, the significant decline in voter turnout in Aceh could imply the illegitimacy of central government as the organiser of elections as well as the illegitimacy of national political parties competing in the election. In the aftermath of the peace agreement, the legitimacy of the central government increased, judging by the higher

voter turnout in the 2009 presidential election, which surpassed the national average. This rate declined again during the 2014 presidential election where both candidates were seen as unfavourable figures among Acehnese. In the gubernatorial election, the legitimacy of the local election and candidates was highest during the first gubernatorial election in 2006 as shown by a high voter turnout. The rate gradually declined in the ensuing elections in 2012 and 2017 when Acehnese were dissatisfied with the output/performance legitimacy of the election winner. Parliamentary elections, interestingly, have shown persistently increased rates of voter turnout in Aceh that surpassed the national average. The constant increasing trend of voter turnout in the legislative elections in Aceh is an appealing feature in Aceh's local democracy, and it warrants further investigation. Does the persistent increasing rate of voter turnout in legislative elections indicate the better legitimacy of political parties over the individual candidates in gubernatorial elections? Alternatively, is another factor such as money politics responsible for this trend?

4.5 Access to Participation and Representativeness

The distinct characteristic of local elections in Aceh post-conflict is the eligibility of independent candidates to run for office. This regulation is initially intended to give time allowance to a candidate from GAM before they established local political parties and use the party ticket to compete. Later, independent candidacy is a means of broader participation in elections. The requirement to run as an independent candidate is slightly easier than the requirement to use the party ticket. Independent candidates are only required to collect support from a minimum of three per cent of the Aceh population that is validated by ID cards. This regulation was amended in 2015 by the National Election Commission by applying stricter requirements such as validation of the support by signature, stamp, and thumbprint. Independent candidacy is seen as a more accessible option to compete in the election compared to competing through the party ticket that often leads to coalition building, patronage and transactional politics. One example of transactional politics in using the party ticket occurred in the 2006 Aceh gubernatorial election when Azwar Abubakar, the incumbent governor from Partai Amanat National, was expected to pay IDR 5 billion (USD 333,000) to Partai Keadilan Sejahtera (PKS) to enable M Nasir Djamal to be nominated as Abubakar's running mate (Prasetyo et al., 2009).

The opportunity to use an independent stream to compete in the local election has been well utilised in Aceh. From three gubernatorial elections, seven out of 19 candidates ran as independent candidates, even though only Irwandi and Muhammad Nazar won the race successfully. At the district level, only one independent candidate, Tengku Nurdin-Tengku Busmadar, won the local election in Bireun. This situation also occured at the national level,

after the eligibility of independent candidates was enacted nationally in 2008. According to an SSI survey, only 35 per cent of candidates in the 2015 local elections were independent, and only 14 per cent of them won the election.[12]

On the one hand, a growing interest in independent candidacy is seen as the depoliticisation of political parties. On the other hand, it is perceived positively as broadening participation in electoral politics. It is especially true in developing countries undergoing democratic transition like in Indonesia, where competing in elections means patronage and transactional politics. The candidates must be able to provide a certain amount of money to political parties as the informal requirement of nomination (Buehler and Tan, 2007). Thus, the independent candidate is perceived as a relatively "clean" figure, not compromised by political interests. In Aceh's case, where national political parties are still cautiously perceived as "outside power that has hidden the intention to ruin Aceh political autonomy" (Personal Interview, LPP PNA 12B, August 2018) independent candidacy is a better choice than making coalitions with national parties.

According to Clark and Palmer (2008), there were four prominent groups of Acehnese dominating candidacy in the 2006 election. The first is made of technocrats: bureaucrats, including incumbents, legislators, military officers and party leaders. This group was nominated by national parties rather than running as independent candidates. The second group was GAM affiliated candidates, running mostly as independent candidates. The third group was made up of the representatives of civil society groups, most notably from SIRA, that ran by using party tickets or through independent streams. The last group was made up of businesspeople or wealthy contractors. These four groups were well represented in three gubernatorial elections in Aceh. Ulama or religious leaders did not appear to compete in elections, except in the 2012 gubernatorial election, when Tengku H. Ahmad Tajuddin ran as an independent candidate. Tajuddin or Abi Lampisang is the head of the Education Islamic boarding school Al-Muhajirin. However, he is also a khadi (judge) in GAM, a fact that made his remains attached to the image of the former liberation movement. However, the repeated nomination of particular candidates such as Irwandi Yusuf, Muhammad Nazar, Zaini Abdullah, and Muzakkir Manaf, all from GAM, indicate the domination of specific figures in Aceh's post-conflict local politics. Whereas there have been a reasonably large number of candidates who compete in the local elections, the real competition in the gubernatorial election has been a constant race between former GAM elites.

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[12] "A Dim Future for Independent Candidate in Indonesia", cited from Skala Survey Indonesia https://skalasurvei.com/suramnya-masa-depan-calon-independen-dalam-pilkada/

4.6 Women's Political Participation

Women have long played an important leadership role in Acehnese history. For example, as early as the sixteenth century, Sultan Al Mukammil (1585-1604) appointed Laksamana Keumalahayati as the first female admiral (Afrianty, 2015, cited from Reid, 1988). During colonisation, at least four Acehnese women took a leadership role in the fight against the Dutch: Tjut Nyak Dhien, Cut Mutia, Teuku Fakinah and Pocut Baren (Siapno, 2002). However, this prominence of women leaders in the public sphere changed during the Suharto era. The role of women in Aceh, which also occurred nationally, reduced due to the "ibuism" concept applied by the New Order government that tended to place women's activities in domestic affairs. Insurgencies exacerbated the declining role of women in Aceh, primarily due to security constraints. GAM had a women's wing, called Inong Balee, but their role was limited to logistical, medical and intelligence support (Marhaban, 2012b). Few females could be commander, one of them being Cut Meutia, the leader of Inong Balee who was captured in a raid and died in Keudah Jail during the 2004 tsunami (Marhaban, 2012b).

During the conflict period, women in Aceh struggled to participate politically by organising *Duek Pakat Inong* or All Acehnese Women Congress in 2000 (Nor and Inayatillah, 2011). About 400 women in Aceh of all political ideologies and affiliations gathered in Banda Aceh to draft a resolution of their aspirations for peace and justice. Congress produced 22 resolutions covering politics, access to the economy, social change, the achievement of peace, and Islamic-Customary Law that were accepted by acclamation (Bianpoen, 2000). Duek Pakak Inong in 2000 acknowledged this obstacle and proposed the following resolutions: 1) Acknowledgment of Islamic Law as the governing legal basis 2) Islam should be interpreted as being fair to men and women 3) The establishment of Kanun Ureung Inong Aceh, a Women's: Legal Forum focusing on genuine Islamic interpretation of women in public life 4) Equal Rights in Adat (Customary) Institution (Bianpoen, 2000).

After the 2005 Helsinki Accord brought peace in Aceh, several women's rights activists, members of Inong Balee and female victims of the conflict formed the Aceh Women's League "to accommodate the political aspirations of women in the area" (Women's UN Report Network, 2006). Although motivated by political purposes, the league did not aim to become a local political party (Women's UN Report Network,2006). At the national level, LoGA encouraged women's participation in Aceh by stipulating the mandatory affirmative action quota of 30 per cent nomination of women candidates by a political party, a national policy adopted by the Indonesian government to support gender mainstreaming in electoral democracy and political participation. In the aftermath of Suharto's administration, women's groups and civil society organisations proposed to introduce a quota for female candidates out

of the total political party nominees (Satriyo, 2011). Since the number of women candidates in parliament is determined by voters, this quota can at least encourage political parties to prepare and promote their women cadres. This quota was adopted in National Law No. 31/2002 on Political Party and National Law No. 12/2003 for the 2004 General Election (Satriyo, 2011). Also, two Qanuns endeavoured to strengthen women's participation at the local level: Qanun Number 3/2008 on Local Political Party and Qanun Number 6/2009 about The Empowerment and Protection of Women. Qanun Number 3/2008 is a derivative regulation of national affirmative action at provincial level regarding the nomination of 30 per cent women candidates by local political parties. Qanun Number 6/2009 sets out a broader aspect of women's life such as the right to access health facilities, education institutions and economic resources. This qanun also assures an equal opportunity for women in employment or obtaining a position in government or non-government institutions.

During the transition phase of peacebuilding, GAM, the leading local political actor in the post-conflict era, grew as a male-dominated political power. Their patriarchal chain of command during the liberation movement has been maintained after the peace. There were only a few women commanders, and few women were recruited in combat squads. The patriarchal structure was sustained in peacetime by the lack of representation of female members in Partai Aceh's organisational structure or nominated by the party in the election. This will be elaborated on in the following sections.

4.6.1 Women's Political Participation in the 2006 Local Election

During the first local election in peacetime, women participated as candidates in gubernatorial elections, as well as in district/mayoral elections. Two female candidates ran as governor candidates, but both failed to pass the Qur'an recitation test. At district/city level, there were two female candidates for Banda Aceh mayor, two female candidates for West Aceh head of the district, and one female candidate in Aceh Tamiang's head of district election (Gender Working Group, 2006). While none of these female candidates won the election, the participation of female candidates in the first local election in Aceh marked the enthusiasm among women in Aceh in accessing broader political opportunity in the post-conflict era.

4.6.2 Women's Political Participation in the 2009 Legislative Election

As the only province which is granted a right to establish a local political party, Aceh has its own women's rights political party: PARA (Partai Aliansi Rakyat Aceh, or the Aceh's People Alliance Party). Chaired by a woman activist, Syarifah Rahmatillah, PARA was the only women's rights political party in Aceh. The founding of PARA on 30 May 2007 was one of the

outcomes of a Grand Aceh-wide Women's Seminar which proposed the formation of a political party that would serve as a political vehicle for women's aspirations (Hamzah, 2009). With a composition of 70 per cent women and 30 per cent men, this party claimed to be inclusive, not a women-only and single-issue party (Hamzah, 2009). However, the party failed to pass the verification process before the 2009 election because it did not have a sufficient number of district committee representations (Hamzah, 2009). After the verification failure, many PARA members joined other parties as legislative candidates (Affiat, 2011).

The urgency and awareness of local political parties to support their female cadres was not seen in Aceh during the 2009 legislative election. Only two out of six local parties, PAAS (Partai Aceh Aman Sejahtera/ Safe and Prosperous Aceh Party) and PBA (Partai Bersama Aceh/ The Aceh United Party) met the 30 per cent quota for women legislative candidates (Tempo, 2009), with the main reason being that they were supported by politicians from national parties. PAAS was established by former members of PPP (United Development Party/ Partai Persatuan Pembangunan), while PBA was founded by politicians of the former National Mandate Party (PAN) (Hamzah, 2009). These two local parties relied on the networks from their former national parties to include a sufficient number of female cadres to be nominated as candidates.

The failure to nominate 30 per cent of women candidates did not lead to sanctions of Partai Aceh and other local political parties in the 2009 election. According to one respondent, this was possible because "Aceh is considered an exceptional area in the electoral system due to their extended autonomy in the post-conflict era and because central government tended to apply legal discretion to particular electoral violations (including the lack of women candidates) to support the immature peace" (LR 5, confidential interview, January 2013).

In 2009, the first legislative election in the post-conflict era, only four women candidates won DPRA seats from a total of 69 seats; three MPs were from Partai Golkar and the other from PAN. Partai Aceh's landslide victory in the 2009 legislative election did not lead to the benefit of women cadres as there was not a single seat in provincial level parliament held by woman candidates from Partai Aceh. Only in 2013, one female candidate from Partai Aceh, Mariati, replaced Tengku Ali Murtala as an interim legislative member (Serambi Indonesia, 6 July 2013). At the district level (DPRK), only 45 female candidates obtained parliamentary seats from a total of 645 seats, of which nine seats were won by women candidates from Partai Aceh.

The 2009 legislative election was the first test case of the ability and willingness of local political parties in Aceh to encourage women's political participation, and the result was rather

disappointing. It could be understood in terms of a lack of readiness of local political parties to groom female candidates in a relatively short time from their establishment around 2007. However, the result of the low representativeness of women in Aceh's politics must be seen in broader Aceh culture and the legacy of post-conflict that placed women in domestic affairs and marginal positions. Cultural constraints coupled with the legacy of longstanding conflict has meant political parties in Aceh need more time to support and prepare their female cadres into the electoral competition.

4.6.3 Women's Political Participation in the 2012 Head of District/ City Election

During the second local election in peacetime, there was no female candidate in the gubernatorial elections. However, the number of female candidates competing in the head of district/mayor elections increased from five to nine, two of them replacing husbands who failed the verification process (Nivada, 2017). Three female candidates ran as head of district/mayor in North Aceh, Langsa and Bener Meriah, East Aceh and Aceh Singkil (KIP Aceh, 2006) Six candidates ran for the deputy head of district/mayor (KIP Aceh, 2006). Only one candidate, Illiza Sa'adudin Jamal, was elected successfully as Vice Mayor of Banda Aceh. The result of the 2012 local elections illustrated a mixed result between the number of female candidates and the elected ones. The number of female candidates was higher than the 2006 election, but only one candidate got elected. This indicates the high level of participation but low electability. Culture, religion and gender stereotypes could be the causes of this low electability. Women will not necessarily vote for women candidates since their decisions in elections are strongly influenced by their male family members or husbands (Balai Syura Ureung Inong Aceh & International Republican Institute, 2017, as cited in Nivada, 2017). The political calculation might also explain this low electability if the women candidates compete in non-stronghold areas where their parties could have a slim or no chance of winning.

4.6.4 Women's Political Participation in the 2014 Legislative Election

The 2014 election showed a better result with 12 seats in DPRA won by female candidates. Four seats went to women candidates from local parties: three from Partai Aceh and one from Partai Nasional Aceh. National parties secured eight seats, four seats were won by women candidates from Partai Golkar, two seats were won by candidates from Partai Amanat Nasional, one seat was won by Partai Nasdem, and another one secured by Partai Gerindra. In the district/city parliament, 56 out of 650 seats were secured by women candidates, and only five of them were won by candidates from Partai Aceh. The second legislative election in the post-conflict era demonstrated an improvement of women's participation in Aceh's local politics by more seats gained by a female candidate. The new GAM-based political party, Partai Nasional Aceh, also successfully placed its female candidate in the provincial parliament, an

indication of positive developments in the higher number local political parties in supporting women's political participation.

4.6.5 Women's Political Participation in the 2017 District/City Head Election

During the 2017 election, the number of female candidates declined from nine to five. Three women participated in the mayoral election in Banda Aceh: Lhokseumawe and Langsa (Nivada, 2017). Two female candidates ran for deputy regent in Simeuleu and West Aceh (Nivada, 2017). Only one candidate, Afriadawati won the election as deputy regent in Simeuleu (Nivada, 2017). The religious card was played to influence voters in the Banda Aceh mayoral election. Illiza Sa'aduddin Djamal, an incumbent mayor, complained that in a few weeks before the election, there was a massive campaign using Quranic verses forbidding women's leadership to prevent people in Banda Aceh from voting for her, causing her stunning losses. Whereas other factors such as disillusionment of people in Banda Aceh with Illiza's policies and poor performance in managing public utilities also contributed to the incumbent's defeat, prominent Aceh researchers such as Aryos Nivada and Saiful Bahri confirmed that religious issue has been significant in determining voter choice in Banda Aceh (Pikiran Merdeka, 13 February 2017). Furthermore, Saiful Bahri (Pikiran Merdeka, 13 February 2017) mentions that local politics in Aceh are not entirely "local" as it is highly influenced by identity politics and the rise of religious conservatism. The 2017 election demonstrates a stagnant trajectory of women's political participation in the executive branch that differs from the level of women's participation in parliament that shows an increasing trend. Given the case of Illiza Djamal in the Banda Aceh mayoral election, the religious constraint is the possible answer. Qur'an verses that forbid female leadership become a powerful instrument to discourage pious Acehnese from voting for woman candidates. A different result occurs in the legislative election, as women who are elected as members of parliament are not considered "leaders" but more as a representation of people, a factor that made women electability higher in the legislative election than in the mayoral/regent election.

Despite supported by affirmative action regulations, women are still underrepresented in Aceh provincial and district/city parliaments, as shown in Figure 4.6 and 4.7:

Figure 4-6 Comparison of the Number of Aceh Women MP in District/City (DPRK) Parliament and Number of Women MPs from Partai Aceh
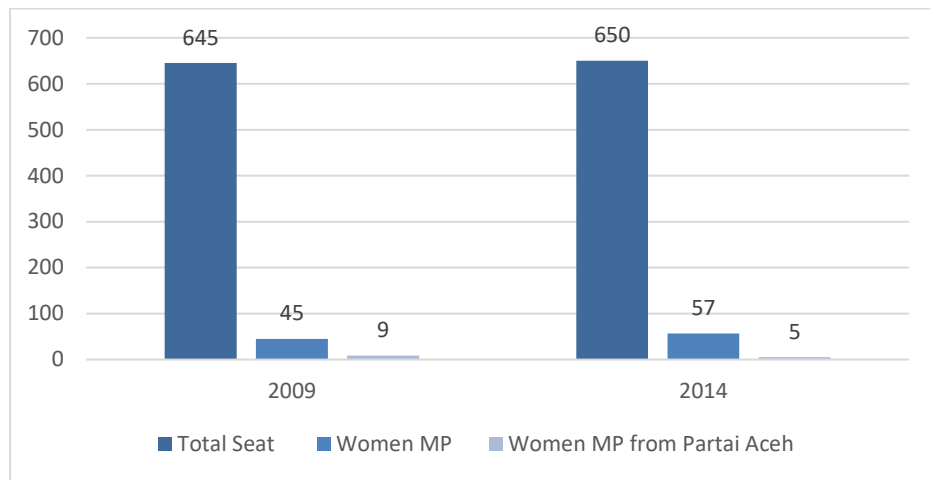
Source: Serambinews (2014)

Figure 4-7 Comparison of Total Number of Candidates and Women Candidates in Regent/Mayoral Elections
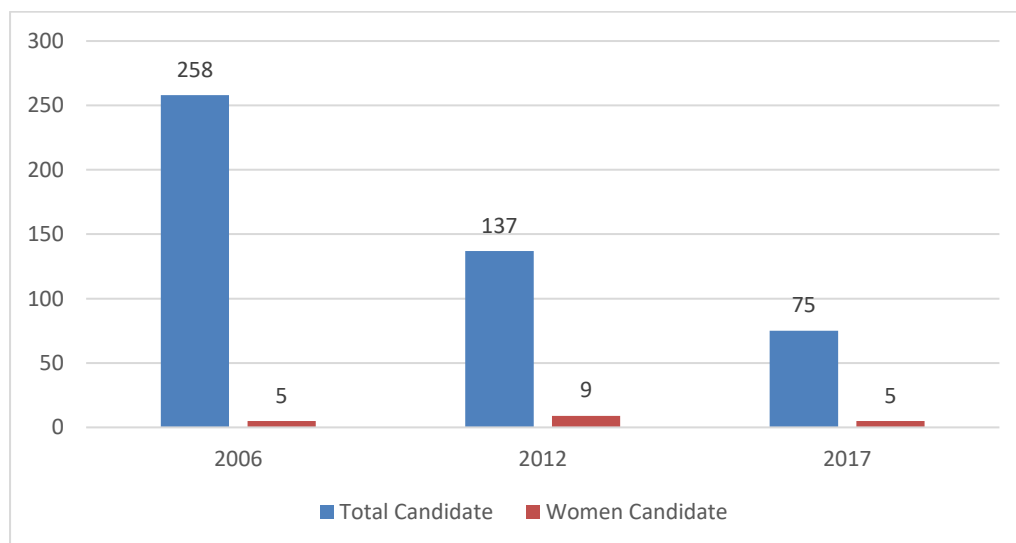
Source: KIP Aceh (2006), Aceh Cyber (2009) & Nivada (2017)

Based on her research conducted in two municipalities, Bireun and West Aceh, Affiat (2011) found that the 30 per cent quota for women has pushed political parties to put more women forward as candidates, leading consequently to lower quality in selection and low political commitment. This is also confirmed by one respondent who stressed the importance of the political party nurturing women candidates to compete in legislative or executive elections, equipping them with basic political skills and ethics (PA1, personal interview, 8 October 2012) and also the self-awareness and willingness of the women to get involved actively in politics (PA3, personal interview, September 2012).

One respondent from a local political party related the low representativeness with the factor of low electability:

> We have difficulties in nominating 30 per cent of a female candidate, but we tried hard to do it and promote our best women candidate who is intellectually capable. They did not get elected, partly because the women voters did not vote for them. They do not have chemistry with the women candidates and prefer to vote for men candidates. They said they [the women voters] feel more comfortable to talk to the man about their problem (Personal Interview, LPP PA- 10 B, August 2018).

The reason for the reluctance of the political party to nominate female candidates could be a mix of gender stereotypes and political calculation. It happened to Sri Mulyani, who ran for head of her home district, Bener Meriah in 2012. Her perseverance to run for the Bupati election was not fully supported by her party, PRA (Partai Rakyat Aceh, Aceh People Party). The reasons for the party's reluctance was mixed between gender (as accentuated by the statement from one of the party's officials "she has three little kids") and political calculation as the party had not been yet consolidated to support her after the loss in the 2009 election and the other candidate, Tagore, was a strong incumbent (Affiat, 2011: 20).

The next biggest challenge is tradition. Despite its history of having heroines and female leaders, gender stereotyping is hampering women in Aceh to get involved in politics because their primary duty is seen as taking care of family and not being active in the public domain. The difficulties of political parties in Aceh to nominate 30 per cent women candidates due to religious and customary restriction is emphasised by one respondent:

> I think affirmative action cannot be equally implemented nation-wide. It must consider the characteristics of each province or area, such as local wisdom. Maybe it works in another province because women have already involved in politics, but in Aceh, it is difficult for women, especially when they got married; their husbands could forbid them to enter politics. It [affirmative action] became a burden to political parties, especially local political parties (Personal Interview, GO-3B, August 2018).

The problem of woman representativeness due to family constraints was also raised by representation from the local political party:

It [low representativeness] has always been like this. The women candidates used to be activists, but once they got married, they were gone, disappearing from the public (Personal Interview, LPP-PNA-12B, August 2018).

Aside from challenges from external factors (reluctance of political parties to nominate female candidates) and internal factors (religious and cultural constraints), resources are asserted by Marhaban (2012 a) as another significant obstacle to women's political participation in Aceh. According to Marhaban (2012a), the election is a competition in which most male candidates have the advantage due to their social connections, economic resources and social status. In the post-conflict era, men dominate access to networks and capital from the reconstruction fund, primarily through the KPA-based system; all KPA chairpersons at district level are men. It limits the competitiveness of women (especially in GAM stronghold areas) in electoral politics, as running for office in Indonesia must be supported by strong financial resources and solid networks as affirmed by one respondent:

The Acehnese women are willing to join the politics, but the current situation of politics in Aceh is politics of "cakar-cakaran" (predatory politics) which rely heavily on power and money. The women in Aceh are deterred by that situation, because we do not have access to power and money (Personal Interview, PA 1, personal interview, 21 September 2012).

There is also a "blaming game" about the lack of representation of women in politics between woman activists in NGOs and political party members. One respondent criticised "many women activists who claim superior knowledge [but] always refused to join politics. They always blame any problems to political parties, but when they are asked to be nominated, they declined; they do not want to walk the talk" (Personal Interview with LPP PA 4-B, August 2018). On the other hand, NGO activists responding to the nomination of women candidates by political parties skeptically say, "Who are they? Who is she? We never knew their [the women candidates'] activities or achievements before, and they suddenly became candidates" (Personal Interview, WA 2-B, August 2018).

The flat trajectory of women's political participation in Aceh reveals limited participation in the transition phase of peacebuilding. Since the beginning of the peacebuilding process and the formulation of the MoU Helsinki, specific provisions regarding women had already been excluded in the peace agreement. Whereas LoGA supports women's political participation in accordance with national level affirmative action for legislative members, women in Aceh faced considerable challenges to participate actively in politics. They encounter problems of

political calculation of local political parties of their electability in elections, religious and customary constraints and limited access to resources.

The low participation and electability of female candidates in politics must also be seen in a national context. In DPR (National Parliament), the number of seats won by female candidates decreased from 103 seats in the 2009 election to 87 seats in the 2014 election, or from 18.4 to 17.3 per cent, respectively (The Indonesian Institute, 2017). For Pilkada (gubernatorial and mayoral/regent elections), the trend is also declining nationwide. In the 2015 election, there were 121 female candidates in the election, of whom 47 candidates won (38.8 per cent). The number decreased in the 2017 election: only 45 female candidates ran for office, and 15 (30 per cent) were elected (Qomariyah, Kamil & Sundari, 2016). Nevertheless, this underrepresentation opens a possibility of cooperation with the national parties that are relatively readier in preparing and supporting their woman candidates. Coalition-building between local and national parties will be seen as a more acceptable political option during the normalisation phase and also beneficial in national legislative elections as well as in regent/mayoral and gubernatorial elections to encourage the nomination of female candidates.

4.7 Electoral Violence

Electoral-related violence is the major challenge of post-conflict peacebuilding. Democratic contestation is an intricate transition process for former combatants who are accustomed to reaching victory through intimidation, terror and violence. Electoral disputes which led to the new outbreak of violence could potentially harm the newly gained peace. Aceh, with its long legacy of conflict and violence, has been undergoing a transitional phase of electoral violence as depicted in figure 4.8.

Figure 4-8 The Number of Electoral-Related Violence
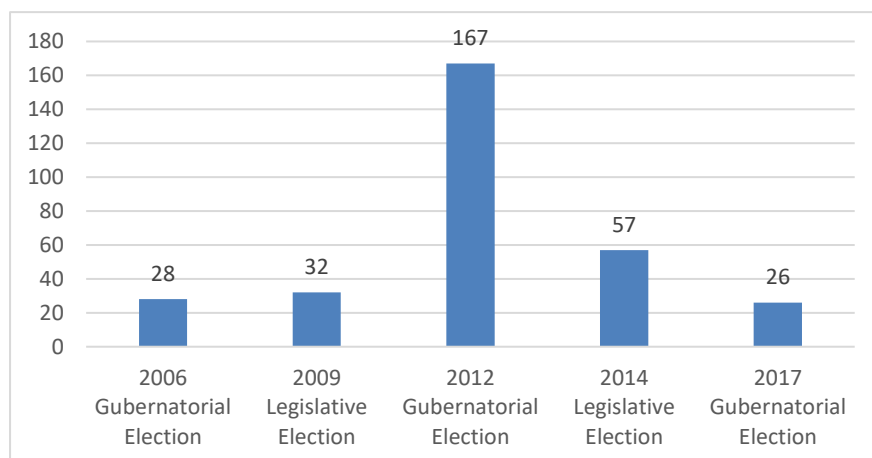
Source: Clark and Palmer (2008), Palmer (2009), Perludem and Bawaslu

Figure 4-9 The Types of Electoral-Related Violence in Aceh during the 2014 Legislative Election
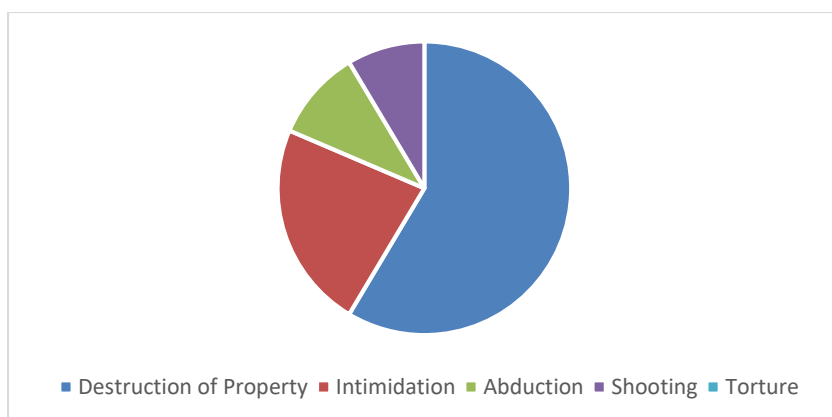
Source: Kontras (2014)

Figure 4-10 Condition of the Victim of Political Violence in Aceh during January-April 2014 (in percentage)
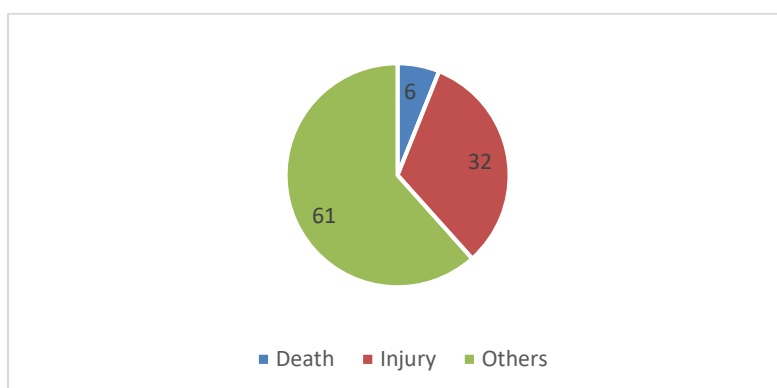
Source: Kontras (2014)

The first post-conflict election in 2006 was a promising start for peaceful elections in Aceh. The number of electoral-related violent incidents formed only 28 or 11 per cent of all electoral disputes (Clark and Palmer 2006). This figure placed Aceh in a better position than Maluku, another conflict-ridden province that scored 20 per cent of electoral violence (Clark and Palmer, 2006). However, this trend changed in the ensuing elections. The 2009 legislative election recorded an increase in several violent incidents. The violence was dominated by the killing of Partai Aceh members or sympathisers. According to Tornquist (2009), as many as 14 casualties were from Partai Aceh. While the officials emphasised business rivalry as the trigger of the killing, there was a strong accusation of military involvement. The situation gradually improved after President Yudhoyono guaranteed that there would not be more violence in Aceh (Fahmi, 2016). His affirmation was followed by coalition-building with Partai

Aceh in the 2009 election. A clear statement from Yudhoyono and his party, Partai Demokrat, to support Partai Aceh is the assurance of power gained by Partai Aceh at the local and national level. It is made possible due to the position of Partai Demokrat as one of the most influential national parties and a party of the incumbent president. The assurance of support and power from the leading party at the national level to the most powerful party in Aceh led to the reduction of violence. It indicates the patronage between national and local politics in the post-conflict era to maintain peace.

In the next gubernatorial election in 2012, the number of electoral-related cases of violence rose drastically to 167. Escalated tension between the supporters of candidates from GAM, Muzakkir Manaf (Partai Aceh), and Irwandi Yusuf (Independent Candidate) intensified the electoral violence. There were casualties from both camps, but the most striking incident was the murder of Javanese workers from plantation companies and the construction industry to telecommunication services in various places in Aceh such as North Aceh, Lhokseumawe, Bireun and Aceh Besar (ICG, 2012). Repeating the 2009 election, police announced that the murder was provoked by business rivalry and inter-ethnic economic jealousy (ICG,2012) However, according to Bantasyam (cited by Fahmi, 2016), the series of killings was a message to Jakarta of Aceh's possible return to pre-peace violence unless central government took some decisions that favoured Partai Aceh in the 2012 election. After Jakarta decided to postpone the local elections to give a chance of the participation of Partai Aceh, the violence steadily diminished. There was also the factor of disappointment from Partai Aceh to Yudhoyono's party, Partai Demokrat, which chose to support Nova Iriansyah candidacy rather than continuing the alliance with Partai Aceh and Muzakkir Manaf.

The 2014 legislative election was another battlefield of inter GAM competition. Partai Aceh was not the only GAM-based local political party but would be challenged by Partai Nasional Aceh established by Irwandi Yusuf. Unsurprisingly, the number of incidents was recorded at 57 cases, a high number despite an overall trend of decline from the 2012 elections. The election was blemished by physical intimidation as well as verbal intimidation, as demonstrated by Muzakkir Manaf, chairperson of Partai Aceh who was mocking PNA as Partai Nasrani (Christian) Aceh (Fahmi, 2016). In a Muslim-dominated province like Aceh, being associated with Christianity or other religions is considered to be defamation. 80 per cent of incidents overall occurred in GAM stronghold districts that were heavily impacted by the conflict: Pidie, Aceh Utara, Bireun, Aceh Timur, Aceh Jaya, and Lhokseumawe (Burhanudin, 2016). Amnesty International, Indonesian Human Rights Organisation, KontraS, and the Indonesia National Human Rights Commission emphasised their concern over the high level of electoral-related violence in Aceh and urged police in Aceh to be more assertive in

investigating and announcing the incidents. Amnesty International (2014) and KontraS (2014) had also specified the inter-GAM (Partai Aceh and Partai Nasional Aceh) rivalry as a significant trigger of the electoral violence. Another concern of the 2014 election was the mounting intimidation towards the female candidates, especially from Partai Nasional Aceh, in order to discourage them from running for the election. This would in turn disqualify PNA from fulfilling their obligation to nominate 30 per cent female candidates (Fahmi, 2016). This gender-specific intimidation led to the organisation of the Acehnese women's long march in March 2014, in which five CSOs participated: ACSTF, The Aceh Institute, Forum LSM Aceh, LBH Banda Aceh, Mata and Solidaritas Perempuan Aceh (Zamzami, 2014a), demanding the political parties and government stop the violence.

The 2017 gubernatorial election put Aceh in second place in the Indonesia Election Vulnerability Index after West Papua (BBC Indonesia, 9 February 2017). According to the Perludem record, there were 26 cases before and during the campaign period (Wijaya, 2016). Due to additional GAM inter-rivalry, this election might have led to violence like previous elections. Despite its high rank in the Election Vulnerability Index, the 2017 election in Aceh showed decreased electoral-related violence and zero casualties. The electoral dispute over the number of votes between Muzakkir and Irwandi camps could be peacefully resolved without resorting to violence. According to Aryos Nivada (Serambinews, 23 June 2018), the peaceful 2017 local election was supported by the sound performance of police in securing the election. Police also cooperated with customary leaders to resolve and mediate election violence by employing local wisdom or traditional conflict resolution mechanisms (Rusman, 2018). Another factor is the political maturity among Aceh politicians and communities. After several elections in the post-conflict era, the elites and communities of Aceh have managed to resolve disagreements and conflicts peacefully, without resorting to violence. In other words, peaceful electoral competition in Aceh is supported by the presence of institution and participation.

There are several factors in analysing electoral violence in Aceh. The first one is the embedded culture of violence as a legacy of conflict compounded by illegal weapons possession by former combatants because of the unfinished disarmament process. These factors contributed significantly to the outbreak of electoral violence in Aceh. The second factor is the role of a capable and legitimate institution in managing a peaceful election. In the 2006 election, there was a strong presence of Indonesian military and police supported by AMM to oversee the election. There was also the establishment of COSA (Commission of Security Arrangement), as the joint institution for information sharing, trust-building and problem-solving (Clark and Palmer, 2008). In the ensuing elections, the presence and response from police in dealing with electoral violence has been criticised as weak and negligent, especially during the 2012

gubernatorial election. Electoral administrations such as KIP and Panwaslih are considered to be sluggish and biased.

The last factor is the correlation between electoral violence in Aceh and the response from the central government. Several groups in Aceh dealt with the electoral problem by resorting to violent "messages" to the central government to threaten the future of peace in Aceh. In other words, they were still not capable of translating their grievance into non-violent communication and negotiation. The constant election violence could also be used to delegitimise elections as people are scared to cast their vote as a result of possible intimidation and violence. If people are frightened to cast their vote, the turnout rate could be significantly decreased. If the turnover rate is still high amid the rampant violence, it might also be a sign of intimidation. Low turnout and intimidation are strong markers to consider an election illegitimate. Jakarta was very careful in managing cases in Aceh, preferring compromise to confrontation. This was particularly true during the Yudhoyono administration that was heavily supported by Partai Aceh, with a president careful to maintain his image as peace-maker in Aceh.

Nevertheless, the current development shows an improved trend of de-escalation of electoral violence as shown by the 2017 gubernatorial election. This election was another showcase of political battles between GAM candidates that could easily lead to violent contestation. However, the level of violence was significantly reduced, and the contenders complied with the decision endorsed by the election administrator. One respondent argued that the process of political maturity contributes to the decreasing level of electoral violence in Aceh among Acehnese during several elections in peacetime (Interview, LPP-PNA 11B, August 2018), a factor that is commonly found in the normalisation phase. Interestingly, this de-escalation of violence occurred at the same time as local political parties in Aceh built a stronger coalition with national parties. It could indicate that coalition building between national and local parties created a division of power that led to violent conflict reduction. The possible explanation is both Partai Aceh and Partai National Aceh have secured support from two influential parties at the national level: PDI-P is the party of the incumbent president while Partai Gerindra is the leading opposition party. During the 2017 election Partai Aceh and Partai Nasional Aceh obtain an equally strong backing at national level. This equal national support was not present during the 2012 election, as Partai Demokrat backed Muzakkir Manaf from Partai Aceh and Irwandi as an independent candidate did not get support from the national party. The presence of two powerful national political forces in local contestation will lead to two possibilities: the elevation or reduction of violence and in the case of Aceh, it contributed to the decline of violence.

4.8 Electoral Institutions

An independent and impartial electoral authority that functions transparently and professionally is recognised internationally as an effective means of ensuring that citizens can participate in a genuinely democratic election (Carter Center, 2009). The importance of a professional and independent electoral administration is amplified in the post-conflict area due to the vulnerability of post-conflict electoral competition. Electoral violence or disputes that are poorly managed often lead to inter-group clashes and threats to the newly gained peace. In a post-conflict setting, the neutrality and credibility of the election commission is essential to bring confidence to the electoral method as a part of the peacebuilding process. (Reilly, 2016). Clark and Palmer (2008) classified the electoral administration in Aceh into four institutions as shown in figure 4 .11:

Figure 4-11 Aceh Electoral Institutions
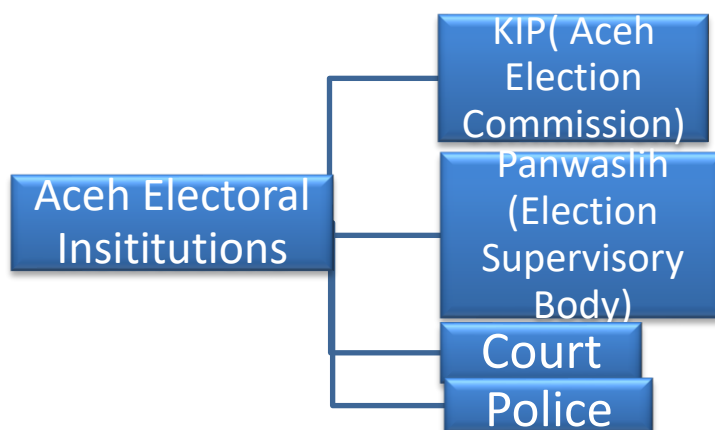
Source: Clark and Palmer (2006)

Local elections in Aceh are administered by Komite Independen Pemilu (KIP) or the Independent Election Commission. KIP at provincial level and KIP Kota/Kabupaten at municipal/district level are part of already established national institutions for general elections (Komisi Pemilihan Umum/ KPU). At the sub-district (Kecamatan) level, election commissions present as Panitia Pemilihan Kecamatan (PPK), and at village (Gampong) level as Panitia Pemilihan Gampong (PPG). Finally, the polling and counting committees (KPPS) were the electoral management bodies on the level of polling stations (Tempat Pemungutan Suara /TPS) (EU, 2006). KIP Aceh consists of seven members, as opposed to five members in other provinces in Indonesia (Carter Center, 2009). One distinct task performed by KIP Aceh in the 2006 gubernatorial election was verifying and validating independent candidates since

Aceh is the first province in Indonesia that allowed independent candidates to compete in a local election.

Another institution to administer a local election in Aceh is Panitia Pengawas Pemilihan Aceh (Panwaslih) or the Election Supervisory Body. Panwaslih is the authority tasked with settling elections disputes, as well as supervising and monitoring governor elections. Its committees at district level perform a similar function for elections for regent and mayor. It is an *ad hoc* institution appointed by the national General Election Supervisory Committee PANWASLU (*Panitia Pengawas Pemilihan Umum*) for the duration of the entire electoral process and established as a semi-independent structure (Carter Center, 2009).

According to representation from KIP Aceh, the biggest challenge for election administration in Aceh is the changeable regulation at national and provincial level and the candidates lack of knowledge of election regulation (Personal Interview, GO-3B, August 2018). However, the conflicting parties finally accepted the final decision by Panwaslih after the KIP urged them persuasively to peacefully settle the dispute in Panwaslih and not resort to violence (Personal Interview, GO-3B, August 2018).

> "We asked the conflicting parties in the election to settle the dispute through *Panwaslih* (Election Supervisory Committee) and not resolve it the field (resorting to violence). If they do not want to follow the rule, they will be disqualified. Some parties have been obedient, and the conflict could be mediated peacefully. In some cases, we call Dandim (military) or police, and the case proceeds to *Panwaslih* court. Moreover, whatever decision made by the court, the parties must comply (Personal Interview, GO-3B, August 2018).

Money politics is another problem in Aceh election. The election commission acknowledged the difficulties in resolving this issue:

> "We have money politics case in Aceh, such as in Bireun. In Aceh, money politics is relatively higher than in another province. However, we were hampered by regulation in dealing with money politics because we can only investigate money politics case that occurred 60 days before the elections. While most of money politics is done in D-day, dawn attack, in the morning just before the voting polls are opened. However, some Acehnese is opportunist; they will take money from all parties. Whom they will vote for, that is another story" (Personal Interview, GO-3B, August 2018).

The police have the primary task of overseeing security during the campaign period and on election day, and to investigate electoral violations related to criminal acts, rather than procedural or administration breaches. The result of the investigation must be passed to the state prosecutor's office. Article 74 of LoGA regulates that the parties dissatisfied with an election result could file a case to Mahkamah Agung / Supreme Court. Only the Supreme Court can annul election results. In 2012, the conflict of the gubernatorial election in Aceh was resolved by the intervention of Mahkamah Konstitusi/ Constitutional Court that postponed the election and reopened the registration of candidates.

Well-established electoral institutions are the marker of state-led peacebuilding, particularly in strong states with a stable government. These institutions support the legitimacy of the election process by organising free and fair elections and managing electoral disputes. In the case of Aceh, the existence of electoral institutions has helped the legitimacy of local elections, and because the elections are perceived as legitimate, the winner could gain legitimacy from most of the constituents. During the first local election in 2006 and the subsequent elections, KIP Aceh gained a high level of public confidence in conducting elections in a transparent manner and demonstrating neutrality from government influence (EU 2006, Carter Center 2009).

However, there were some allegations around the political partiality of KPI in the district, municipality to the smallest unit KPPS (Carter Center, 2009). The most frequent allegations of partiality were instructions from KPPS officers to voters to vote for particular candidates (mainly from local political parties). KPPS officers were forced to instruct voters due to intimidation from political parties (Zamzami, 2014b). Despite criticism toward the partiality and sluggishness of electoral institutions in Aceh, candidates still complied with the final decision made by the KIP Aceh. This compliance and respect that was shown to electoral institutions in Aceh to some extent also demonstrated the legitimacy of the central government, as Aceh's electoral institutions are part of the electoral institution at the national level. While KIP and Panwaslih are relatively respected and appreciated in executing their tasks and responsibility to administer the local election, the performance of police in dealing with electoral violence is often criticised. Due to the context of Aceh as a post-conflict area, the police are expected to be more proactive in controlling violence before and during local elections, not only by prosecuting the executor of violence in the field, but also to reveal the "intellectual actors" behind the political violence in Aceh (The Aceh Institute, 2014). However, the police performance in securing local elections in Aceh was improved in the 2017 gubernatorial election.

4.9 Electoral Landscape between Local and National Political Parties

Cooperation between local and national political parties in Aceh is essential because the candidates for the National Parliament (DPR RI) from Aceh must be nominated by the national party. This coalition was started in the 2009 legislative election as the election after the establishment of Partai Aceh, the first local political party in Aceh.

While gubernatorial elections demonstrated persistent and ultimate support for a candidate from a GAM background, the result of the presidential and legislative elections have provided a captivating electoral landscape which represents dynamics between national and local electoral competition and cooperation as well as the distribution of votes in ethnically distinct/diverse districts. Local political parties in Aceh only gain authority at the provincial level, an arrangement that demands them to build cooperation with national parties for the presidential election and legislative election for National Parliament members from Aceh. The result of nationwide elections, including presidential elections in Aceh, is the illustration of the political choice, or on the contrary, undecidedness of Acehnese towards national political contestation.

4.9.1 The 2004 Presidential Election

The first direct presidential election in Indonesia was participated in by five pairs of candidates: 1) Wiranto and Solahudin Wahid (Partai Golkar), 2) Amien Rais and Siswono Yudohusodo (PAN and PKS), 3) Hamzah Haz and Agum Gumelar (PPP), 4) Megawati and Hasyim Muzadi (PDI-P), and 5) Susilo Bambang Yudhoyono-Jusuf Kalla (Partai Demokrat, PKPI, PBB). In the 2004 election, the majority of Acehnese voted for Amin Rais and Siswono Yudohusodo, as shown in figure 4.12. This was partially supported by Amin Rais' figure as the head of Muhammadiyah, a large and influential Muslim organisation in Indonesia, including in Aceh. The member of PAN, the party that nominated this pair, is mostly dominated by Muhammadiyah members. Rais's idea of transforming Indonesia into a federal state after the Suharto era also attracted Acehnese. The next possible factor behind Rais' and Yudohusodo's victory in the first round of the election was that two other contenders, Wiranto and Agum Gumelar, were representatives from the military, a group that was perceived as a human rights violator in Aceh. This was shown in the very low vote gained by Hamzah Haz as the representative from PPP, a political party that attracted Acehnese voters during Suharto's era. His nomination with running mate General Agum Gumelar could provide a reasonable explanation of his defeat. Megawati was also unpopular due to her and her party's (PDI-P) decision to declare martial law in Aceh, predictably giving her the lowest vote in Aceh.

Figure 4-12 Comparison of The Result of the First Round of 2004 Presidential Elections in Aceh and Nationally (In Percentages)
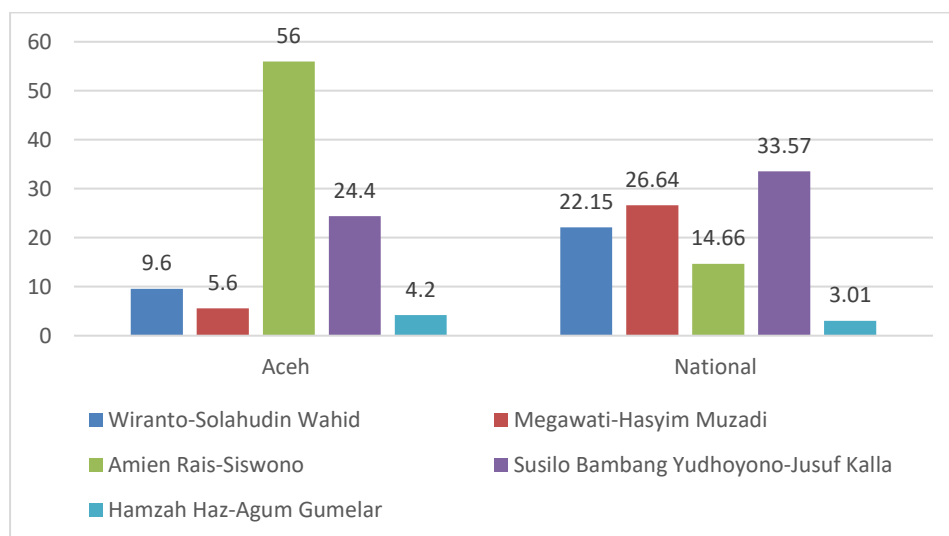
Source: BPS

Rais and Yudohusodo only gained 14.66 per cent of votes, disqualifying them from competing in the second round of the election. Predictably, during the second round, Acehnese voted for Susilo Bambang Yudhoyono and Jusuf Kalla, a more favourable candidate compared to Megawati Soekarnoputri and Hasyim Muzadi. Yudhoyono and Kalla secured 86 per cent of the vote in Aceh, a higher figure than 60.62 per cent of the national average. In addition to Yudhoyono's role in supporting the Helsinki negotiations, Partai Demokrat, Yudhoyono's party was seen as a new political party that detached from the New Order legacy. This result was eventually the beginning of the further mutual political cooperation between Yudhoyono and Acehnese.

Figure 4-13 Comparison of The Result of the Second Round of 2004 Presidential Elections in Aceh and Nationally (In Percentages)
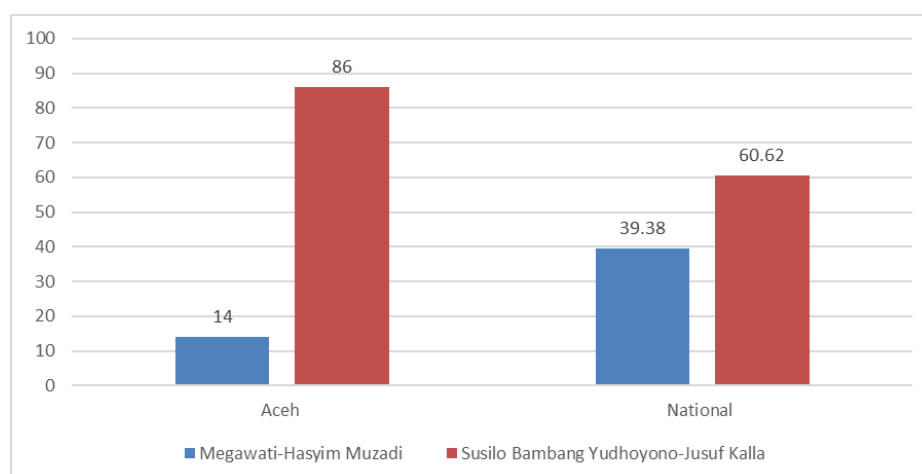
Source: KIP Banda Aceh

4.9.2 The 2009 Legislative Election

In the first nation-wide election after the conflict that had participation from local political parties, Partai Aceh's dominance was unchallenged in GAM strongholds. Partai Aceh swept to victory in the north coast (North Aceh and Lhokseumawe), west coast (Meulaboh), and the east coast (Pidie, Bireun). These areas are the most densely populated, the most ethnically homogenous and the basis of GAM struggle. The electoral map in Aceh shows the mixture of the domination of Partai Aceh, the plurality of national parties and the sharing of the vote between Partai Aceh and national parties.

In Aceh Besar and southeast Aceh, PA led slightly ahead of President Yudhoyono's Partai Demokrat (PD). In the capital city of Banda Aceh and Sabang Island, PD gained more votes than Partai Aceh in both sets of local elections (Barter, 2009). While Golkar was victorious in Bener Meriah and Central Aceh, PD also performed well in the highland districts. PD won all three elections in the southwest corner of the province and other ethnically-heterogenous areas in Aceh (Barter, 2009). The densely populated and ethnically homogenous districts in north, west and east coast supported PA, the southwest, central, and south of the province support national parties All ethnically diverse districts were either divided or supported Indonesian parties, and the capital-urban area slightly supported a new national party that was not associated with Suharto's new order.

In 2009 legislative election Partai Aceh built a coalition with Partai Demokrat which won 7 out of 13 seats from Aceh in the National Parliament, as shown in table 4.11:

Table 4-11 The Result of National Legislative Election in Aceh 2009

No	Name	Political Party
1	H. Teuku Riefki Harsa	Partai Demokrat
2	Ir. Nova Iriansyah,MT	Partai Demokrat
3	HM Ali Yacob	Partai Demokrat
4	Mirwan Amir	Partai Demokrat
5	Ir.H.Muhammad Azhari	Partai Demokrat
6	Teuku Irwan	Partai Demokrat
7	Muslim	Partai Demokrat
8	H.Muhammad Nasir Djamil	Partai Keadilan Sejahtera (PKS)
9	H. Raihan Iskandar,LC	Partai Keadilan Sejahtera
10	H. Sayed Fuad Zakaria	Partai Golkar
11	Drs H.Marzuki Daud	Partai Golkar
12	Ir H Azwar Abubakar	Partai Amanat Nasional
13	Tgk.H.Mohd Faisal Amin	Partai Persatuan Pembangunan

Source: KPU

This result is an illustration of the strong influence of two parties at national and local level: Partai Demokrat and Partai Aceh. The coalition of Partai Demokrat, a party of the incumbent president with Partai Aceh, the most influential local political party in Aceh, led to an impressive number of seats in the National Parliament. The result of the 2009 legislative elections in Aceh demonstrated the cooperation of two powerful institutions that gained the majority of votes at the national and provincial level. The coalition of Partai Aceh with Partai Demokrat as the winner of the 2009 national legislative election could be expected to lay a stronger foundation of Aceh's interest in national level.

4.9.3 The 2009 Presidential Election

The 2009 Presidential Election was a continuation of a strong coalition between Partai Aceh and Partai Demokrat. In this first presidential election in the peace era, Yudhoyono gained an overwhelming victory in Aceh with 93.25 per cent of the vote, much higher than the national average of 60.8 per cent. It could be interpreted as appreciation to Yudhoyono and Jusuf Kalla as central figures of peace in Aceh coupled by support from Partai Aceh to this candidate:

Figure 4-14 The Comparison of 2009 Presidential Election Results
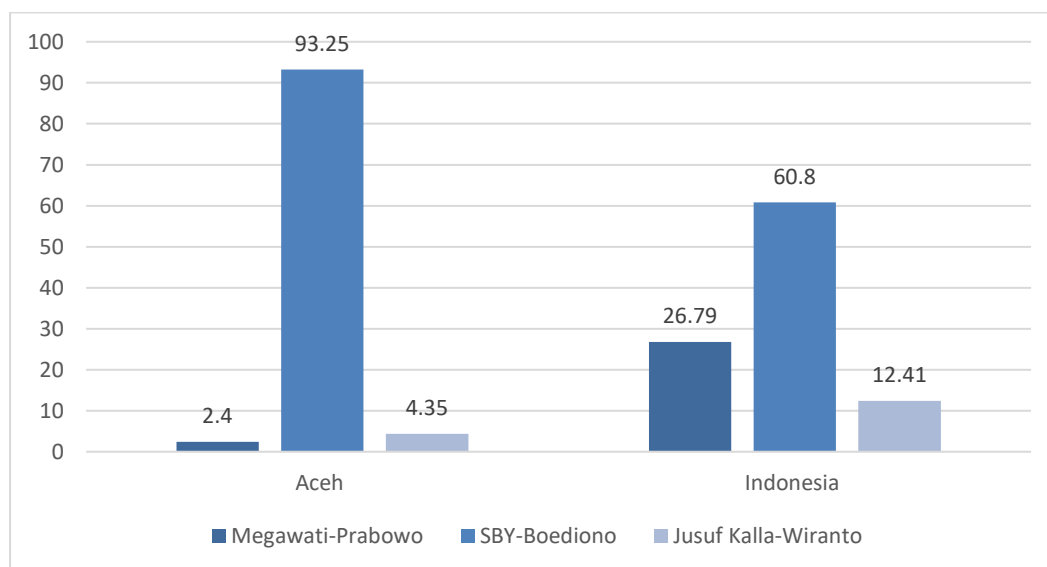
Source: KPU

4.9.4 The 2014 Legislative Election

The distribution of votes in the 2009 legislative election was repeated partially in the 2014 election. This election also required a coalition between local and national parties for the nomination of a National Parliament. Partai Aceh retained its support in the north and east coast (Pidie and Lhokseumawe) but experienced significant losses in its traditional strongholds in the east and north coast (Bireun and North Aceh). Their vote was seemingly transferred to Partai Nasional Aceh due to their similar constituents. Partai Golkar maintained its strong influence in Central Aceh while Partai Demokrat lost its grip in the highland district. Partai Golkar shared the vote with other national parties such as Partai Nasdem, Partai Demokrat, PPP and PAN in the ethnically heterogeneous district in the southwest.

There was an interesting result in Bener Meriah as Partai Aceh performed better and was in the same position as Golkar. In the 2014 legislative election, Bener Meriah and Central Aceh as ethnically distinct (Gayo) districts were reconstituted into a single electoral district (Aceh 4), while in the 2009 election, they merged with Bireun (Sulaiman, 2016). This decision reinforced the ethnopolitical sentiment in this area as Bireun was seen as an Acehnese dominated district as well as being represented by GAM. Based on his research in Bener Meriah, Sulaiman (2016) found that the candidates actively mobilised ethnic sentiment for electoral interest in addition to patronage politics through vote buying, a donation to community associations and places of worship and promises of pork barrel for a particular project. However, in DPRK (district parliament) Bener Meriah showed that Partai Aceh

garnered three seats, as did Partai Golkar, Partai Gerindra and Partai Hanura. If the ethnopolitical sentiment campaign was successful, Partai Aceh that was associated with GAM and Aceh ethnic groups would not have gained a similar number of seats as the national party counterparts. In other words, the mobilisation of ethnic sentiment was not entirely successful in defeating Partai Aceh in an ethnically distinct district like Bener Meriah.

Table 4.12 reveals the significant change in the proportion of National Parliament members from Aceh. While Partai Demokrat dominated the seats in the 2009 election as a result of a coalition with Partai Aceh, the 2014 election showed a more balanced allocation of seats among national parties in Aceh. Partai Nasdem, Partai Demokrat, Partai Gerindra and Partai Golkar each secured two seats while Partai Amanat Nasional, PDI-P, PKS, PPP and PKB shared one seat. As Partai Aceh's new coalition partner, Gerindra could only gain two seats. Gerindra was not able to repeat Partai Demokrat's domination in 2009 when building a coalition with Partai Aceh in the national legislative election.

Table 4-12 The Result of 2014 National Legislative Election in Aceh

No	Name	Political Party
1	Prof.Dr.Bachtiar Aly, MA	Partai Nasdem
2	Zulfan Linden	Partai Nasdem
3	Muslim	Partai Demokrat
4	H. Teuku Riefki Harsya	Partai Demokrat
5	Tgk Khaidir Abdurrahman	Partai Gerindra
6	Fadhlullah	Partai Gerindra
7	H. Firmandez	Partai Golkar
8	H.M Salim Fakhry	Partai Golkar
9	H. Muslim Ayub	Partai Amanat Nasional
10	Tagore Abubakar	Partai Demokrasi Indonesia Perjuangan
11	H. Anwar Idris	Partai Persatuan Pembangunan
12	H.Irmawan	Partai Kebangkitan Bangsa
13	H.Muhammad Nasir Djamil	Partai Keadilan Sejahtera

Source: DPR website http://www.dpr.go.id/anggota/index/propinsi/1

The result of the 2014 election reveals an appealing fact about the distribution of national power in Aceh. Partai Demokrat, Yudhoyono's party, experienced a significant decline in the aftermath of the 2009 legislative and presidential election. In the 2014 election, Partai Demokrat's domination was replaced by the PDI-P at the national level. The PDI-P is the unfavourable choice for Acehnese. Thus, Partai Aceh under Muzakkir Manaf leadership opted to continue its coalition in the 2012 gubernatorial election with Partai Gerindra. However, the image of the Partai Gerindra chairperson, Prabowo Subianto as the former Indonesia Special Forces commander prevented an ultimate victory, as had happened with the coalition between Partai Aceh and Partai Demokrat in the 2009 election. Partai Nasdem, a party of the Acehnese media tycoon, became an alternative to already established national parties such as Partai Golkar and PAN. This led to the distribution of votes among national parties without any single dominant power. This result might impact the reduction of the attainment of Aceh's interest in national legislation as PDI-P dominates the National Parliament. In 2014, the presidential election with two less favourable candidates for Acehnese was won by Prabowo Subianto and Hatta Rajasa, a result different from the national average which was a victory of Joko Widodo and Jusuf Kalla.

Figure 4-15 Comparison of 2014 Presidential Election Results
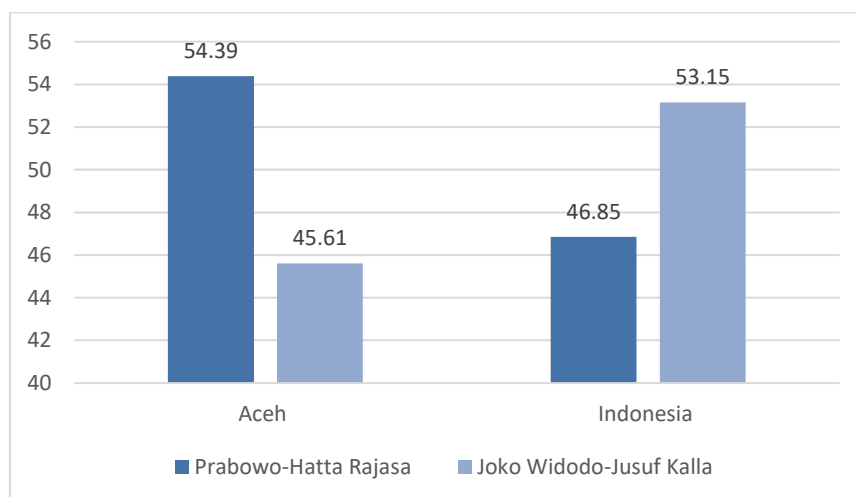
Source: KPU

The support from Muzakkir Manaf of Partai Aceh to the Prabowo camp could explain the victory of Prabowo-Hatta. Muzakkir Manaf openly declared his support to the Prabowo camp by becoming his campaign team before the election. This coalition was started in the 2012 gubernatorial election in which Gerindra, Prabowo's party supported Zaini Abdullah and Muzakkir Manaf's nomination. However, in the 2014 election Partai Aceh was no longer solid in supporting Prabowo. Zaini Abdullah opted to support Joko Widodo based on the reason of

completion of the remaining MoU Helsinki goals by the national government (Serambinews, 5 Juni 2014). He emphasised the important role of Jusuf Kalla, Joko Widodo's running mate as a key figure to deal with Aceh affairs at the national level without mentioning the role of Joko Widodo. However, the presence of Jusuf Kalla as an important figure of the peace process in Aceh could not help the pair win. Muzakkir Manaf had again proved the discipline and effectiveness of KPA to mobilise voters. Most regents and mayors from Partai Aceh were also instructed to vote forrabowo-Hatta and led to their triumph in Aceh.

This coalition pattern reoccurred in the Aceh 2017 gubernatorial election. A group of national parties behind the Prabowo camp; Partai Gerindra, PKS and PAN nominated Muzakkir-Tengku Ahmad Khalid along with Partai Aceh. Meanwhile, Irwandi-Nova Iriansyah was nominated by a coalition of national parties of Jokowi supporters in the National Parliament: PDI-P, PKB and Partai Demokrat. The support of national parties behind Irwandi and Muzakkir reflects polarisation in national politics between parties that support President Joko Widodo and the opposition parties. It is one of the features of the normalisation process in Aceh that integrates Aceh local politics into Jakarta's politics.

The emergence of Partai Nasional Demokrat (Nasdem) is an appealing feature in the normalisation phase. Partai Nasdem was established by Surya Paloh, an Acehnese media tycoon in 2011. This party successfully garnered nine seats in DPRA and came close in the race with older political parties such as Partai Demokrat, Golkar and PPP in several districts, an impressive achievement for a new political party that has no direct connection with the former president or incumbent. Partai Nasdem is seen as a progressive party as 60 per cent of its constituents in Aceh were young people. [13] However, it also attracts a significant number of people in Aceh who were dissatisfied with Partai Aceh but reluctant to support PNA, which was seen as a similar party under GAM but with limited funds and power (IPAC 2014). The figure of Surya Paloh as Acehnese has added the advantage of a local element of Partai Nasdem in Aceh. In Aceh, the party smartly launched a slogan of "Time for Aceh to Lead Indonesia", to appeal to local identity and embrace a unitary state at the same time (IPAC 2014). In the 2017 election, Partai Nasdem, together with Partai Golkar, chose to nominate Tarmizi Karim instead of supporting candidates from a local political party. While on one hand it prevented them from making political gains from the gubernatorial election, it was also a move to keep a distance with direct competition with local political parties and maintain its political-electoral niche as a national party with strong Acehnese-ness.

This electoral landscape between local and national political parties has brought both cooperation and competition. Cooperation is most likely to happen during presidential

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[13] https://partainasdem.id/read/1342/2017/04/28/60-konstituen-nasdem-aceh-golongan-muda

elections since the local political parties in Aceh must endorse their support for a candidate from national parties. The other possible cooperation between local and national political parties can also occur in building coalitions for candidacy in local elections. In areas where the presence of GAM is strong, the non-PA local political parties can build a coalition to compete with PA to create a balance of power. These dynamics to some extent illustrate the legitimacy that was regained by central government through national parties. In several areas, such as in central districts, GAM-based political parties never gained political legitimacy through the elections. This was because GAM gained hardly any identity-based legitimacy as a group that represents ethnic minorities in Aceh.

What could the process of local elections in post-conflict Aceh tell us about state-led peacebuilding in Indonesia? The first conclusion is that local elections contribute positively to political participation and legitimacy among Acehnese, as shown by high voter turnout in the legislative and gubernatorial elections. After decades of voter mobilisation and scepticism towards national general elections, the politically conscious Acehnese found an avenue to channel their political aspirations through local elections. It is important to note that the enthusiasm was prompted by the participation of candidates that are perceived to struggle for Aceh interest, especially from ex-combatants. Broader participation made possible by the provision for independent candidates to run in the election. Apart from paving the way for candidates who are not willing to be nominated by a national party, this provision opened opportunities for more candidates to compete without being involved in patronage and transactional politics of political parties that normally occurs in Indonesia's elections. Election and voter turnout are also good indicators of the dynamics of legitimacy gained by GAM or central government, in which the dissatisfaction over input or output/performance legitimacy could be indicated by the defeat of the candidate, declining votes or a lower rate of voter turnout.

The second conclusion, institution-building and legitimacy, is prevalent in the presence of the Aceh Independent Election Commission and Election Supervisory Body as election administrator and supervisor, complemented by the Supreme Court and Constitutional Court to deal with electoral disputes. Aceh took advantage of the state-led peacebuilding in which the organisation of elections has been well established by the national government and gained legitimacy from the people in Aceh.

The organisation of local elections during 2006-2017 with the supporting institutions marked the transition phase of peacebuilding in Aceh which was indicated by the participation of new groups (ex-combatant and non-combatant) in electoral politics, voluntary participation in the election, independent candidacy but also constant electoral violence as a common feature in

post-conflict areas. However, signs of the normalisation phase are prevalent, such as a decreasing pattern of voter turnout that replicated a nationwide trend, less electoral violence in current elections and a stronger coalition between local and national political parties. The coalition between local and national parties is essential to represent Aceh interest in national legislation. A similar coalition is also crucial during the gubernatorial election because the national party behind the nomination of the candidate of the governor will be expected to support the policy of the elected governor at the national level.

4.10 Local Political Party

4.10.1 The Establishment of Partai Aceh (Aceh Party)

Another primary step to enhance political participation in post-conflict Aceh is facilitating the major actor of the insurgency, GAM, to enter democratic politics. Thus, the establishment of Partai Aceh (PA) is a critical milestone in consolidating peace by building political institutions. In the aftermath of the peace agreement, GAM created two bodies in preparation for the transformation process from a rebel movement to political entity: the Majelis Nasional (National Council) and the Komite Peralihan Aceh (Aceh Transitional Committee/KPA) (ICG, 2006).

Practically, Majelis Nasional as the highest authority is designed for the GAM elites and is tasked with determining GAM political strategy, and KPA is created to manage the transitional process of the foot soldiers (ICG, 2006). The establishment of Majelis Nasional is aimed at uniting GAM under one structural command after being dispersed in several countries such as Sweden, Malaysia and southern Thailand and led by Teungku Muhammad Usman Lampoh, one of the ministers in Hasan Tiro's cabinet (ICG, 2007). While Majelis Nasional is the coordinating body for GAM elites, the former combatants are mostly absorbed by KPA, the transformation of TNA (Tentara Nasional Aceh/ Aceh National Army, GAM's military wing. While it has a high resemblance to its predecessor, KPA is intended as an unarmed civil organisation, and operates openly throughout the province (ICG, 2006) KPA retains its military structure, with a strong hierarchical chain of command down to the provincial level and district level to the villages, as depicted by the following figure (Aspinall, 2009):

Figure 4-16 KPA Hierarchical Structure

Senior Commander
(Provincial Level)

Territorial Commader
(District Level)

Regional Commander
(Sub-district Level)

Village Commander
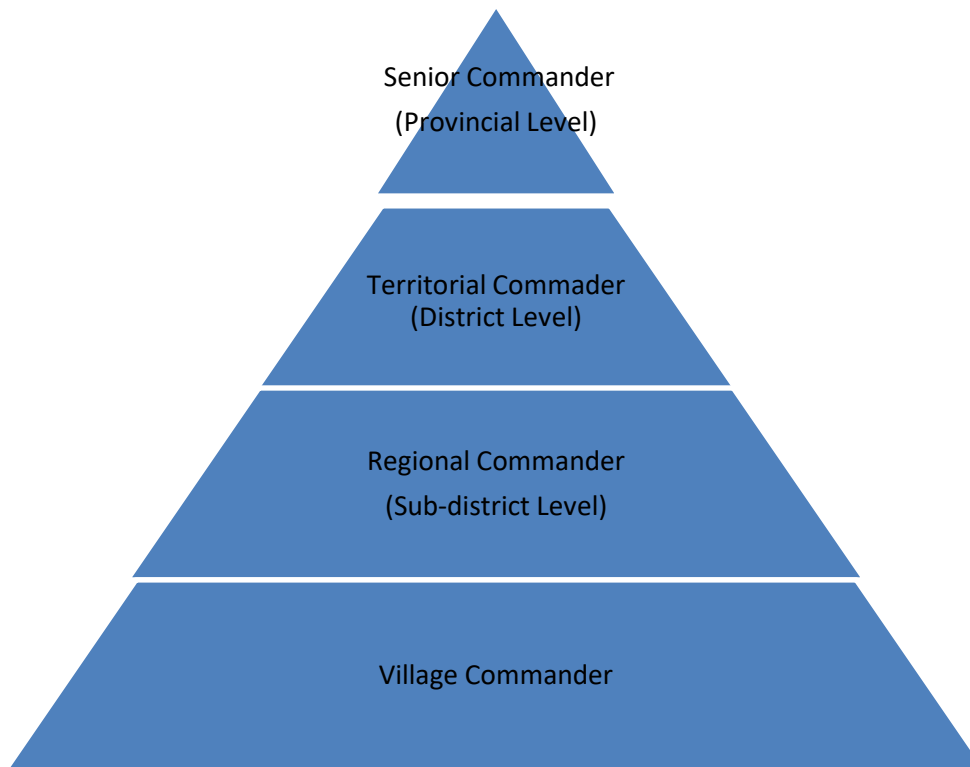
(source: Aspinall, 2009 b).

MoU Helsinki stipulated that local elections should be followed by the establishment of local political parties. This arrangement is different from the common sequence of political development in post-conflict peacebuilding elsewhere that is usually based on the transformation of rebel movements into political parties, followed by their participation in elections. The reason behind it was to give quick political legitimation of new local governments in Aceh in the post-conflict era because of the peace process and also to synchronise with the nationwide direct local elections. Indonesia held its first direct local elections in 2005 based on Law Number 32/2004 about Local Government. Before 2005, the heads of local government (governor and vice governor, the mayor and vice mayor) were elected by the local parliament. Owing to the complexities of transforming rebel movement into a political party, an independent candidate was allowed to participate in the first direct local election in Aceh. This was is intended to allow the former rebels to run for office without building a coalition with the national party. This timeframe aimed to give sufficient time for Acehnese people, both GAM or non-GAM members, to prepare and consolidate their material and human resources to establish a local political party.

The first local election in Aceh was won by a GAM-affiliated candidate who competed through the independent stream and defeated the other candidates from GAM that joined the election

under the banner of a national political party. The first attempt from GAM to establish a local political party resulted from this political loss. After being defeated by Irwandi's group in the 2006 election, Malik Mahmud, a member of the GAM elite, tried to make a political manoeuvre by establishing the GAM Party in July 2007 (ICG, 2008). The central government objected to the name, although GAM defended it by saying that GAM stood for Gerakan Aceh Mandiri (Autonomous Aceh Movement) and not Gerakan Aceh Merdeka (Free Aceh Movement). However, after lengthy internal and public disputes, in April 2008 GAM removed the star and crescent from its party logo and changed the name of the party from GAM Party to Partai Aceh (Aceh Party/PA) (Serambi Indonesia, April 2008). The use of GAM symbols by a political party was criticised by the Irwandi camp as undermining the essence of struggle since the political party is the smaller unit of GAM (Nurhasim, 2012).

Irwandi Yusuf joined the Party lukewarmly as his group had aspired to establish their political party, namely Partai Independen Aceh (Independent Aceh Party) (ICG, 2008). This plan was cancelled, and Irwandi decided to join Malik's party to avoid the widening gap between groups of GAM which could be harmful to the newly gained peace, but he refused to be in the party organisational structure (ICG, 2008). Partai Aceh leadership is dominated by Malik Mahmud loyalists, but at the local level, it is controlled by KPA members close to Irwandi, as they are more likely follow the lead of their former commanders and not the party elite (Stange and Patock, 2010).

Regarding membership, not all of Partai Aceh's candidates were GAM members and vice versa, while most GAM members are supportive of Partai Aceh, although membership in Partai Aceh was not compulsory (ICG, 2008). PA attempted public recruitment for non-GAM members with better education to make up for the lack of higher education among many of the KPA rank and file (Stange and Patock, 2010). Darwin (2016b) analysed this membership recruitment method as a pragmatic approach, not an indication of the transformation of the party into an entirely open political outlet. Partai Aceh requires plenty of competent human resources to improve the quality of the party.

Partai Aceh well utilises strong organisation, decentralisation and discipline of KPA to grip power throughout the province, especially in rural areas (Hillman, 2012). According to ICG (2008), the party "claimed a total membership of 300,000 people, with the number still growing, which is a clear sign of how much PA was able to benefit from the territorial structure of KPA". Partai Aceh's election campaign was based on a simple platform which included full implementation of the Helsinki MoU, by which it was meant that the Party would focus on optimising special autonomy powers for Aceh (Hillman, 2012). Party campaign posters, for example, insisted that an Aceh Party victory was essential for peace, suggesting that fighting

might resume if the Aceh Party lost. According to Darwin (2016b), this narrative is a form of reification of Partai Aceh that divided the public image into positive and negative. Positive image manifested in the Acehnese identity and the promise of prosperity this party will bring to Aceh people. The negative image is reflected in messages that emphasise Partai Aceh as the only benefactor of peace in Aceh, and if the party lost, peace will be in peril and conflict is most likely to erupt again (Darwin, 2016b), a campaign tactic that emphasised past-performance legitimacy of GAM. Partai Aceh adopts closed and undemocratic decision-making processes. In 2008 the Partai Aceh chairperson and secretary were directly appointed by GAM Elites and in the subsequent elections in 2013 and 2018 Muzakkir Manaf was elected by acclamation (Serambinew, 14 February 2018) that indicates strong patron-client relations between Muzakkir Manaf as KPA commander and his members.

A peaceful outcome and transition of power following the 2009 legislative election and the further success of the Partai Aceh candidate at the 2012 gubernatorial election and 2014 legislative election has demonstrated its continued organisational strength and popular support. According to Darwin (2016b), "Partai Aceh is weak in [democratic] institutionalisation but strong in the consolidation of political authority". However, it also suffers from several shortcomings regarding internal capacity and organisational coherence, as described below.

4.10.1.1 Political Skill

The Aceh Party did face several challenges common to political parties emerging from armed struggles. The most obvious problem was the lack of essential political skills. The transitional period from military structure to a political party could be long and difficult. The rebel leader is often unfamiliar with peacetime politics and government issues such as dealing with donors, budgets, or public administration (Von Hehn, 2011: 244).

In preparing its participation in the 2009 legislative election, Partai Aceh selected a range of candidates to compete for elections including several non-combatants. The majority of candidates were dominated by KPA members with limited education and experience in the governance system. Partai Aceh-dominated parliament struggled to produce legislation and passed no laws in the first year of the five-year parliamentary term (Hillman, 2012). One respondent confirmed this weakness.

> "The people in parliament do not know how to produce legislation and to translate MoU provision into "real law" (subsequent regulation). How can we expect them to make progress within four to six years from now? I think it will

take a very long period, the learning process will take a long time, the investment is actually on the capacity building, but this was abandoned by the donor institution, they just wanted to see a quick result" (Personal Interview, PA1, 21 September 2012).

It took six months into the financial year before the parliament managed to approve the provincial government's budget due to the lack of understanding of government budget papers (Hillman, 2012). This incapability had also impacted the reintegration program for former combatants. According to the former staff of BRA, due to the major delay of the submission of RAPBA (provincial budget plan) to the national government, the process of the reintegration fund was also delayed for several months. The BRA top officials and their staff had to lobby National Members of Parliament personally to accelerate the disbursement process of funds (Personal Interview, PA5, 21 September 2012).

The challenge of transformation from a rebel movement to politicians and legislators is attested by my respondent:

> There is a difference between war with weapon and war with the brain. In Aceh, it is still difficult to erase the image of war with weapons and replaced by war with brains. It is about good human resources. Your position as commander during wartime is not important in parliament. As former commanders, they were well performed, but as legislative members, they barely say something (Personal Interview, LPP 10B, August 2018).

Partai Aceh realised this shortcoming and applied a policy to limit former combatants running for DPRA seats to 20 per cent (Darwin, 2016b). This policy is aimed at giving more opportunities to its professional and academics to balance DPRA members from national parties who have more experience and knowledge in politics and legislation.

However, the insufficient skills of former combatants in political parties or parliament is seen as acceptable due to the transitional period and learning process. One respondent expressed her trust in the local political parties because they know their constituency much better than the national parties and they deserve a longer time to increase their capacity in governing Aceh (Personal Interview, PA-2, September 2012). One respondent from a local political party emphasised that the party pays serious attention to the capacity building of the former combatants by conducting two months mandatory training on budgeting and drafting (Personal Interview, LPP-PNA 15-B, August 2018).

This trend, however, is not unique to Aceh, and it is mostly caused by the clash between immediate need to integrate former combatants into political institutions and the requirement to empower them with skills and knowledge about politics and government. It is also essential to change the attitude of former combatants, especially intimidation practice, in the legislation process. The delayed integration of former combatants into politics in Aceh could also be seen from the disparity between educated GAM elite and foot soldiers, in which the later must try harder to adapt themselves to the political realm. The capacity of former combatants to execute government or parliamentary jobs is necessary to gain performance legitimacy in peacebuilding. Once they hold political power in government, the public will start to expect professionalism rather than merely depend on past performance legitimacy or identity-based legitimacy. The prolonged failure to provide performance or output legitimacy will potentially create new grievances among the community, and a demand for change.

4.10.1.2 Internal Friction

The political concessions that were granted to GAM through the MoU Helsinki embedded economic incentives and power. Through the new political Aceh Party, many former rebels have occupied prestigious and strategic political positions and have been active players in post-conflict reconstruction by securing contracts or winning tenders as suppliers of building materials (Anshori, 2012). While GAM could maintain its cohesiveness during the three decades of struggle, economic incentives and power distribution have given rise to internal friction and social antagonism (Anshori 2012). The conflict occurred among GAM elites as well as between high-rank and low-level GAM members. This internal conflict was a test of whether GAM will remain united during peacetime when the challenge has changed, and they no longer have common enemies.

Figure 4-17 GAM Internal Conflict

The graph depicts the pattern of GAM internal conflict in the post-conflict era. The strong cohesion during wartime has gradually loosened especially between the elite and the rank and file members. The inter-elite competition is generally centred on the power struggle. The rift occurs between high and low-rank GAM members regarding the distribution of economic resources, reintegration funds and construction works.

4.10.1.3 Political Competition

As the peace beneficiaries who occupied the highest positions, GAM elites immediately competed over political positions, privileges, facilities, business activities, and contracts with major state-owned enterprises (Anshori, 2009). The first internal rift emerged and was exposed to the public in a few months after the peace agreement regarding the decision around the candidate to be nominated for the 2006 election, often dubbed as a conflict between "GAM old camp and Young Turks" (ICG, 2006). The GAM elite comprises former members of the government in exile in Sweden, including Hasbi Abdullah and a younger brother of Zaini Abdullah (Stange and Patock, 2010). This decision raised criticism over the decision making in Majelis Nasional (Stange and Patock, 2010). Another split occurred due to the decision to nominate GAM candidates under the umbrella of a national party. Initially, based on a decision made in April 2006, GAM agreed that it would not establish any coalition with a national party (ICG, 2006). However, the decision was altered as Majelis Nasional was interested in nominating Human Hamid, a sociologist and social and environmental activist from PPP (United Development Party), as the vice governor (ICG, 2006). This eventually led to a coalition of GAM and PPP, to nominate Hasbi Abdullah and Humam Hamid.

On the other hand, a large majority of KPA members supported the independent candidacy of Irwandi Yusuf, a former GAM spokesperson (Stange and Patock, 2010). Irwandi then ran for the election with Mohammad Nazar, the leader of Sentral Informasi Referendum Aceh (SIRA). Muhammad Nazar is an activist from an organisation that lobbied for a referendum on independence (Stange and Patock, 2010). This rift was a reflection of elite versus "grassroots" GAM or between Majelis Nasional, whose membership is dominated by the former exiled government in Sweden, and KPA which is an organisation for former combatants.

The second fragmentation happened in the 2012 gubernatorial election. This factionalism is a legacy from the dispute of the 2006 election which was seemingly difficult to reconcile. Before the second gubernatorial election which was scheduled in 2011, PA openly announced that it would not nominate former independent candidate Irwandi Yusuf as the candidate from PA and chose Zaini Abdullah instead (ANFREL,2012). This decision was challenged by several KPA leaders who are loyal to Irwandi (ICG, 2012). This dissent met resistance from the elites of Partai Aceh who fired most of the signatories (ICG, 2012). Being removed from a KPA leadership position in GAM strongholds affects their benefits in politics and the economy, and they would possibly lose contracts for construction and other public projects (ICG, 2012). These consequences have successfully deterred further dissent from KPA leaders, as they have been benefiting from the peace dividend since the peace agreement.

Due to the disapproval from Partai Aceh, Irwandi had to again run as an independent candidate in the election. As the primary purpose was to stop Irwandi from being re-elected as governor, PA persistently attempted to stop Irwandi's nomination by using legal opinion that Article 256 of the 2006 Law on Governing Aceh allowed non-party candidates only for the first election following the law's enactment (ICG, 2012). Since the Constitutional Court had approved the independent candidate in July 2007, consequently it had to annul the provision related to the prohibition of an independent candidate. Partai Aceh challenged the ruling as a violation of Aceh's autonomy, arguing that the central government of Indonesia had no right to interfere in electoral issues (ANFREL, 2012).

Due to the prolonged dispute between PA and Irwandi's camp over his independent candidacy, Partai Aceh kept delaying its registration in the gubernatorial election and made them miss the deadline (ANFREL, 2012). This resulted in mounting violence in Aceh and caused the Central Government in Jakarta to undertake a political intervention. The government via the Ministry of Home Affairs was calling for postponing the election and open registration for PA to prevent an outbreak of violence. On 16 January 2012, the Constitutional Court issued the

decision to reopen registration and decided that the election should be delayed accordingly, but no later than 9 April 2012, which was immediately agreed by PA (ICG, 2012).

During the 2017 gubernatorial election, rivalry among the old actors re-emerged. The tight competition in the political realm prevailed between the "old camp versus Young Turks" during the 2006 and 2012 elections, followed by the inter-elite former GAM in 2017. The political competition was still dominated by GAM elites such as Zaini Abdullah, Muzakkir Manaf and Irwandi Yusuf. Running as pair in the 2012 election, in 2017 Zaini Abdullah and Muzakkir Manaf were split. Zaini Abdullah ran as an independent candidate and Muzakkir Manaf was still nominated by Partai Aceh. Irwandi was nominated by Partai Nasional Aceh, a new GAM-based party and became a winner of the 2017 gubernatorial election. Compared to the 2012 gubernatorial election, the 2017 election was relatively more peaceful. While the common goal of Aceh independence successfully united all GAM elites in Aceh and overseas during the conflict era, in peace-time, the cohesion is challenged by the political power they gained as a result of the peace agreement. In the early peacebuilding phase, the competition for power largely led to violence and intimidation until it was resolved by intervention from central government. The trend has been gradually improving in the subsequent electoral competitions with more peaceful elections.

4.10.1.4 Conflict between rank-and-file combatants and the GAM elites

The second conflict pattern involves the emergence of resentment between former GAM soldiers and the movement's elite. According to Anshori (20012: 45), "the conflict is generally produced by the inequitable distribution of the rewards between the elites and the rank-and-file combatants in the post-Helsinki period". A limited peace dividend in terms of political concession, economic access and development was not equally distributed among the entire group of GAM. According to Nurhasim (2012), in the post-conflict era, there are only two available options for the transformation of GAM: politically through Partai Aceh and economically by becoming a small-scale contractor or entrepreneur. It is difficult for ex-GAM members to find employment in the public sector due to their limited education. On the other hand, Partai Aceh's structure cannot accommodate all their combatant and non-combatant supporters and is only able to employ GAM elites and Sagoe (Sub-district) Commanders in Partai Aceh organisational structure (Nurhasim, 2012).

During my field research, along the road between Pidie and Bireun, some grand houses were built in the middle of paddy fields or traditional village houses. Based on information from my research assistant, those houses are owned by GAM elites who hold political power at the district level. This picture of a new shift of wealth and economic access was indeed seen. While

some of their former comrades were quickly grasping power and wealth, most rank and file combatants were unemployed and poor. Since the only thing they could do for years was fighting for independence, the peace left them in limbo without skills or economic assets.

This inequality led to criminal acts. Some former low-ranking GAM soldiers, who were still keeping their weapons illegally, resorted to violence and criminal acts such as abduction, intimidation of foreign workers, and theft. In addition to monetary rewards such as ransoms, they committed these criminal acts to attract elite attention and damage the GAM elite's public image and reputation (Anshori, 2012). During the conflict with the Indonesian government, solidarity among GAM members was maintained through mutual support. Once the conflict ended, however, solidarity among the elites and ordinary combatants somewhat weakened due to the loss of a "common enemy" (Anshori, 2012).

Throughout this section, we could see the dynamics of participation, institutionalisation and legitimacy within Partai Aceh in the transition phase of peacebuilding in Aceh. Established as a political participation channel for former GAM members and the wider Acehnese community, Partai Aceh grew to be a strong and dominant political institution. Partai Aceh relied heavily on its past performance legitimacy as the sole benefactor of peace in Aceh but largely failed to achieve output legitimacy in executing government or legislative jobs. It tended to limit if not block political competition between GAM elites during the 2012 election. Elites in Partai Aceh also gradually lost legitimacy among the rank and file combatants due to the unfair distribution of the post-conflict economic benefits. The diminishing legitimacy of Partai Aceh led to the establishment of the new GAM-based political party that will be further explained in the following section.

4.10.2 The Establishment of Partai Nasional Aceh: Option or Fragmentation?

In analysing the establishment of PNA, it is important to review the original concept of local political parties rooted in GAM. The initial project was to socialise the model of a local political party that can be replicated in all provinces in Indonesia (Personal Interview, LPP-PNA 11-B, August 2018). GAM will be the umbrella of several political parties that adopt the single ideology of Acehnese-ness (Personal Interview, LPP-PNA 11-B, August 2018). This objective was relatively achieved during the 2009 legislative election because in addition to Partai Aceh, there were Partai SIRA and PARA that were established by GAM members or GAM sympathisers. However, the unchallenged domination of one local political party, Partai Aceh has been eroding that idea slowly. The concept of GAM as an umbrella has been exploited mainly by Partai Aceh with its firm campaign as a sole benefactor of GAM and peace in Aceh. It led to the limitation of the political movement of other GAM-based groups. This unchallenged domination contradicts the initial purpose of the establishment of local parties

in Aceh as a means of broader political participation in Aceh and to alleviate the grievance of political centralisation during the New Order Era.

In 2012, following his defeat in the gubernatorial election, Irwandi and his loyalists, including Munawar Liza and Nur Djuli, established Partai Nasional Aceh, a new GAM-based local political party. Irwandi aspirations to establish a local political party could be traced back to 2006 when he planned to form Partai Independen Aceh (Aceh Independent Party). He later declined the plan to avoid friction with senior GAM elites and support the establishment of Partai Aceh instead. The establishment of PNA was suspiciously seen by Partai Aceh but positively welcomed by national parties such as Partai Amanat Nasional, Partai Golkar and Partai Demokrat.

The opinions toward the factionalisation of GAM local political parties vary, several respondents see it as a serious split and thus urged for reconciliation (Personal Interview, LPP PA-10B, August 2018), including one respondent from PNA that regretted the friction between local political parties in Aceh (Personal Interview, LPP PNA 11B, August 2018). Other respondents perceived that it would generate a positive impact on the healthy local democracy in Aceh (Personal Interview, LPP PA-4B, August 2018). One respondent gives an interesting opinion "For democratic politics, this is positive because people in Aceh have more choice of local political parties and the political parties must turn inward and evaluate themselves, but this is negative for Aceh's affairs, especially in monitoring the progress in the context of peace in Aceh (Personal Interview, LPP PNA 11B, August 2018).

In addition to gaining support from several former GAM commanders such as Sofyan Dawood (former GAM spokesperson), Tengku Muksalmina (former GAM spokesperson in Aceh Besar) and Saiful aka Cagee (former GAM commander in Bireun), PNA also recruited some Aceh activists. The figures such as Lukman Age (former director of The Aceh Institute), Asiah Uzia (former coordinator of KontraS Aceh) and Tarmizi (Director of Aceh People Forum) joined PNA (Fahmi, 2016). One respondent describes that one of the objectives of the establishment of PNA is to provide a place for Irwandi loyalist ex-combatants: "we must manage these people wisely, or they could be manipulated by irresponsible people to trigger new conflict" (Personal Interview, LPP PNA 11B, August 2018). Other respondents highlighted PNA as the place to accommodate "moderate ex-combatants" who "at least passed secondary education" (Personal Interview, LPP PNA 15-B, August 2018). The emphasis on education is used to differentiate from Partai Aceh ex-combatants who are perceived as groups with low education, mostly graduated from secondary education.

Aside from differing opinions toward the establishment of PNA as an "alternative GAM based party", its establishment could be analysed from a democratic (or in this case, peace)

consolidation perspective. Hague and Harrop (2013: 55) argue that democracy is prevalent "when the new institutions provide an accepted framework for political competition". In the case of Aceh democracy, the institution of a local political party has opened a pathway for competition from the presence of PNA to challenge the domination of Partai Aceh. The democratic competition between former rebel groups post-conflict is problematic due to the legacy of a culture of violence. Immediate intra-combatant democratic contestation is prone to new outbreaks of violent conflict. Aceh seems to follow the incremental path of Indonesia's democratic consolidation through the establishment of PNA (followed by its participation in the local election), seven years after the establishment of Partai Aceh and nine years after the peace agreement. The period of seven years has been "unofficially granted" to Partai Aceh to dominate local politics, in order to incorporate them into post-conflict peacebuilding, and as a confidence-building mechanism for former combatants to gradually adjust to democratic principles. While the first competition between Partai Aceh and PNA in the 2014 legislative election was marred by electoral violence as elaborated in the previous section on electoral violence, this must be understood in the context of the transitional phase. During the 2017 gubernatorial election that brought the former combatants together with their political parties into the democratic competition once more, the result was remarkably positive with a significant decline in electoral violence. The different vote results between two contenders could also be peacefully resolved by complying with electoral institution decisions.

On the one hand, it marks the normalisation phase, but on the other hand, the aspiration of the "united political units to struggle for Aceh interest" is also worth pondering. It indicates the sustainability of Aceh ethnonationalism ideology in the normalisation phase. Thus, we could expect to see the interplay between acceptance of democratic competition (and factionalisation) and the efforts to unite GAM to maintain the interest of Aceh ideology continues in the future normalisation phase in Aceh.

The establishment of local political parties and their dynamics is another form of political participation in peacebuilding in Aceh. Barron et al. (2010) described the development of the post-2006 election in Aceh as the dilemma between incorporation and institution building. The first local elections in 2006 (and the subsequent elections) have successfully incorporated GAM as a rebel group into the peaceful political process. However, it created a patronage system in party politics in post-conflict Aceh which is related to the distribution of economic wealth and political power. Aside from the patronage system, the inequality of the distribution of power and wealth among combatants led to friction between elites and rank-and-file combatants. The conflict among them varies from violence-criminal acts to electoral disputes that required intervention from the national government to maintain the conducive peacebuilding process in Aceh. The current development of local political parties in Aceh

shows the process into consolidated democratic peace by the establishment of PNA, a new-GAM based political party that gives more options for Acehnese in electoral competition. The establishment of the new GAM-based political party is a sign of competition for legitimacy among GAM members. The growing domination of certain groups within GAM monopolising power and resources weakened the legitimacy of GAM elites led by Muzakkir Manaf as the claimant of the sole benefactor of peace in Aceh. Another group within GAM, led by Irwandi Yusuf challenged the legitimacy of Muzakir Manaf camp by establishing a new political party as an alternative political outlet. The establishment of a new GAM-based political party resulted in competition and participation, two crucial aspects of democracy. It created more competition for former GAM members and opened access to Acehnese to participate in local politics with more options of political parties.

4.11 Conclusion

As it has been mentioned earlier in this section, conflict in Aceh is not merely a violent conflict but a conflict that needs a political solution. Although ethnicity, kinship and religion have been used for mobilisation, they have been secondary to the prime focus on territorial and political control (Reid 2006a, Sulaiman 2006; and Aspinall 2009a). More specifically, ethnicity and religion in Aceh serve as factors to mobilise grievances, unless the main grievance in political participation has been addressed, the peaceful resolution would be difficult to achieve. This premise seems to be used as a foundation of the Helsinki negotiation. By prioritising the endorsement of independent candidates (which was intended to give a chance to a candidate from GAM to compete in the election without being nominated by national political party), local elections and the establishment of local political parties, the conflict was converted into democratic contestation.

GAM and the KPA transformed the military structure into the PA to contest in the political arena and to shape local politics. Former combatants and activists won the 2006 gubernatorial and local political executive elections. This was followed by another victory of candidates from GAM in the second and third gubernatorial election in 2012 and 2017. In the 2009 legislative election, Partai Aceh (PA), the political party formed by former rebels, won nearly half the votes in the province as a whole, soaring to another victory in 2014. Despite the postponement of the gubernatorial election from 2011 to 2012, low scale violence and electoral disputes, five local elections have been successfully conducted in Aceh with a high level of voter turnout. The transition from the bullet to the ballot has been generally successful.

Several findings in chapter 4 support my hypotheses in chapter 2. The first finding is about the importance of the provision of the peace agreement that addresses the grievance. MoU

Helsinki puts a strong emphasis on the establishment of local political parties as the form of self-governance in Aceh. It supports hypothesis 1 that proposes "A peace agreement which addresses grievances will contribute to the durable peacebuilding process in middle-income countries with a relatively strong government like Indonesia". Political participation has been well stipulated in the Law of Governing of Aceh (LoGA) and supported by Qanuns on the establishment of a local political party and local election. This finding supports my hypothesis 2 that proposes "In order to secure sustainable post-conflict peacebuilding, the peace agreement should be enacted in subsequent regulation in national and local level". The enactment of three levels of regulations, MoU, LoGA and Qanun demonstrate the attempt of central government to transfer the authority of political power to GAM that could be used by GAM to gain greater legitimacy from Acehnese.

The second finding is related to the level of participation and institution building and legitimacy in political participation in post-conflict Aceh. Broader participation has been demonstrated through high local election voter turnout, and independent candidacy that enables more candidates from various backgrounds compete in Aceh local elections. The establishment of the local political party also opens political access to Acehnese, both former combatants and non-combatants to actively engage in electoral politics. When the Partai Aceh was a highly patronised political party but weak in institutionalisation and a limited democratic decision-making process, there was a new local political party established by another group of GAM elites. Limited participation has led to another chance of participation for Acehnese to engage in electoral politics. These findings support my hypothesis 3 that "participation aspect in peacebuilding will contribute to unification, recognition of identity and legitimacy to address the underlying grievance", mainly because most voters are still associated with local parties and independent candidates with Acehnese identity. In contrast to the opinions that link the fragmentation of former combatants in post-conflict with the emergence of a new conflict, in Aceh, the division within former GAM elites created competition and participation by providing Acehnese more options from local political parties.

However, women in Aceh face considerable challenges in political participation that are derived from the inter-party calculation, religious-customary and resources. Legitimacy is gained by local candidates and local political parties as shown by persistent victory in a series of local elections from 2006 to 2017. However, there is an indication of diminishing legitimacy of GAM that is demonstrated by lower vote or voter turnout from the first local gubernatorial and legislative election to the subsequent ones. It could indicate the dissatisfaction of Acehnese to GAM because they perceived GAM's unsuccessfulness in fulfilling input legitimacy or the participation aspect in decision making and output legitimacy in the form of

performance in local governance. We can also see that the central government regained their legitimacy by the coalition of local political parties with national parties especially during the nomination of the members of National Parliament from Aceh and in the presidential election. The central government regained its legitimacy because Aceh needs the support from Jakarta to materialise the peace agreement, securing Aceh interest and building a political coalition at the national level.

Regarding institution building, despite the relatively successful organisation of local elections and the establishment of political parties, there have been significant shortcomings in elections and local political parties as institution building mechanisms. The problems are related to the incorporation of former combatants into democratic competition only a short period after the peace agreement. In the transition period of peacebuilding, the option to accelerate local elections and the transformation of rebel movements into the political party has been a popular option because it could grant quick legitimation to former rebel groups into the political realm. This option seemed like an even more viable option in Indonesia, due to its relatively strong state institution and bureaucracy that has been gradually developed and improved after the Suharto era. The legitimacy of local elections in Aceh has been supported by the presence of the Aceh Independent Election Commission as a part of the National Election Commission. Thus, the incorporation of the rebel movement into politics could be secured by the existing state structure and bureaucracy. These findings support my hypothesis 4 that proposes institution building will increase legitimacy, secure resources and stabilise the conditions for lasting peace. The combination of participation in electoral democracy and institution building is in line with my hypothesis 5 that proposes "In a country where the bureaucracy, state institution and national identity have been relatively strong and settled like Indonesia, state-led peacebuilding that combines participation and institution building contributes to a durable post-conflict peacebuilding process".

This non-sequential peacebuilding timing by the rapid incorporation of rebel groups into local politics has created a patronage system in party politics and local elections in Aceh. However, patronage in local politics in Aceh must have been seen as part of a broader trend at the national level: patronage in post-conflict peacebuilding as well as stronger consolidation with national political parties marked the normalisation phase in Aceh. There is also an indication of the lessening of Aceh identity in the coalition building between the national and political parties. It is demonstrated by the continuous cooperation of Partai Aceh with Partai Gerindra, a national party led by former Indonesian Special Forces Commander and coalition of Partai Nasional Aceh with PDI-P, a nationalist party and strong opposition of separatism. The engagement of GAM with the representative of the military group and the nationalist party

seems to contradict with their identity, political struggle and ideological history but it becomes normal to gain political concession at the national level. Political pragmatism has gradually replaced identity and ideology in Aceh local politics during the normalisation phase.

What we can see from the current development in Aceh local politics, especially in the 2014 legislative election and the 2017 gubernatorial election is the normalisation phase of peacebuilding in Aceh, when peace is no longer built, but consolidated and integrated into a broader scale: Indonesia. In the 2017 gubernatorial election, closer alliances with national parties became a pragmatic choice for ex-GAM elites that competed in the election – a less desirable political option in one decade ago or when peace had just been attained. Voter turnout in gubernatorial elections also shows a steadily declining pattern as well as in presidential elections, part of a similar trend found nationwide.

Chapter 5: Economic Settlement in Post Conflict Peacebuilding

5.1 Introduction

Perceived inequality is one of the primary causes of conflict in Aceh. The narrative around economic exploitation and unequal sharing of natural resources between the central government and the province of Aceh has fuelled grievances over the years. Therefore, post-conflict peacebuilding in Aceh is directed towards addressing these grievances by redistributing the revenue from natural resources through a national budget that aims to enhance Aceh's economic independence, supporting economic growth and social welfare.

Economic settlement in post-conflict Aceh, however, has followed a different path due to the massive scale of destruction wrought by the tsunami. It created a "reconstruction economy" in Aceh, based on creating longer-term economic development in order to address grievances. Nearly 8 billion USD of aid from the Indonesian government and international donors flowed to finance reconstruction activity. This fund was eventually also utilised for post-conflict needs since it exceeded USD 1.9 billion from the estimated damage and material loss from the tsunami that reached at around USD 6.1 billion (Barron, 2008, Thorburn, 2009).

Another distinction of peacebuilding in Aceh is related to the continuity of post-conflict funding. The withdrawal of international support does not necessarily mean a shortage of funds because a characteristic of state-led peacebuilding in Aceh is the budget provided by the central government to finance post-conflict development. Aceh has received additional resources from the national government after being given special autonomous status in 2001. This fund significantly increased after the implementation of the Peace Agreement, which granted Aceh 70 per cent of all current and future hydrocarbon deposits. The Indonesian Government has also allocated a vast amount of money for the reintegration of former combatants, especially for their economic welfare. The fund, amounting to IDR 600 billion (or USD 600 million) was channelled through the Ministry of Social Welfare to be disbursed to the beneficiaries through the Aceh Integration Agency (Badan Reintegrasi Aceh/BRA).

In the aftermath of conflict, the economic conditions in Aceh have gradually improved as shown in figure 5.1. From the conflict period in 2004-2005 to peacetime in 2006-2007, economic growth in Aceh rocketed from 1.8 and 1.2 per cent to 7.7 and 7.4 per cent, respectively. Negative growth in 2008 and 2009 indicated the impact of the depleting oil reserves in Aceh coupled with the diminishing construction and rehabilitation sectors (Bank Indonesia, 3 February 2009). In 2015, the negative growth was instigated by the

discontinuation of the operation of the Arun Gas Company that produced condensate and liquid natural gas (Medan Bisnis Daily, 6 February 2016).

Table 5-1 Aceh Economic Growth 2004-2017

Year	With Oil and Gas	Without Oil and Gas
2004	-9.6	1.8
2005	-10.1	1,2
2006	1.6	7.7
2007	-2.5	7.4
2008	-8,3	1.9
2009	-3.82	3.78
2010	2.79	5.49
2011	5.02	5.89
2012	5.21	6.09
2013	4.82	5.45
2014	2.71	4.02
2015	-0.72	4.34
2016	3.31	4.31
2017	4.19	4.14

Source: BPS (Indonesia Statistical Bureau)

Table 5-2 Aceh GDP Per Capita 2007-2017

Year	With Oil and Gas (In USD)	Without Oil and Gas (In USD)
2007	1.684,90	1.178,31
2008	1.705,60	1.601,07
2009	1.633,66	1.336,84
2010	1.760,97	1.468,62
2011	1.914,05	1.599,36
2012	2.034,72	1.714,83
2013	2.012,00	1.714.00
2014	2.193,63	1.971,61
2015	1.927,16	1.852,34
2016	2.024,33	1.961,90
2017	2.112,15	2.043,57

Source: BPS (Indonesia Statistical Bureau)

Table 5.2 shows the Gross Domestic Product per capita in Aceh more than one decade after the peace settlement that reached approximately USD 2100 per year with oil and gas and USD 2000 without oil and gas in 2017. Before peace, GDP per capita in Aceh was recorded at USD 1090 with oil and gas in 2004 (World Bank, 2006). While Aceh's GDP is catching up due to the growth, in the same year in 2007 Aceh was one of the poorest Indonesian provinces ranked at sixth lowest among 33 provinces with 16,89% of those in Aceh living below the poverty line of US$ 34/ month (BPS).

In light of the information about the post-conflict economic conditions in Aceh as mentioned above, this chapter reviews the implementation of economic settlement in supporting peacebuilding efforts. The first section describes peace settlement provisions and its subsequent regulations to alleviate grievances. This thesis will focus on three aspects out of various economic settlements in the peace agreement and LoGA: the Aceh Reconstruction and Rehabilitation Agency (Badan Rehabilitasi dan Rekonstruksi Aceh / BRR), the Aceh Reintegration Agency (Badan Reintegrasi Aceh/BRA), and The Special Autonomy Fund. The BRR is considered as the primary economic actor in the early peacebuilding phase. After the analysis of BRR, the next section of this chapter will focus on the Aceh Reintegration Agency (Badan Reintegrasi Aceh) and the process of incorporation of former combatants in the reintegration programme. It will be followed by the elaboration of the role of The Special Autonomy Fund as a peace dividend in Aceh and the management of the fund in the peacebuilding process. The last part summaries the process of legitimacy, participation and institutionalisation of economic settlements during the transition and normalisation phase of peacebuilding in Aceh.

5.2 Grievance Alleviation

This section includes two major provisions for grievance alleviation in the economic sector. The first is the economic settlement in a peace agreement that is comprised of the set of authorities to Aceh (fundraising, setting interest rates and taxes, developing and administering seaports and airports) and the allocation of funds (additional revenue-sharing from oil and gas). The MoU includes one provision for BRR as an acknowledgement of its role in the economic settlement. This thesis also includes reintegration programmes as a way to address economic grievances. The reason for this inclusion is that the primary purposes of the reintegration program are directed towards the economic empowerment and improvement of the livelihoods of the former combatants. Below are the economics-related provisions in the MoU Helsinki.

5.2.1 MoU

The efforts to alleviate economic grievances in the MoU span from the subject of taxation and the redistribution of national resources to the administration of seaports and airports. The MoU also includes one provision for BRR as an acknowledgement of its role in economic settlement as stipulated below:

> 1. Aceh has the right to raise funds with external loans. Aceh has the right to set interest rates beyond that set by the Central Bank of the Republic of Indonesia.

> 2. Aceh has the right to set and raise taxes to fund official internal activities. Aceh has the right to conduct trade and business internally and internationally and to seek foreign direct investment and tourism.

> 3. Aceh will have jurisdiction over living natural resources in the territorial sea surrounding Aceh.

> 4. Aceh is entitled to retain seventy per cent of the revenue from all current and future hydrocarbon deposits and other natural resources in the territory of Aceh, as well as in the territorial sea surrounding Aceh.

> 5. Aceh conducts the development and administration of all seaports and airports within the territory of Aceh.

> 6. Aceh will enjoy free trade with all other parts of the Republic of Indonesia unhindered by taxes, tariffs or other restrictions.

> 7. Aceh will enjoy direct and unhindered access to foreign countries, by sea and air.

> 8. GoI commits to the transparency of the collection and allocation of revenues between the Central Government and Aceh by agreeing to outside auditors to verify this activity and to communicate the results to the head of the Aceh administration.

> 9. GAM will nominate representatives to participate fully at all levels in the commission established to conduct the post-tsunami reconstruction (BRR).

Most of the provisions of economic settlement in the MoU indicate the intention to transfer authority from the central government to GAM. The central government handed over authority in the areas of finance, fiscal, and management of strategic assets such as airports and seaports to Aceh. The economic provisions were also strengthened by the principle of transparency and accessibility between the central government and Aceh around managing the natural resources. The primary grievance of the unequal distribution of natural resources

is compensated for by a larger allocated share of hydrocarbon deposits to Aceh. In other words, the process or at least intention of authority transfers from the incumbent to insurgent to address perceived economic deprivation is seen in the MoU. BRR, the ad hoc agency to coordinate post-tsunami reconstruction is included in the section on economic provision. Even though this agency is not part of the conflict and peace settlement, in later phases it contributed to the integration of former combatants in the post-conflict era as will be further elaborated in the section on BRR in this chapter.

While reintegration is specified in a separate section in the MoU and is not the part of the economic settlement, the provisions of reintegration do concern the economic empowerment of former combatants, political prisoners and affected civilians as depicted in the following subjects:

1. GoI and the authorities of Aceh will take measures to assist persons who have participated in GAM activities to facilitate their reintegration into the civil society. These measures include economic facilitation to former combatants, pardoned political prisoners and affected civilians. A Reintegration Fund under the administration of the authorities of Aceh will be established.

2. GoI will allocate funds for the rehabilitation of public and private property destroyed or damaged as a consequence of the conflict to be administered by the authorities of Aceh.

3. GoI will allocate suitable farming land as well as funds to the authorities of Aceh to facilitate the reintegration to society of the former combatants and the compensation for political prisoners and affected civilians. The authorities of Aceh will use the land and funds as follows:

a) All former combatants will receive an allocation of suitable farming land, employment or, in the case of incapacity to work, adequate social security from the authorities of Aceh.

b) All pardoned political prisoners will receive an allocation of suitable farming land, employment or, in the case of incapacity to work, adequate social security from the authorities of Aceh.

c) All civilians who have suffered a demonstrable loss due to the conflict will receive an allocation of suitable farming land, employment or, in the case of incapacity to work, adequate social security from the authorities of Aceh.

The provisions for the reintegration of former combatants as well as for political prisoners and affected civilians are predominantly focused on improving livelihoods and on empowering the economy. Combatants are the primary group that challenge the legitimacy of the incumbent and central government by waging war and being at the forefront of the struggle in the field. They often lost their homes, employment or were seriously injured. For the younger generation of combatants, most of them are undereducated, and their "primary job" was to struggle against the Indonesian military. Consequently, the most important attempt to improve central government legitimacy and sustain peace is by reintegrating them into society and rehabilitating their economic conditions and livelihood, including preparing them for employment. The affected civilians are another important group that is often overlooked in reintegration programs. They are not part of the combatants but are significantly impacted by the conflict. Some of the civilians might be victims of GAM, and not the Indonesia military, a fact that makes the process of the transfer of authority and dynamics of legitimacy in the reintegration program impossible to see through a single lens.

5.2.2 LoGA

Stipulations on economic settlements are covered more comprehensively in LoGA but mostly regulate long-term economic development. BRR or other reconstruction subjects and reintegration are not mentioned in LoGA. The economic sector is covered in articles 154 to 173, ranging from more detailed regulation of the management of natural resources and seaport-airports, trade and investment, infrastructure and development of Sabang Free Port. Acehnese perceive the revitalisation of Sabang Free Port to be essential to enhancing economic development in Aceh. Due to its strategic location, they believe that Sabang will be the alternative seaport and could replace the busy port of Belawan in North Sumatera, or even overtake Singapore. LoGAalso further regulates the utilisation of the Special Autonomy Fund and Additional Revenue Sharing from Oil and Gas for District/City Government in Aceh in articles 179 to 183.

One of the most noticeable changes from the MoU to LoGA is the involvement or presence of central government in several subjects that were previously transferred to Aceh from the MoU. In subjects such as the utilisation of oil and gas, the development of seaports and the airport and the revitalisation of the port of Sabang, there is a clause devoted to the "*The Government together with the Aceh Government*". Particularly on the subject of seaports and the airport, LoGA clearly emphasises the role of State-Owned Enterprises in cooperation with Aceh's local government. It demonstrates the effort from central government to limit the authority that has been handed over to Aceh in the MoU. Several economic-related provisions like a seaport, airport, free port and oil and gas are strategic subjects for the central government. Aside from

the economic gain, seaports and the airport are vital assets for national security. Oil and gas, albeit depleting, remain important economic resources for Indonesia. While the central government seems to give full authority to Aceh on the subject of fund allocation (the Special Autonomy Fund and Additional Revenue from Oil and Gas), the handover of strategic assets is regulated more carefully.

5.2.3 Qanun

In contrast with comprehensive regulations of economic settlement in LoGA, economic sectors seem to move at a slower pace in local law or Qanun. Qanun that contain economic provisions are Qanun No 4/2013 about investment, Qanun No 8/2014 about the basic principles of the implementation of sharia in Aceh that regulates sharia economic laws in Aceh, Qanun No 12/2016 about Corporate Social Responsibility, and Qanun No 11/2017 about the distribution of tax in Aceh. The utilisation of the Special Autonomy Fund in Aceh is regulated in Qanun No 2/2008 about the allocation of the Special Autonomy Fund and Additional Revenue Sharing from Oil and Gas for District/City Government in Aceh.

The small number of economy-related Qanun could indicate an insufficient capacity of Aceh's local members of parliament to draft local regulations. However, it could also be the result of the involvement of the central government as stated in LoGA. The presence of the central government in several subjects such as the management of seaports, the airport, and oil and gas requires further consultation that might cause a delay in local regulation.

From the three levels of regulations to address economic grievances, we can see the reduction of the authority transfer. While the MoU seems to transfer nearly full authority to the Aceh government in managing the local economy, LoGA, the subsequent regulation at national level, appears to give back greater authority to the central government. Due to the strategic nature of some economic components such as seaports, airports, free ports and hydrocarbon deposits, the central government appears to limit the authority over the management of those strategic assets to Aceh's local government. As a replacement, the central government prefers to transfer an ample amount of the Special Autonomy fund as compensation for the gap in economic development during the conflict period in Aceh.

5.3 BRR and Reconstruction Economy

The disastrous earthquake and tsunami left Aceh with devastating damage and casualties. The death toll reached 220,000, and another 635,000 people were displaced (World Bank, 2014).

The magnitude impact of this disaster was reported by the Consultative Group on Indonesia (2005):

> The total damage and loss from this disaster were USD 3.9 billion. The sectors most impacted were primarily private-sector dominated assets and activities that relate directly to the personal livelihoods of the affected urban and rural communities: housing, commerce, agriculture and fisheries, and transport vehicles and services ($2.8 billion, or 63% of total damage and losses), by public sector damages; infrastructure, the social sectors, and government administration ($1.1 billion, or 25% of total damage and losses). [14]

To help rebuild Aceh in the aftermath of the tsunami, a massive influx of funding came from a variety of sources: foreign governments, donors, NGOs, and individuals. The Indonesian government created a Multi-Donor Trust Fund to coordinate the incoming funds. These countries and donor organisations are listed in table 5.3 below:

Table 5-3 List of Donor Countries in Multi-Donor Trust Fund in Aceh

MDF Donors	Contributions (US$ million)
European Union	271.31
Government of the Netherlands	146.20
Government of the United Kingdom	68.50
World Bank	25.00
Government of Sweden	20.72
Government of Canada	20.22
Government of Norway	19.57
Government of Denmark	18.03
Government of Germany	13.93
Government of Belgium	11.05
Government of Finland	10.13
Asian Development Bank	10.00
Government of the United States	10.00
Government of New Zealand	8.80
Government of Ireland	1.20
Total Contributions:	**654.67**

Source: MDF (2012)

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[14] Indonesia : Preliminary Damage and Lost Assessment, The December 26,2004 Natural Disaster, The Consultative Group on Indonesia, 2005

The purpose of the establishment of the MDF is explained below:

> The main goal of this fund [MDF] was to attract and pool bilateral and other resources to ensure a coordinated approach to the support of rehabilitation activities in Aceh and Nias. Contributions were also expected from the private sector, foundations, and NGOs" (MDF, as cited by Jayasuriya and McCawley (2010: 86).

The fund supported new projects or new components of existing projects and assistance for a government program which were part of the rehabilitation and reconstruction efforts (Jayasuriya and McCawley, 2010). While the data of individual contributors is difficult to gauge, there were 435 NGOs recorded in Aceh during the reconstruction and rehabilitation project, 326 of them were international NGOs, while the rest were national NGOs (Masyrafah and McKeon 2008).

Table 5-4 Actors in Aceh Reconstruction Project

Implementing agencies	Number of actors
Government of Indonesia (BRR)	1
NGOs	435
Donors (including UN agencies)	27
Total reconstruction players	**463**

Source: Masyrafah and McKeon (2008)

In 16 April 2005, the Government established the Agency for the Reconstruction and Rehabilitation of Aceh and Nias or Badan Rekonstruksi dan Rehabilitasi (BRR) Aceh-Nias, with the goal "of restoring livelihoods and strengthening communities in Aceh and Nias by overseeing a coordinated, community-driven reconstruction and development program" (Nazara and Resosudarmo, 2007: 10). Funding for the BRR from 2005 to 2009 is shown in table 5.5 below:

Table 5-5 BRR Source of Fund

Source	Amount
Domestic (Government Budget)	3 Billion USD
Foreign Government	3,6 Billion USD
Private Sector and NGOs	2,5 Billion USD
TOTAL of 9,1 Billion USD	

(Cited from Nazara and Resosudarmo, 2007).

Even though BRR was established before the peace agreement, it is an integral part of the post-conflict peacebuilding process in Aceh. While most BRR projects were targeted to tsunami victims, the chain of construction work has created economic opportunities for former GAM members with the entangled effect of benefit and shortcomings for keeping the peace on track. The former GAM members were absorbed into this post-disaster industry by being employed in transport, logistics and construction (Myrttinen, 2012). The significant role of this reconstruction fund in creating peace is mentioned by one respondent from the university:

> I think the fund for reconstruction efforts in the aftermath of the tsunami is an indirect peace dividend for most Acehnese. To some extent, it created peace more than the real peace dividend from the peace agreement (LR3, personal interview, 22 September 2012).

Aceh demonstrated the distinctive case of the post-conflict peacebuilding fund. Due to the disastrous tsunami, Aceh received a large influx of funds for reconstruction and rehabilitation programmes that were derived from national and international contributions. The total quantity of funds exceeded the budget for reconstruction that could be utilised for post-conflict programmes in the aftermath of the peace agreement. The reconstruction program also led to the incorporation of former combatants and non-GAM Acehnese to the reconstruction economy as will be explained in the next section. The reconstruction and rehabilitation fund thus turned into an unofficial peace dividend and laid a foundation and contribution for the subsequent phase of peacebuilding.

5.3.1 Combatants Become Contractors

The construction sector forms a large part of Aceh's post-conflict economy. Figure 5 demonstrates the data of damage and losses from the tsunami, of which housing got the hardest hit. Unsurprisingly, housing reconstruction projects are at the top of the list of the budget allocation as shown in Figure 5.

Figure 5-1 Damage and Losses due to Aceh Tsunami
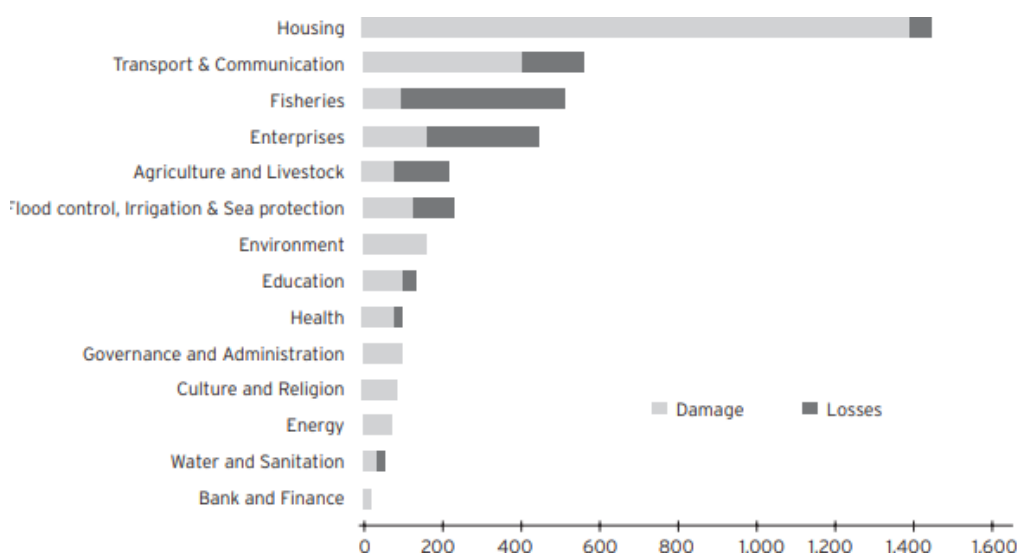
Source: Masyrafah and McKeon (2008)

Figure 5-2 Reconstruction Allocation
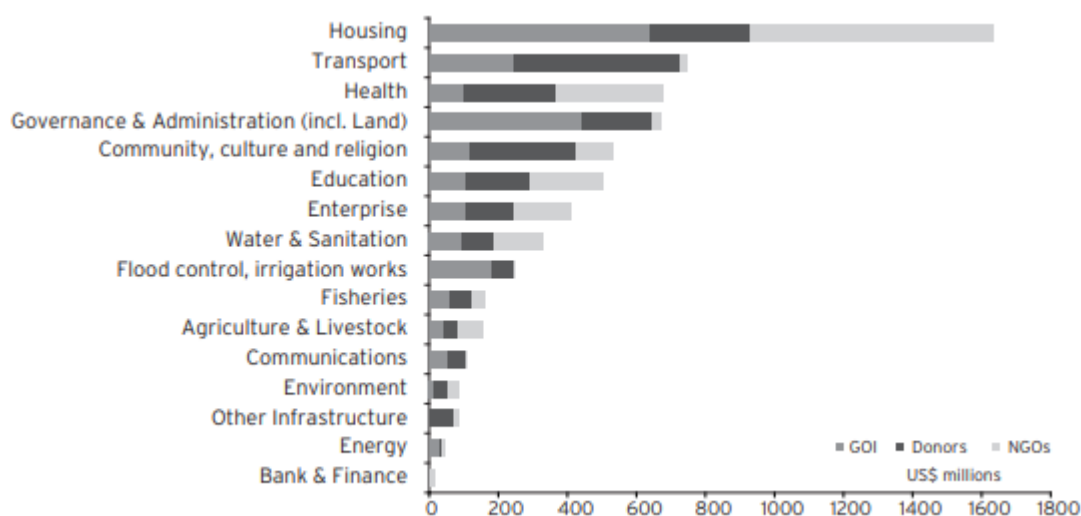
Source: Masyrafah and McKeon (2008)

The enormous impact of reconstruction projects in Aceh's post-conflict economy was confirmed by the head of the Aceh branch of the Institute for the Development of Construction Services (Lembaga Pengembangan Jasa Konstruksi, LPJK), Nova Iriansyah (Aspinall, 2009), who was later elected as a vice governor of Aceh in 2017. According to Iriansyah, during 2007, the circulated money in Aceh from the national budget, provincial budget and BRR was approximately IDR thirty trillion, of which about twelve trillion (approximately USD 1.1 billion), or 40 per cent, was designated to pay for construction work (Aspinall, 2009).

178

Table 5.6 shows us the trend of Aceh Economic Growth from 2004 to 2008. The most notable feature is the enormous contribution of the construction sector to Aceh's GDP, reaching 48.4% in 2006. When the construction sector wound down from 13.9 % in 2007 to minus 0.9%, GDP (without oil and gas) also fell from 7 per cent in 2007 to 1.9 per cent in 2008 or from -2.5% in 2007 to -8.3% in 2008 (with oil and gas).

Table 5-6 Aceh Economic Growth 2004-2008

Economic growth, 2004-08							
	Production account, growth(%)					Share (%)	
GDP-Production Account	2004	2005	2006	2007*	2008**	2007	2008
Agriculture, forestry & fishery	6.0	-3.9	1.5	3.6	0.8	22.7	25.0
Mining and quarrying	-24	-22.6	-2.6	-21.6	-44.7	20.2	12.1
Oil & gas	-24.4	-23.0	-4.3	-22.5	-47.0	19.2	11.1
Quarrying	7.3	0.8	78.8	2.0	-0.2	1.0	1.1
Manufacturing industry	-17.8	-22.3	-13.2	-10.1	-4.2	12.5	13.1
Oil and gas Industry	-11.6	-26.2	-17.3	-16.7	-7.8	8.5	8.6
Non-oil and gas industry	-37,3	-5.1	1,1	8.6	3.6	4.0	4.5
Electricity, gas & water supply	19.5	-2.0	12	23.7	12.7	0.2	0.3
Construction	0.9	-16.1	48.4	13.9	-0.9	6.0	6.5
Trade, hotels and restaurants	-2.6	6.6	7.4	1.7	4.6	15.8	18.0
Transport & communication	3.6	14.4	10.9	10.9	1.4	5.9	6.6
Banking & financial services	19.4	-9.5	11.7	6.0	5.2	1.5	1.7
Services	20.1	9.7	4.4	14.3	1.2	15.3	16.8
GDP	-9.6	-10.1	1.6	-2.5	-8.3		
GDP w/o oil & gas	1.8	1.2	7.7	7	1.9		

* = revised figures   **= preliminary figures

Source: World Bank (2008)

The construction regime that mainly carried out by BRR has been a part of the infamous practice of collusion between business and politics in Indonesia in the construction sector. Construction was a part of Indonesia's planned economy since the beginning of Suharto's New Order. The Indonesian development strategy under the Suharto administration was structured into gradual phases of five-year plans, called Repelita (Five Year Development Plan). The first five-year plan was launched in 1969 by concentrating on agriculture and infrastructure (Ricklefs, 2001). The development of infrastructure had created the construction industry throughout the country. Due to the lucrative nature of the construction business, it eventually led to collusive practices, predatory behaviour and heavily political interference (Aspinall, 2009b). According to Collier and Hoffler (2005), infrastructure and the construction sector are prone to corruption because the capital must be designed specifically for installation and related to the "nature of network" of construction activity that requires government regulation.

Contractors or people that are responsible for construction projects often play a dual role in business and politics. They can be awarded the construction project due to close relations with a politician, or they are actually politicians who own a construction company. The non-technical aspect of being a *kontraktor* in Indonesia is further explained by Myrttinen (2012):

> "Being a *kontraktor*, as Indonesians term, it does not necessarily mean one or one's company carry out reconstruction efforts or provides real services, but rather that one is in a position to facilitate deals and receive commissions" (Myrttinen, 2012: 234)

The major infrastructure projects post-tsunami were mainly carried out by state-owned civil engineering companies such as PT Wijaya Karya, PT PP, PT Waskita Karya, PT Adhi Karya, PT Istaka Karya, PT Hutama Karya and PT Nindya Karya (Prasetyo and Aditjondro, 2009:198). These companies are managed by the umbrella of the Department of Public Works. However, several private-local enterprises also took part in this lucrative business such as H. T. Alaidinsyah (Haji Tito), an Acehnese contractor with the ownership of heavy equipment for road and bridge construction (Prasetyo and Aditjondro, 2009).

 Another group that enjoyed a large share of this construction business was former GAM members. They entered the business as materials supplier or construction contractors through the structure of KPA (Komite Peralihan Aceh/Aceh Transitional Committee) as GAM's civil combatant organization (Stange and Patock, 2010). After winning seats in Aceh's politics, GAM expanded their influences in the construction business as contractors through the KPA network. Since KPA is a civil organisation, its members cannot be banned from joining in bids for construction works[15]. However, due to the close connection with GAM elites in government sectors, contractors from KPA knew how to place the right bid and also often won the contract (Aspinall 2009b). It was helped by the presence of GAM elite in BRR, such as Teuku Kamaruzzaman, the former GAM negotiator and the head of BRR's executive agency (Aspinall, 2009b). The leaders of KPA were usually awarded the major contract by the provincial government, the BRR and national government. Two examples were the national government project of a major bridge in Lhokseumawe and the BRR project of the construction of metal frames for tsunami houses in Calang (Aceh West Coast), both are valued at approximately US$ 2.2 million and were won by Pulo Gadeng Company owned by Muzakkir Manaf (Aspinall, 2009b).

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[15]Based on Government Regulation Number 6/1974, certain categories of government officer/civil servant and military offices (usually high ranks/echelon) are prohibited from taking part in private business activities.

In addition to close-knit connections with GAM representatives in BRR, the former GAM contractors were facilitated by the opportunity given by foreign donors. In order to provide better chances to former rebels to participate in the post-conflict economy, international aid agencies such as USAID hired several of them as subcontractors to supply materials or do minor construction works (Gelling, 2009). However, the foreign agencies must face the problem of extortion or sabotage, such as roadblocks if they do not want to accept the marked-up material (Gelling, 2009). The poor quality of the construction work done by former GAM contractors has also become a concern, as expressed by one respondent:

> The former combatants who are doing construction work and who establish a company for reconstruction do not have skills, or just very modest skills (PA 1, personal interview, 18 September 2012).

There is also concern about coercive and intimidating practices used by GAM for securing contracts. The existence of KPA which was previously intended as a civil organisation for helping to transform GAM has grown into a politically powerful institution. Their roles vary from bidding for construction contracts, collecting funds for Partai Aceh, gathering votes at election time, and providing security at the local level (Barron, Rahmant & Nugroho: 2013)

The connection between the construction business and politics is not exclusive to Aceh. The Global Corruption Report with Special Focus on Corruption in Construction and Post-Conflict Reconstruction (Transparency International, 2005) provides global case studies of the nexus between politics and business in the construction industry from Asia and Africa including India, The Philippines, Lesotho, Iraq and in Europe, Italy and Germany. However, the cases in post-conflict areas like Aceh are more extreme because of the legacy of violent conflict (Van Klinken and Aspinall: 2011). GAM members quickly turned into construction contracts, relying on influence, patronage, and coercion to influence business. Apart from construction industries, former combatants were also economically dominant in other business sectors, such as sand mining and plantations (PA4, personal interview, 18 September 2012). The involvement of GAM members in construction sectors has made them major beneficiaries of the peace dividend. Illicit practices of former combatants in the aftermath of the peace agreement are not exclusive to Indonesia. It might be necessary to buy spoilers and to keep the durable peace. In the long run, this collusive practice might threaten the foundation of peace, as it gradually undermines trust from the public and widening of the income gap between the wealthy and poor former combatants. The conflict might arise from the dissatisfied rank and file combatants who did not enjoy the fair share of the reconstruction fund. Civilians were also disappointed by the monopoly of GAM in the reconstruction sector and the low quality of work they carried out.

Throughout the section on BRR and post-conflict economic reconstruction, it can be seen that post-conflict economic development in Aceh is consolidated by establishing an institution with limited participation in the first phase. BRR was set up in the immediate aftermath of the tsunami and peace agreement to manage the enormous funds of the reconstruction and reintegration programs. The establishment of BRR has eventually created GAM participation in post-conflict economic development. It integrated the former combatants to maintain the peace by extending them a large share of the fund as "indirect peace dividend" either by the participation in BRR structure or by becoming the contractors of reconstruction work. However, this participation only occurred within the GAM elite and did not create a spillover effect to rank and file soldiers, the reality that marked this first phase of post-conflict economic development in Aceh as a patron-client economic imperative.

5.4 BRA: The Institutionalisation of Reintegration

Although the DDR (Demobilisation, Disarmament and Reintegration) provision is not part of the economic section in the MoU Helsinki, the reintegration of combatants is one of the crucial components of the social-economic settlement in Aceh. The United Nations Integrated Disarmament, Demobilization and Reintegration Standards (IDDRS) offers the following definition:

> Reintegration is the process by which ex-combatants acquire civilian status and gain sustainable employment and income. Reintegration is essentially a social and economic process with an open time-frame, primarily taking place in communities at the local level. It is part of the general development of a country and national responsibility and often necessitates long-term external assistance (Specht, 2010: 2)

Reintegration is among the first programmes in the peacebuilding phase that could be used to restore the eroding legitimacy of state (Barron, 2009). It occurs because reintegration involves combatants, a group in the insurgency movement who stood at the front line during open fire with the government army and experienced direct human rights violations. The integration of former combatants into society, equipped with sufficient funds and suitable jobs is crucial to prevent conflict from resuming (Barron et al. 2013). It can be explained if we look at the composition of ex-combatants. As soldiers, it is not surprising that 75% are between 18-35 years old (Frodin, 2008). Many were school leavers and unemployed, the most common demographics features for recruitment into insurgency (Brainwathe et al., 2012). A high level of unemployed youth is considered as an enabling factor in increasing risk of conflict (Collier

and Heffler, 2002). Thus, a well-planned and well-executed reintegration program is beneficial in strengthening the legitimacy of central government post-conflict.

5.4.1 Reintegration Beneficiaries and Assistance

The peace agreement regulates the transformation from soldier to civilian through the provisions of reintegration aid, pardoned political prisoners, former combatants and other groups, and rehabilitation of damaged property during conflict. The MoU stipulates an allocation of housing, farmland, employment or social security to support their livelihood. The MoU also regulates that the responsibility for such programmes rested with the Indonesian and Aceh governments, not international donors. Nevertheless, international agencies played an initial substantial role by conducting a community-based peace dividend program (not individually based) and livelihood improvement programmes (Barron et al.: 2013, UNDP, 2010). Table 5.7 shows the distribution of the reintegration funds from the national and provincial budgets. It could be seen that the contribution to the reintegration program from the provincial budget started in 2008, the first year of the allocation of the Special Autonomy Fund to Aceh.

Table 5-7 Source of Aceh Reintegration Funds

Source	2005	2006	2007	2008	2009	2010	TOTAL in IDR	TOTAL in USD (million)	2011 allocated
APBN (national budget)	200 M	600 M	250 M	450 M	200 M	180 M	1880M	188	150 M
APBA (provincial budget)	0	0	0	235 M	100 M	42.6 M	377.6M	37.8	22.3 M
TOTAL in IDR	200 M	600 M	250 M	685 M	300 M	222.6M	2257.6M	225.8	172.3 M
% APBA of total	0 %	0 %	0 %	34 %	33 %	19%	17%	17%	13%

Source: Avonious (2012)

Based on MoU's provision, a special provincial agency was established in February 2006 to manage the reintegration process, namely the Board for the Reintegration into Society of Former GAM Members, later shortened to the Aceh-Peace Reintegration Board or BRA. The tasks of BRA covered the implementation and monitoring of reintegration programs as well as coordination with related agencies and advisory roles to the governor (Governor Decree No 330/145/2007).

Generally, the type of assistance of the reintegration program in Aceh could be classified into three major categories. The first is cash allowances in the form of diyat (individual cash disbursement to former combatant households that had lost family members). The second category is the economic empowerment fund through the livelihood program assistance. The last is in-kind assistance that comprises of housing settlement and farming land. Diyat was not the original stipulation of reintegration assistance but the idea from acting governor Azwar Abubakar. The detail of the type of beneficiaries and the amount of funds is depicted in table 5.8, shown below:

Table 5-8 The Type of BRA Beneficiaries and Assistance

Category	Planned Number of Beneficiaries	Form of Assistance	Amount (US$)
GAM Combatants	3,000	Cash	2,500/person
GAM Non-Combatants	6,200	Cash	1,000/person
Political Prisoners	2,035	Cash	1000/person
Indonesia Pro-Militia	5,000	Cash	1000/person
GAM who surrendered before the MoU (and usually joined the militia groups)	3,204	Cash	500/person
Individual victims of conflict (mid to late 2007)	1.059	Cash	1000/person
Households that had lost a family member (diyat)	33.424	Cash	300/person/year
Households with damaged housing	31,187	Cash Allocation	3,500/house
Physically-disabled persons	14,932	Cash	1,000/person

(Source: Barron, et al., 2013)

Table 5.8 shows that a variety of beneficiaries were well accommodated, including two conflicting parties, GAM and the militia. Assistance was also given to physically disabled persons and the widows and families that lost a family member. Hence, the application in the field was not as simple as arranged in the initial plan. Many of these individually-targeted

programmes experienced difficulties caused by the lack of a mechanism to verify claims and monitor the process (Barron et al., 2013). On the other hand, Marhaban (2012b) criticised the overly bureaucratic procedures of individual accounting verification required by the central government. It led to frequently delayed fund transfers and suspicions of fraud (Marhaban, 2012b). Marhaban's opinion is affirmed by one respondent from a civil society organisation who criticised the role of the central government in reintegration efforts in Aceh.

> There was no intention from the central government to treat policies on Aceh in the framework of the extraordinary case because Aceh is at a post-conflict stage. Aceh is considered the same as other provinces in Indonesia. In the reintegration programme, the requirements to verify beneficiaries were complicated. The people in BRA had to work hard on verifying data. It led to incomplete reintegration programme because BRA always has a problem with the data of beneficiaries. Because GAM only gave 3400 number of their member to get reintegration programme in the peace agreement. However, the number is much higher. After the conflict, ex GAM transformed as a civil organisation called KPA; their number is around 2 million (Personal Interview, CSO 9-B. August 2018).

In order to distribute economic empowerment assistance, the government needed a list of 3,000 combatants that was based on the list of demobilised combatants in the MoU to be given reintegration funds (Barron et al., 2013). It is only a "political number" given by GAM since the number exceeds 3000 as in 2008. The total number of ex-combatants, active supporters and associated dependants was estimated to be 25000 (Frodin, 2008). In order to be eligible to receive the economic empowerment fund, the beneficiaries must submit proposals on their future livelihood programmes. BRA could not handle a large number of applications for reintegration assistance. Some 40,000-50,000 applications for funding were submitted to BRA, leaving the fledgling organisation overwhelmed and incapacitated (Niemi, 2010).

The next BRA programme devoted to housing settlements is seen as necessary not only from the physical function but also in terms of sociological meaning. For the beneficiaries of BRA, living in someone else house's is considered "shameful", showing how important it was for beneficiaries to have their own housing (Niemi, 2010). Housing settlement programmes also met several problems and shortcomings, particularly on the verification of eligible beneficiaries and the involvement of powerful brokers that demanded up to ten per cent of house value (Avonious, 2012). The number of houses rebuilt by BRA can be seen in table 5.9 below

Table 5-9 Number of houses and funds disbursed by BRA

Year	Nr of Houses	Funds used (bln Rp)
2005	3,253	114
2006	1,725	61
2007	3,075	109
2008	8,415	345
2009	5,488	225
2010	4,069	167
TOTAL REBUILT	**26,025**	**1,021**
remaining needs	3,053	125

Source: Avonious (2012)

The last programme, farming, was delayed until 2018 due to complications surrounding overlapping ownership and claiming procedures. In 2017, Fakhrurrazi, the head of BRA, lobbied Governor Irwandi to hand over 13,000 hectares of land that did not obtain the renewal of cultivation rights under the reintegration program (Kba One, 28 November 2017). However, the finding by The World Bank about farming land assistance is worth pondering. According to the research, 27% of ex-combatants are reluctant to return as farmers and wanted to find other work. It is a reasonable aspiration, as only 30% of ex-combatants and 43% of political prisoners had been farmers before the conflict (Niemi, 2010). The allocation of farming land thus requires further analysis on its full advantage to the beneficiaries of the reintegration programme.

Reintegration in Aceh on a legal basis is stipulated in the MoU and governor decrees. Only in 2015 was the legal basis strengthened by the promulgation of Qanun No 6/2015, about the Aceh Reintegration Body. It is an indication that reintegration is intended to be a short-term and ad hoc program. The indication of reinsertion was asserted by Nur Djuli, a former chairperson of BRA:

> What has happened about integration in Aceh is merely reinsertion, in which former combatants were given some money upon coming out so they could survive for a while before being enrolled in training programs to learn new skills (Nur Djuli, The Jakarta Post, 2014).

The description of "reinsertion" of former combatants by Nur Djuli reflects partial reintegration, a condition where a former combatant can integrate with society, albeit only partially, where they can live their new life in peaceful times independently with sufficient employment. Therefore, it is not surprising that most of the program focuses on cash

allowances and housing settlement, which followed general practice by international peacebuilders elsewhere.

5.4.2 BRA Institutional Trajectory

Structurally, BRA is a provincial agency with its activities supervised by the governor but primarily controlled by the central government. Members of BRA are selected by the governor and consist of representatives of the provincial government, former members of GAM, intellectuals, religious leaders, NGO activists and members of some pro-government militias (Mangkusubroto, Sugiarto, 2007: 35). BRA was expanded into the district by the instruction from the Governor to establish district level BRA offices. During the early phase from its establishment in February 2006, BRA was led by Usman Hasan, the former Indonesian Ambassador for Mexico, and Prof Yusni Sabi, a respected academic from Syiah Kuala University.

In 2007, after Irwandi had been elected as governor, he appointed Nur Djuli, a former GAM member and peace negotiator to direct the BRA (Brainwathe et al., 2010). Nur Djuli discontinued cooperation with the World Bank due to dissatisfaction towards community-based assistance and opted to develop programs that focused on individual beneficiaries (Avonious, 2011). The preference of individual cash disbursement indicates the patron-client relationship in the reintegration programme, as personal loyalty is easier to guarantee than through community-based loyalty. During Nur Djuli's leadership, BRA started to work more systematically and professionally (Avonious, 2012). In 2010 Nur Djuli was replaced by T. M. Nazar. TM Nazar performed poorly with unrealistic plans and passivity (Brainwathe et al., 2010). Due to disgruntlement with TM Nazar leadership, the governor appointed Dr Haniff Asmara, the former secretary of BRA, as a new head of this reintegration institution. Governor Irwandi seemed to have little interest in the long-term establishment of BRA and decided to close the agency in 2012.

In 2013, during Zaini Abdullah's governorship, there was an attempt to maintain the existence in a reintegration institution through the establishment of BP2A (Badan Penguatan Perdamaian Aceh/Aceh Peace Strengthening Board). The advocates of the establishment of BP2A based their argument on the unfinished reintegration programs such as farmland allocation, housing and cash allowances and was urged by the mandate of the reintegration process in the MoU Helsinki. However, others opposed the establishment of BP2A or any other ad hoc reintegration institution, instead preferring to hand over the reintegration process to the related SKPA (Satuan Kerja Pelaksana Aceh/Aceh Government Work Unit) for efficiency and transparency. SKPA (or SKPD in district level) is the provincial unit or regional office of

national ministries. For example, the disbursement of cash allowances for conflict victims could be channelled through the regional office of social services and the allocation of farmland could be coordinated under the regional land agency.

Despite the criticism that is specifically voiced by good governance and anti-corruption civil society organisations, the process of re-establishing reintegration institutions proceeded as planned. BP2A was formed under Governor Decree No 2/2013 and led by Mirza Ismail, former Pidie regent and former head of the Aceh Monitoring Mission in Pidie from GAM. Mirza Ismail resigned in 2014 and replaced by Maimun Ramli. In 2015, BP2A was renamed back as BRA. The existence of this reintegration institution was strengthened and consolidated by the promulgation of Qanun No 6/2015. Before 2015, the establishment of the first phase BRA and BP2A were only supported by Government Decrees. From 2015 to 2018, BRA phase 2 has been led by three chairpersons: Bukhari Abdul Gani, Fakhrurrazi and M Yunus. In addition to criticism from civil society organisations, BRA phase 2 was also protested by Forkab (Forum Komunikasi Anak Bangsa/ Communication Forum for the Sons of Nations), group of combatants who surrendered to the Indonesian Military before the peace agreement. For most people in Aceh, Forkab is associated closely with the anti-separatist and pro-government movement. Forkab protested article 4 clause 1 Qanun 6/2015, which stipulates that "the appointment and removal and of head of BRA is conducted by Governor based on written suggestion from the head of provincial KPA", and clause 4, which states that "the appointment and removal of the head of BRA task force (Satpel BRA) in district/city level is conducted by the governor under the recommendation from regent/mayor that considering written suggestion from head of district KPA" (Aceh Satu, 18 January 2018). Forkab rejected the clauses and criticised the suggestion from KPA as the effort to reduce governor authority and the violation of Law No 11/2006 on The Governing of Aceh (Aceh Satu, 18 January 2018). Forkab's objection about KPA involvement in BRA leadership is based on the concern that BRA would be heavily controlled by GAM interest.

BRA as an ad hoc institution is prone to exploitation by the ruling government as their political vehicle, especially in a political setting where the former combatants won the election and hold the political power. The reintegration fund for their fellow former combatants is easily manipulated or mismanaged to gain more control or political support as a cash disbursement program is a lucrative aspect in political competition.

According to research conducted by Crisis Management Center Finland, the issues connected with the functioning of BRA constitute a major problem in reintegration (Niemi, 2010). It is caused by internal political struggle, combined with poor planning and corruption. BRA was

seen as a bureaucratic organisation with inadequate capacity in delivering services for the reintegration program (Niemi, 2010). Muhammad Nazar, Vice Governor of Aceh, expressed his disappointment over the poor performance of BRA:

> The situation in BRA is complicated; they have this commander, that commander, unclear programs and recommendations. An integration body like BRA cannot only support one group or interest. Their program should be inclusive and targeted to both GAM and non-GAM. They should incorporate programmes that increase productivity, not only focus on cash distribution (Nazar, *Kompas*, 5 January 2011).

The complaint about the partiality of the reintegration program is voiced by one respondent from a women's organisation:

> Among the groups of women that we assisted, they aware of the existence of BRA. They acknowledged the role of BRA, but they think BRA has not been entirely beneficial for them. Why? Because the major beneficiary is ex-combatant. How about civilian who had been killed? The civilian who also became casualties of conflict? BRA did not pay sufficient attention to them (Personal Interview, WA-14B, August 2018).

The development of BRA as an reintegration institution in Aceh portrays the peculiarity of state-led peacebuilding. In most peacebuilding processes elsewhere, DDR is primarily undertaken by external actors, either the United Nations or regional organisations, but in Aceh, there were only a few NGOs or inadequate international involvement in the reintegration process due to its highly political circumstances surrounding reintegration issues. They have tended to avoid political issues, which happened to be the core of the problem in Aceh and the driving factor of the peace process (Frodin, 2008). It causes less monitoring systems and advice from the various stakeholders of peacebuilding to improve the process of reintegration. The complex and multi-dimensional task of BRA is therefore primarily borne by a local institution with inadequate capacity coupled with little coordination and assistance from the national government.

BRA is the illustration of the institutionalisation of post-conflict ad hoc agency. The continued establishment of the reintegration agency is indeed pivotal in ensuring a comprehensive reintegration program. However, the intention to build an institution is not followed by proper planning, impartiality to all categories of the beneficiary and a clear timeline. The central

government appeared to transfer legitimacy to Aceh's local government to manage the reintegration programme, but some Acehnese perceived it was done halfheartedly. It was not the limitation of funds or regulations which impeded the establishment of the agency – it was proven by the smooth process and minimum intervention from the central government towards the re-establishment of BRA – but through complex procedures and consultation.

On the other hand, BRA is utilised by GAM to fulfil its short-term legitimacy by establishing a patron-client network with the former combatant as their important stakeholder. Since reconstruction businesses were unable to absorb all GAM combatants into the post-conflict economy, the reintegration programme was another opportunity to build patron-client networks between GAM elite and GAM foot soldiers through the direct cash disbursement program and in-kind assistance. While GAM has been successfully holding a grip over this reintegration program, it comes at the expense of affected civilians as non-GAM victims. This group is often neglected due to the strong domination of GAM in the reintegration program.

In the matter of timing, BRA is undergoing a distinct trajectory of transition. According to Usman Al-Farlaky, a member of the legislation committee that is responsible for preparing Qanun on Reintegration, BRA is designed as an ad hoc institution until the entire reintegration process in Aceh is completed (Serambinews, 31 Agustus 2015). He emphasises that reintegration is part of peace consolidation, a sustainable and systematic process that aims to build a sense of security and welfare. He does not specify how BRA could reach that objective and how to determine the completion of the reintegration process (Serambinews, 31 Agustus 2015). Reintegration in Aceh is the example of "frameless transition; both in terms of (not) having a specified timeframe (and thus milestones), real or imagined, and (not) having defined and mutually agreed on aims and objectives" (Tornquist, 2009: 375).

5.5 The Special Autonomy Fund as Peace Dividend in Aceh

One of the most important instruments to alleviate economic grievances in Aceh is the peace dividend which takes the form of the extended Special Autonomy Fund. It is one of the essential characteristics of state-led peacebuilding in Aceh, as the national government oversaw most of the programmes of peacebuilding and supported it with ample funds. The imbalance of the past unfair distribution of Aceh's natural wealth is being alleviated by granting a large peace fund which is expected to accelerate economic development in Aceh and can bring welfare to the Acehnese people.

Aceh has received the Special Autonomy Fund since 2001, but the amount was increased as a result of the peace settlement. The Peace dividend in Aceh consists of the Natural Resource

Revenue Sharing Fund (Dana Bagi Hasil Sumberdaya Alam/DBH SDA), in which Aceh gains a bigger percentage (70 per cent) of oil and gas compared to other provinces. This fund is also called the "Additional Oil and Gas Profit Sharing Fund" in article 182 of LoGA. This provision is an effort to redress the grievance about the imbalance of the profit sharing from oil and gas which has been perceived by the majority of Acehnese as centre-periphery economic exploitation.

Figure 5-3 Allocation of Additional Revenue Sharing from Oil and Gas for District/City Government in Aceh
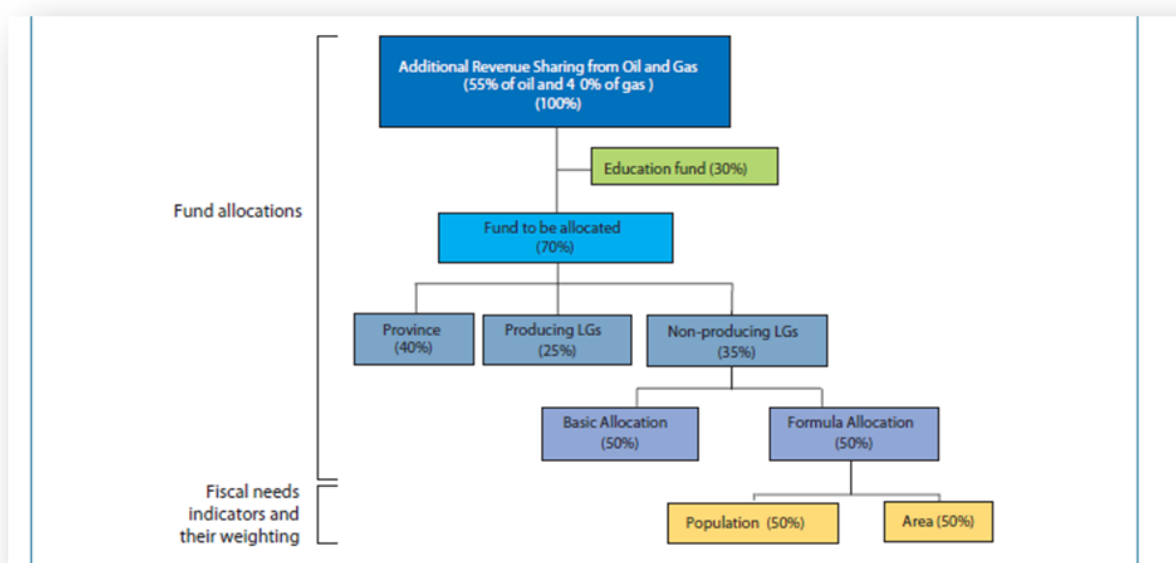
Source: World Bank (2008)

Figure 5.3 describes how LoGA regulates the utilisation of the Natural Resources Revenue Sharing Fund, with Aceh's government obtaining 55% from oil and 40% from gas. Thirty per cent of this fund must be allocated to education, and 70 per cent is granted to intergovernmental sharing (Islahudin, 2010:4)

The other component of the peace dividend is the additional two per cent share of the General Allocation Fund (Dana Alokasi Umum/DAU) for 15 years. It will then continue at one more per cent for five more years until 2027, as shown in figure 5.3. DAU is the new system of Indonesia's inter-governmental transfer as defined in Law No 25/1999 on decentralisation (Resusudarmo, Barr, Dermawan and McCarthy, 2006: 65). According to Article 1, Law No 22/1999 about decentralisation, "this fund is allocated from the national government budget according to a specified formula with the objective of equalising the financial capacity across

regions to fund their respective expenditure within the context of implementing decentralisation".[16] The additional 2 per cent share is an effort to redress the imbalance of previous decades of the distribution natural resources, as the oil and gas in Aceh is already in decline. To avoid a confusing word swap, these two schemes of peace dividend are called the Special Autonomy Fund (Dana Otonomi Khusus-Dana Otsus).

Figure 5-4 Allocation of Special Autonomy Fund into City/District
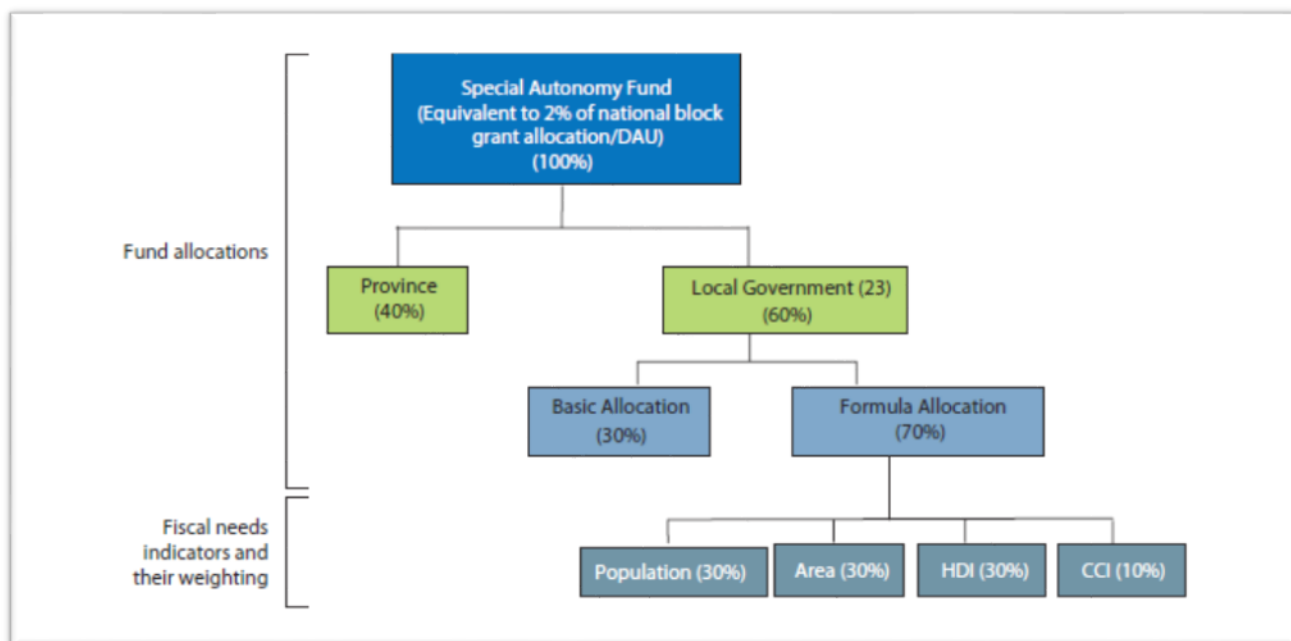
Source: World Bank (2011)

The utilisation of the Special Autonomy Fund is regulated in the Law of Governing Aceh (LoGA). It is aimed to finance the following development programmes:

1. Development and maintenance of infrastructure
2. Economic empowerment of people
3. Eradicating poverty
4. Education
5. Social
6. Health (Law of Governing Aceh, article 183).

The allocation of the Peace Dividend in Aceh is channelled to infrastructure, education and health care, following the arrangement stipulated in LoGA. This planning adopts Hartwick's Rule, "a rule that requires a nation to invest all rent earned from exhaustible resources currently extracted" (Kumar, Managi, 2009: 31). Furthermore, Sinnot, Nash, De La Torre (2010; 62) assert that "if a country aims to maintain future welfare, the income from currently

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[16] Article 1, Law No 22/1999 about Decentralization

extracted natural resources must be invested to create human and physical capital". It is affirmed in article 158 of LoGA "The Government and Aceh, district/city Governments develop a populist economy, education and balanced health as the compensation for the exploitation of non-renewable natural resources" (Law of Governing of Aceh, article 158). Human capital can be cultivated by promoting the education and health sector, while physical capitals refer to infrastructure.

Figure 5-5 Aceh Provincial and District Revenue 1999-2008
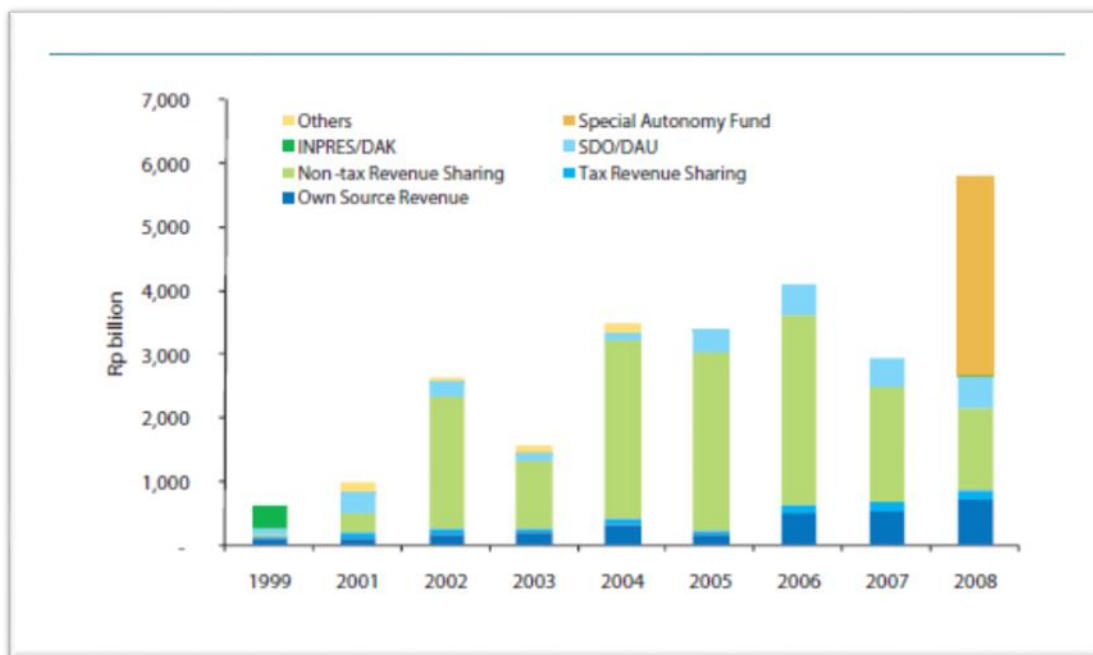
Source: World Bank (2008)

From Figure 5.4, we can see that the Special Autonomy Fund had contributed significantly to Aceh's provincial and district revenue. Aceh provincial and district revenue started to escalate and reached a peak in 2008 after the allocation of the Special Autonomy Fund. Under Governor Irwandi's administration, the committee was established to decide how to allocate the oil Special Autonomy Fund. The allocation was articulated in the Government of Aceh Mid-Term Development Plan period 2007-2011 and set out as follows:

      (1) Strengthening of governance, political processes and the law

      (2) Economic empowerment, employment opportunities and poverty reduction

      (3) Development and maintenance of investments in infrastructure

      (4) Development of education that is of high quality and accessible

      (5) Increase in quality of health care services

      (6) Development of religion, society and culture

      (7) Disaster risk reduction and management. (Hillman, 2011: 537)

Among the five priorities, education and health were the priorities of Governor Irwandi. During the election campaign, Irwandi promised to allocate a large proportion of the fund to these two sectors (Hillman, 2011). Irwandi's policy echoes Collier's (2006) argument about the importance of inclusive social expenditures such as expansion in primary health care and education for growth in post-conflict settings that are often deteriorating during the prolonged conflict. In other words, there is a need to put greater emphasis on social inclusion and hold macroeconomic and long-term policy (Von Hehn, 2011: 294). The items in the planning were based on the stipulation in LoGA with some additions on disaster risk and governance, two important subjects for the development of Aceh post-conflict. This section will focus on the disbursement of Aceh Special Autonomy Fund in infrastructure, health, and education.

Between 2008 and 2010, the realisation of the Special Autonomy Fund can be seen from the table below:

Table 5-10 Target and Realisation of Aceh Special Autonomy Fund 2008-2010

No	Sector	2008		2009	
		Target	Realization	Target	Realization
I	Infrastructure	1,900,816,287,853	1,276,488,618,408	2,398,527,226,756	1,957,056,916,196
II	Economic Development	860,345,383,818	577,033,244,231	465,541,454,550	331,133,965,858
III	Poverty Alleviation	11,800,000,000	9,440,000,000	4,200,000,000	3,263,400,000
IV	Education	417,836,882,946	288,123,604,370	266,845,223,456	191,862,285,000
V	Social	66,477,615,600	60,168,889,880	106,716,162,865	81,348,408,061
VI	Health	170,957,794,850	58,313,703,823	440,180,345,432	261,705,561,356
VII	Specialties of Aceh	161,908,908,500	144,304,146,936	46,248,878,500	37,107,033,360
	TOTAL	3,590,142,873,567	2,413,872,207,648	3,728,259,291,559	2,863,477,569,831

No	Sector	2010	
		Target	Realization
I	Infrastructure	2,141,469,348,765	500,934,076,980
II	Economic Development	489,139,756,462	152,446,923,963
III	Poverty Alleviation	467,810,607,027	401,500,000,000
IV	Education	96,472,489,287	221,996,922,442
V	Social	17,100,904,774	0
VI	Health	506,137,179,202	383,412,897,395
VII	Specialties of Aceh	131,676,554,483	0
	T O T A L	3,849,806,840,000	1,660,290,820,780

Source: Asrizal Luthfi, Impact of Aceh's Additional Budget from Special Autonomy and Oil-Gas Revenue Sharing Fund to Poverty Reduction in Aceh, paper presented in ICAIOS Seminar, 2011. Data from Aceh Development Planning Agency

From the table, it can be concluded that infrastructure acquires the highest proportion of funds, followed by economic development, education, and health. The discrepancy between the target and realisation of each expenditure item is quite significant, indicating a mismatch between planning and implementation. It resulted from the lack of fiscal competence of Aceh's local bureaucrats in legislative and executive branches, and the poor communication between those involved in executing the development projects.

Infrastructure is allotted the most significant share of the fund, with stark disparities in spending compared to other sectors such as economic development, education and health. According to the LoGA, infrastructure is one of the priorities to be financed by the Special Autonomy Fund. Between 2008 and 2010, infrastructure always received the biggest share of the fund. Most of the fund for infrastructure, 58%, is spent on road and bridge construction and maintenance. Allocation for irrigation is 11%, river conservation and flood control 9.8%, village infrastructure 8.7%, and housing 6.6% (World Bank, 2011).

However, from the survey conducted by the World Bank (World Bank, 2011) the level of satisfaction with infrastructure development is low compared to other sectors. The dissatisfaction occurred due to the poor quality of the construction and unfinished projects. Another shortcoming of the infrastructure in Aceh is that most of the fund is allocated to small scale projects below IDR 200 million (approximately USD 20,000)[17]. Based on Presidential Decree No 70/2012, the procurement of goods/construction works/others are set at the

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[17]Interview with Syardani Muhammad Syarif, former GAM spokeperson. He is currently a staff in Aceh Human Resources Development Committee (LembagaPengembanganSumberDayaManusia-LPSDM), cited from article on Autonomy, collaboration between JawaPos and USAID http://jpip.or.id/artikelview-490-transfer-besar-kawalan-longgar.html

maximum of IDR 200,000,000.00 (two hundred million rupiahs) that are implemented through direct appointment. This regulation gives an opportunity to newly established and small contractor companies which only have low skills to win projects, often through collusive practices such as having been presented in previous sections on BRR and post-conflict reconstruction.

Small-scale projects such as building paving blocks or fences will not have a significant impact on the broader community. Borrowing the term used by Muhammad Syarif (Transfer Besar Kawalan Longgar, Jawa Pos, n.d) development in Aceh is interest-based, not need-based. It is built to cater to political interests by creating patron-client networks rather than focusing on a long-term development strategy to create welfare and stimulate economic growth.

5.5.1 Education

The importance of education in post-conflict development in Aceh is manifested in the 30% allocation for education in Additional Revenue Sharing from Oil and Gas and one of the sectors financed by the Special Autonomy Fund. Until 2027, when the Special Autonomy Fund is phased out, Aceh will receive IDR 34, 7 trillion (USD 23 million) in education funding. One of the indicators of the progress of education is by measuring the Human Development Index (HDI). Aceh's Human Development Index (HDI) was quite good in the past. Based on official statistics, in 1996 Aceh's HDI was 69.4 with it ranking 9th out of 26 Indonesian provinces while during the 2004-2010 period, Aceh's HDI gave the province a rank of 17-18th of 33 provinces (Barron et al., 2013). In 2016, Aceh 's HDI was steadily progressing and in the relatively same level with the national index (CMI, 2017).

Figure 5-6 Aceh Human Development Index 2010-2017

Source : BPS (Indonesia Statistical Bureau)

196
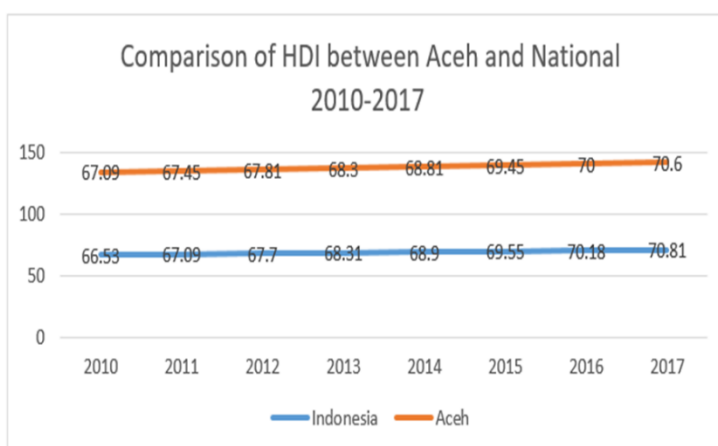
However, the vast amount for education in Aceh has not been properly and strategically allocated for increasing the quality of education. As shown by Figure 5.7, the biggest proportion of the Special Autonomy Fund for the education sector was allocated to building classrooms and school fences, expenses that do not significantly contribute to Aceh's educational excellence. As mentioned earlier, such minor construction projects are normally valued below IDR 200 million. Because government regulation does not require a tender process for low-value projects, the local government can employ direct appointment, a practice that is prone to patron-client network.

Figure 5-7 Utilisation of Special Autonomy Fund in Education Sector based on the type of expenses 2012 (In Percentage)
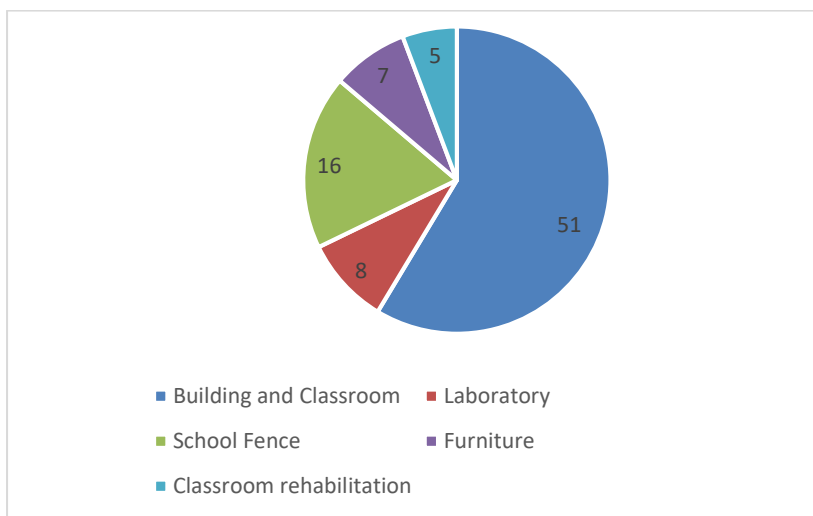
Source: ACDP (2014)

Figure 5-8 The Utilisation of Special Autonomy Fund in the Education Sector in Aceh Based on the Value of the Project 2013 (In Percentage)
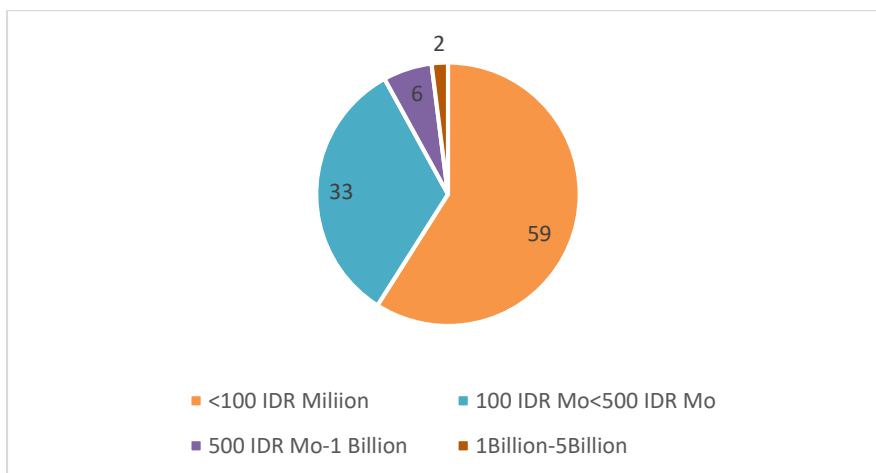
Source: ACDP (2014)

Another landmark of the utilisation of the Special Autonomy Fund in Aceh is by the establishment of the Aceh Scholarship Commission, an ambitious tertiary education program that sends Acehnese to study in prominent universities in Indonesia or overseas. From its commencement in 2009 to 2013, this programme has spent a total of IDR 609 Billion, sending 6031 scholarship recipients to pursue domestic or international postgraduate education (ACDP, 2014). This program is not free of problems. Lack of strategic analysis of scholarships has caused unemployability of the scholarship awardees upon their return in Aceh (Putri, 2018). Most recipients aspired to work in the public sector, partly due to the stagnation of the Aceh economy and lack of investment that leads to limited work opportunities. There is also a problem of misuse of scholarship funds by the recipient, which they spend on non-educational expenses.

5.5.2 Health

As one of the priority sectors in the allocation of the Special Autonomy Fund, health is an exemplary case in the utilisation of peace dividends in Aceh. In 2010, Governor Irwandi launched Aceh Health Insurance (Jaminan Kesehatan Aceh/JKA)[18], a provincial-level health insurance scheme for Acehnese. This populist programme has been praised as one of the achievements of Aceh's local government post-conflict. This insurance offers a simple process for people to access health service and facility. Unlike national health insurance that is often criticised of its layered referral system, BPJS (Badan Pengelola Jaminan Kesehatan/National Health Insurance or JKN/Jaminan Kesehatan Nasional/National Health Insurance Programme), JKA beneficiaries are only required to show their ID card to access the health service in all hospitals in Aceh. In 2010, JKA had spent IDR 241 Billion or 15 per cent of the Special Autonomy Fund. In 2011, it used 9.5 per cent of the Special Autonomy Fund, and by 2017, IDR 773 Billion of the Special Autonomy Fund had been disbursed to finance JKA (Putri, 2018).

Despite the compliment as one of a successful programs of local government in Aceh, JKA under Irwandi administration was severely criticised for its lack of means-testing. All Acehnese, regardless of their economic status and income bracket, are eligible to access free health services through JKA (Cahyono, 2016). During Zaini Abdullah's governorship, JKA was under BPK's (Badan Pemeriksa Keuangan/ State Audit Agency) scrutiny due to IDR 63 Billion potential loss. This occurred because the Aceh local government paid IDR 63 Billion to JKA beneficiaries who failed to validate their ID card (Putri, 2018).

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[18] JKA was changed into JKRA (Jaminan Kesehatan Rakyat Aceh/Aceh People Health Insurance) during Zaini Abdullah's governorship.

In sum, from the three sectors of the allocated Special Autonomy Fund, infrastructure, education and health, the fund is primarily disbursed to finance small scale projects and populist programmes. Infrastructure is dominated by low quality and small projects that are centred around GAM elite and contractors, while health and education are mostly invested in directing assistance in the form of health insurance and scholarship. This pattern of fund disbursement could be understood from the necessity of former combatants to create legitimacy and maintain loyalty and trust from their beneficiaries through the patron-client network. However, as will be further elaborated in the next section, it leads to difficulty in generating performance legitimacy of the insurgents in post-conflict long term development.

5.5.3 Post Conflict Economic Challenges: Inequality, Poverty and Lack of Development Planning

Poverty alleviation and equal economic development among all districts and municipalities are paramount in post-conflict-economic settlements, as the perceived inequality is the major contributing factor to the rebellion. However, ten years after its first disbursement, SAF has yet to significantly contribute to poverty alleviation in Aceh as demonstrated in the following figures.

Figure 5-9 Comparison of Poverty Rate in Aceh and National
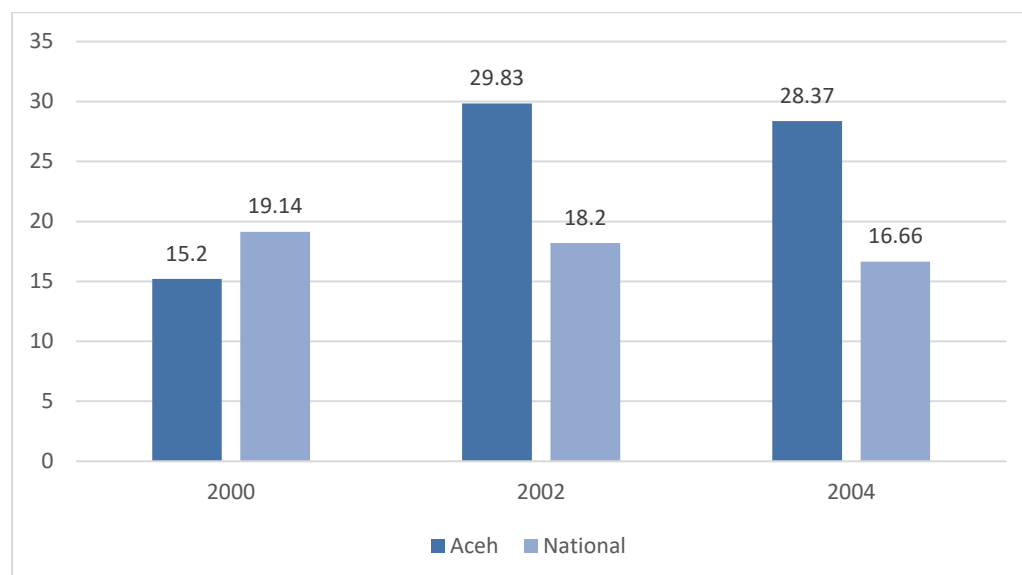
Source: BPS (Indonesia Statistical Bureau)

Figure 5-10 Comparison of Poverty Rate in Aceh and National in Post Conflict Period (2006-2018)
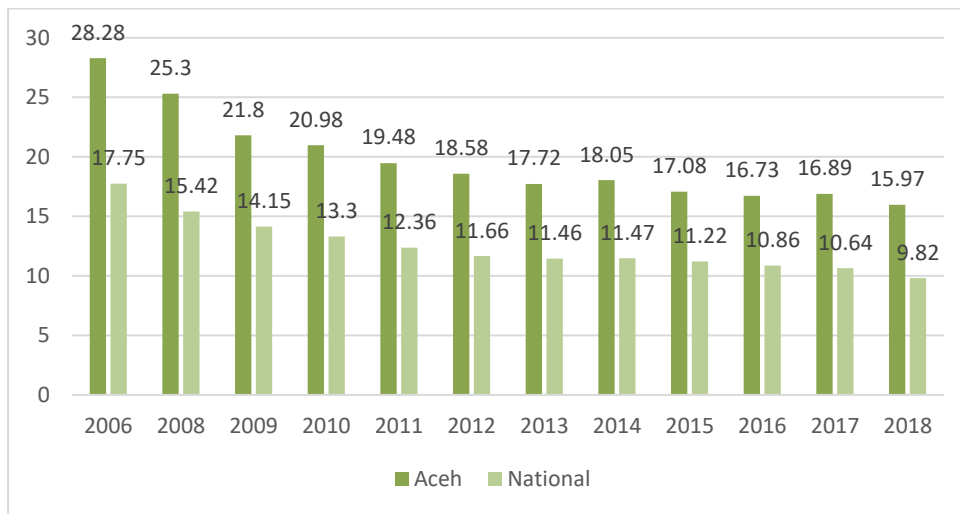
Source: BPS (Indonesia Statistical Bureau)

Figures 5.9 and 5.10 tell us about poverty, conflict and its aftermath. Interestingly, in 2000 the national poverty rate was higher than might be caused by the residual impact of the Asian Financial Crisis experienced by Indonesia. Poverty in Aceh increased significantly in 2002 after Indonesia stepped into the post-authoritarian era but placed Aceh in security turmoil due to martial and civil emergency law. After the 2004 Tsunami and the peace agreement, poverty rates in Aceh began to demonstrate a decreasing pattern even though the rate has been higher compared to steadily declining pattern in the national average. However, if Aceh is compared to other provinces in Indonesia, its poverty rate has placed Aceh as the sixth poorest province in Indonesia in 2017, after the Special Autonomy Fund has been allocated for ten years since 2008 as shown by following figure 5.11.

Figure 5-11 Ten Provinces with Highest Poverty Rate in Indonesia 2017
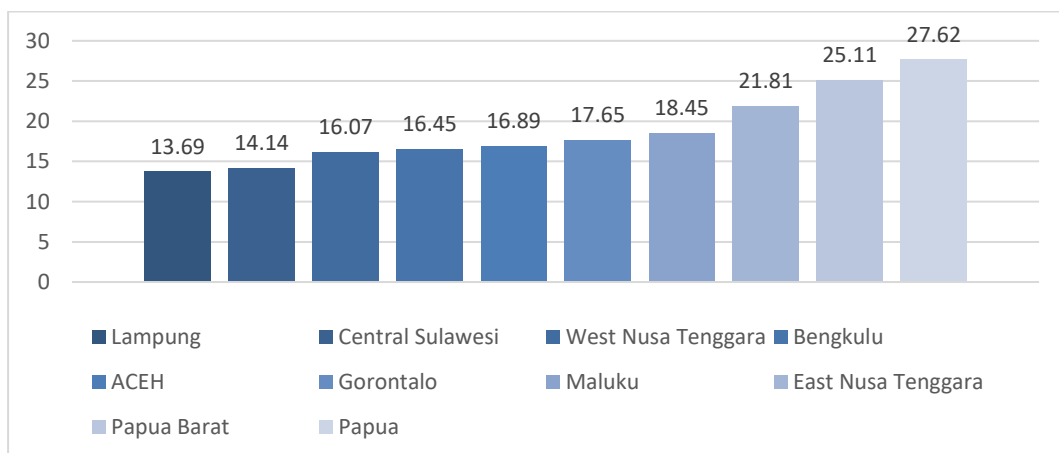
Source: KataData, 18 July 2017

Table 5.11 shows us a contradictory fact between the amount of provincial budget (Anggaran Pendapatan dan Belanja Daerah / APBD or APBA in Aceh) and the poverty level. With the highest provincial budget derived primarily from the Special Autonomy Fund, Aceh scored as the poorest province on the island of Sumatra.

Table 5-11 Provincial Budget and Poverty Rates

No	Province	Provincial Budget	Poverty Rate
1	Aceh	IDR 14,76 Billion	16,89 %
2	Bengkulu	IDR 3,18 Billion	16,45 %
3	Lampung	IDR 6,80 Billion	13,69%
4	Sumatera Selatan	IDR 7,89 Billion	13,19 %
5	Sumatera Utara	IDR 13,03 Billion	10,22%
6	Jambi	IDR 4,34 Billion	8,19%
7	Riau	IDR 10.45 Billion	7,78%
8	Sumatera Barat	IDR 6,24 Billion	6,87%
9	Riau Islands	IDR 3,36 Billion	6.06%
10	Bangka Belitung	IDR 2,66 Billion	5,20%

Source: IDeAs (2017)

One respondent from a civil society organisation affirmed the condition of inequality in Aceh:

> Economic development in Aceh has not reached the ideal condition. After the peace agreement, people were more economically confident. There also has been some economic stimulus. We can see more shops are opening or other small medium enterprises are emerging. However, it is not equal; there are areas, such as in Pidie, where people still live below the poverty line. They can meet the basic needs but are still far from creating a productive economy (PA2, personal interview, 12 September 2012).

One respondent perceives economic inequality as the trigger of the ALA-ABAS partition movement. ALA and ABAS are the movements which aspired to create separate provinces based on Law No 22/1999 about Decentralisation that authorises the creation of new districts, often referred to as pemekaran (blossoming). ALA consists of Aceh central highlands, the district of Aceh Tengah, Aceh Tenggara and Aceh Singkil; while ABAS is covering areas along Aceh's west coast, Aceh Jaya, Aceh Barat, Nagan Raya, Aceh Barat Daya, Simelue, and Aceh

Selatan. One respondent mentioned the nexus between the economic inequality and the partition movement within the Aceh province:

> Regarding Aceh's economy, do not only look at Banda Aceh, Pidie and Bireun as examples. Please also give attention to Central Aceh or Southeast Aceh. The ALA and ABAS partition re-emerged due to the economic inequality in the post-tsunami period. This issue faded away from 2010 onwards, not because of economic satisfaction of the people in those areas, but because people are already tired of voicing this aspiration and the political actors behind this issue are no longer active (LR3, personal interview, 22 September 2012).

Table 5.12 displays the poverty rate among district and city in Aceh from 2014-2015. The top six districts with the relatively persistent rate of 20 per cent are Gayo Lues, Aceh Singkil, Bener Meriah, Pidie, Pidie Jaya and West Aceh. The places with the lowest poverty level are all urban areas with Banda Aceh being the only area with a single-digit poverty rate and reaching above the poverty line. The data, however, does not entirely confirm the major perception of regional inequality Aceh, in which the ethnically distinct (Gayo) central highland is disfranchised compared to Acehnese dominated areas. Two highland districts, Bener Meriah and Gayo Lues, have indeed constantly been the poorest districts in Aceh for four years. Therefore, Pidie and Pidie Jaya GAM strongholds and ethnically homogenous districts are not in a better position. While Bener Meriah and Gayo Lues are located in highland areas that represent regional development inequality, the position of Pidie and Pidie Jaya indicates the problem is a lack of development planning. Pidie is quite special because in addition to being a GAM important stronghold it is also the birthplace of Hasan Tiro, the founder of GAM. The Pidie economy relies on agriculture and fishing. According to Syarbaini, the head of the Pidie Statistical Bureau, the poverty in Pidie is caused by the lack of home industry to process agricultural products and modern machinery for rice processing (Serambinews, 1 January 2016). Raw rice from Pidie is sold and transported to Medan, North Sumatera for IDR 7 thousand (50 cent USD) per kilo. After being processed in Medan, the consumable rice is sold back to Pidie at IDR 14 thousand (1 USD) per kilo. The extra cost of rice processing could be reduced by purchasing modern machinery to enhance the agricultural sector in Pidie and lowering poverty levels. In other words, economic inequality is not always correlated with local power politics but appears also be caused by the lack of development planning in the disbursement of the Special Autonomy Fund.

Table 5-12 Poverty Rate in Districts and Cities in Aceh 2014-2017

District/City	2014	2015	2016	2017
Gayo Lues	21,43	21,95	21.86	21,97
Aceh Singkil	17,77	21,72	21,60	22,11
Bener Meriah	22,45	21,55	21,43	21,14
Pidie Jaya	21,78	21,40	21,18	21,82
Pidie	20,29	21,18	21,15	21,43
Aceh Barat	22,97	21,46	20,38	20,18
Simeulue	19.92	20,43	19,93	20,20
Subussalam	19.72	20,39	19,57	19,71
Nagan Raya	20.85	20,13	19,25	19,34
North Aceh	19,58	19,20	19,46	19,78
Southwest Aceh	17.99	18,25	18,03	18,31
Sabang	17.02	17,69	17,33	17,66
Central Aceh	16,99	17,51	16,64	16,84
Bireun	16,94	16,94	15,95	15,87
Aceh Jaya	16,52	15,93	15,01	14,85
Aceh Besar	16,13	15,93	15,55	15,41
East Aceh	15,88	15,85	15,06	15,25
Southeast Aceh	13,75	14,91	14,46	14,86
Aceh Tamiang	14,58	14,57	14,51	14,69
South Aceh	12,79	13,24	13,48	14,07
Lhokseumawe	11,93	12,16	11,98	12,32
Langsa	12,08	11,62	11,09	11,24
Banda Aceh	7,78	7,72	7,41	7,44

Source: IDeAS (2017)

Aceh will only repeat history if the economic inequality that is a legacy from the conflict period is sustained during peacetime. It would duplicate the internal colonialism that was experienced by Acehnese during the conflict era. During the conflict period, Acehnese perceived that they were being colonialised by the central government due to economic marginalisation and the exploitation of natural resources; in peace, the pattern has re-emerged. The GAM-dominated government could be seen as new "internal colonialism" especially by people from ethnically distinct areas that are politically disadvantaged and experienced persistent poverty during and after conflict.

The management of the Special Autonomy Fund in Aceh is a challenge in post-conflict peacebuilding development in Aceh. Unlike reconstruction or reintegration funds that are designed to be short term and managed by ad hoc institutions, the Special Autonomy Fund is a long-term peace dividend and engine of local economic development. Three major problems are identified here: changeable regulations, the disproportion of fund allocations and lack of strategic planning. During 2008 to 2015, there have been several changes in the regulation of the Special Autonomy Fund. In the early years, Aceh relied on LoGA as the guidance for SAF allocation and to RPJP (Rencana Pembangunan Jangka Panjang / Long Term Development Planning) and Action Planning in provincial and district level for the planning of the programs. The provincial government managed the entire fund. In 2010, based on Qanun No 2/2008, the allocation and planning of the programs were based on RPJP and Action Planning in provincial and district level (Bappeda Aceh, 2015). The percentage of SAF between province and district is 40% and 60%, but the management of the fund is determined by the provincial government by applying a ceiling fund. The current SAF management is based on Qanun No 2/2013, in which the allocation between province and district is 60% -40%, but the provincial government will disburse the fund through direct transfer to district/city. The allocation and program planning are guided by RPJP and RPJM in provincial and district level. In addition to provincial and district level planning, there is Musrenbang Otsus (Community Consultation on Development Planning for Special Autonomy Fund) at a provincial level that is mainly tasked to overview the district/city and provincial planning of the utilisation of SAF (Bappeda Aceh, 2015).

The most striking challenge in managing the Special Autonomy Fund in Aceh is the disproportionate use of funds. The problem of a massive percentage of small value projects in infrastructure and education that is mentioned in the previous section is depicted in provincial and district/city data of the all priority sectors of the Special Autonomy Fund as shown in Figures 5.12 and 5.13 below.

Figure 5-12 The Utilisation of SAF based on Value of the Project at Provincial Level 2014

- < IDR 500 Million
- IDR 500 Million-IDR 1 Billion
- >IDR 1 Billion-5Billion
- >5 Billion
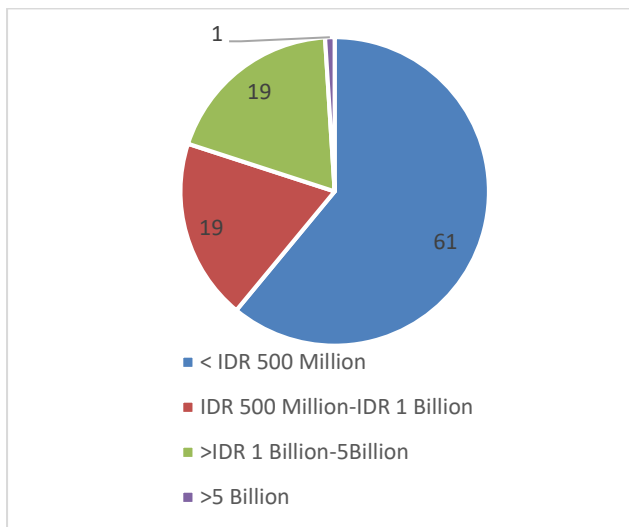
Figure 5-13 The Utilisation of SAF based on Value of the Project at District/City Level 2014

- <IDR500Million
- 500Million-1Billion
- 1 Billion-5 Billion
- > IDR % Billion
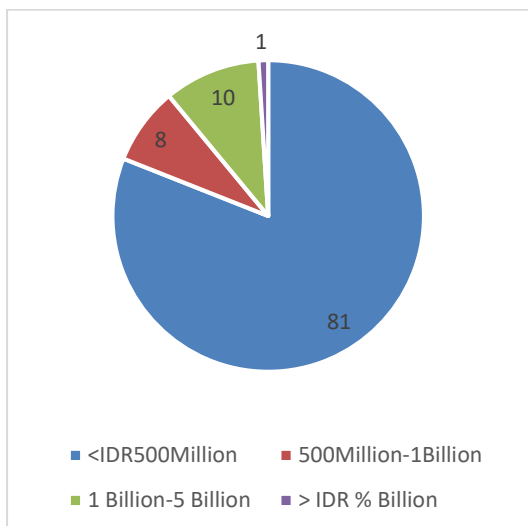
Source: Bappeda Aceh (2015)

Small-value projects have been creating a problem for monitoring and evaluation programs. These projects are mostly implemented by direct appointment and could be executed without undergoing supervision and the monitoring system by LKPP (Lembaga Kebijakan Pengadaan Barang Jasa Pemerintah/ National Public Procurement Agency). Due to the domination of GAM in local government as a result of their victory in local elections, these small projects could easily be awarded to fellow GAM contractors. Thus, the patron-client based economy that had been initiated in post-tsunami reconstruction is sustained in peacetime by utilising the special autonomy fund as the real peace dividend, distributing it through patron-client ties.

While there is confusion and dissatisfaction towards the regulation and management of SAF at provincial and district level, the primary challenge of SAF is the absence of the Aceh Regional Development Master Plan of Aceh Development. Bappeda or the Aceh Regional Planning Agency still prepared the plan in 2015 in order to lay a stronger foundation for SAF utilisation in its last phase (Bappeda Aceh, 2015). The absence of a master plan, changeable rules and lack of competent human resources in development planning, budgeting and execution marred by post-conflict patronage politics have made Acehnese almost lose the potential peace dividend that aims to redress prominent grievances post-conflict. In the long run, the government of Aceh must be able to conceptualise a macroeconomic strategy in utilising the Special Autonomy Fund. One respondent stresses the importance of investment in Aceh:

> The economy in Aceh is driven by the huge amount of funds from reconstruction and special autonomy, but it will not be sufficient in the long run. The economic condition will be difficult without investment and a clear development strategy. Aceh must adopt an outward-looking economic policy (Personal Interview LR4, January 2013).

Another concern is the question over the involvement of the national government to determine the allocation of Special Autonomy Fund and monitoring process. There is stronger pressure on the improvement of the monitoring system in the Special Autonomy Fund by the central government. This demand was responded to by Soni Sumarsono, senior officer for decentralisation affairs in the Ministry of Home Affairs through his statement:

> The central government has conducted a monitoring system for the Special Autonomy Fund through the State Audit Agency, the Provincial Parliament and the Regional Inspectorate. We (the Ministry of Home Affairs) also receive three monthly reports of Special Autonomy Fund utilisation. All mechanisms are based on the national system on regional budget monitoring procedures (Putri, 2018).

However, respondents from civil society organisations urge more significant involvement and monitoring systems from the central government to oversee the Special Autonomy Fund. One respondent suggests collaboration between the central government and officials from Aceh to discuss the planning of the Special Autonomy Fund as a part of central government supervision of its national and provincial budget (Personal Interview CDO, 6B, August 2018).

Another respondent even criticised the central government, particularly the Ministry of Home affairs as neglecting the problem of the Special Autonomy Fund in Aceh for ten years:

> Why did the Ministry of Home Affairs not mention the expected specific impacts of the Special Autonomy Fund since the beginning? Let us say that the Special Autonomy Fund can only be disbursed for infrastructure projects. When it [the Special Autonomy Fund) will be used for other expenses, the system will "lock"; the fund cannot be accessed. However, the central government neglect it, and then the fund was spent by little kings [local apparatuses] in the district like what they did to regular budget items. They built a fence, the bought chairs. Something that is not right for us (Personal Interview, CSO 9B, August 2018).

A respondent from a local political party suggested the "Otsus (Special Autonomy Fund) Desk" as the representation of central government presence in supervising special autonomy in Aceh.

> The Otsus (Special Autonomy) Desk must be based here, in Aceh. It could be represented by professionals from Bappenas (Badan Perencanaan Pembangunan/National Planning Board). Without the presence of the central government, the Special Autonomy Fund is like the money to be given to our own family; there is no strict monitoring. DPR (national parliament) has Dana Otsus (Special Autonomy Fund) Monitoring Team, but they just come and talk. What we meant is the presence of the national government. Therefore, the central government contribute to the failure of Aceh in utilising the Special Autonomy Fund due to their absence in supervising the fund (Personal Interview, LPP-11B, August 2018).

When asked about the domination of central government in Aceh local politics if they regulate the Special Autonomy Fund, a peace dividend specifically granted for Acehnese, two respondents refused that perception and emphasised the duty of the national government in supervising the allocation of the national budget which is channelled to local government (CDO 6B and CSO 9B, personal interview, August 2018). These opinions indicate the demand for a more significant role from the central government to oversee the Special Autonomy Fund. The central government has been transferring authority in the form of the Special Autonomy Fund to Aceh as an attempt to redress the economic grievances. This fund allows the GAM-dominated local government to gain legitimacy from the people of Aceh over the regional development. However, when the performance of the GAM dominated government in disbursing the fund to bring welfare to Aceh seemed disappointing, the legitimacy of the former insurgent group is slowly diminishing, and people are starting to turn to the central

government. This leads to a situation where the central government appears to regain legitimacy from GAM.

The Special Autonomy Fund has been utilised by the GAM-dominated Aceh local government to sustain patron-client networks beginning with the post-disaster reconstruction program. It was made easier by the allocation of small-scale development projects from the GAM elite in local government to their client contractors. The Aceh local government also invested the Special Autonomy Fund in populist development programmes in education and health that are targeted at the broader Acehnese community to strengthen legitimacy. They thus secured short-term legitimacy as the sole benefactor of peace and through use of the peace dividend. However, the Special Autonomy Fund has not been well utilised to accelerate Aceh's economic development and social welfare. It occurred due to the lack of capacity in the Aceh local bureaucracy in development planning, including budget drafting. GAM has gained short term legitimacy by lessening economic grievance but is seemingly finding difficulty in gaining similar achievements on performance legitimacy to enhance welfare in peacetime, due to their failure to create strong institutions to deliver services.

Aceh local government's capacity deficiency is also magnified by the disparity of economic development between urban areas such as Banda Aceh, Lhokseumawe and other areas such as the highland districts, Pidie and Pidie Jaya. Special attention must be given to persistent poverty in an ethnically distinct district like Bener Meriah. The growing domination of institutions with discriminatory practices towards different groups (ethnicity, race or religion) could lead to a new form of internal colonialism. While in the conflict era, the central government was seen as an internal colonial power, in peacetime the hegemonic group in Aceh entitled with power, exploits resources and creates grievances among the deprived minority communities and possibly repeats the pattern of internal colonialism.

5.6 Conclusion

Economic factors were the major grievances that triggered a rebellion in Aceh. Grievances over the inequalities in distribution of natural resources have been a powerful narrative in mobilising discontent during GAM insurgencies. The conditions have been worsened by the armed conflict, leaving Aceh as one of poorest provinces in Indonesia with low investment and high economic costs caused by illegal taxes by GAM and poor infrastructure due to the damaging impact of the conflict. The MoU and its subsequent regulations at the national and local level are attempts to correct this grievance by allocating a vast amount of money in terms of the reintegration fund and Special Autonomy Fund. While the reintegration program is short term and the fund was aimed to be distributed among former combatants and political

prisoners, the Special Autonomy Fund is targeting the wider Aceh community and is intended to stimulate economic growth in the future. Aceh has also received a massive flux of reconstruction funds for tsunami rehabilitation under the auspices of BRR.

This chapter shows that the economic empowerment was first stimulated by the establishment of BRR and BRA to manage reconstruction and reintegration programmes. These institutions had incorporated former combatants in the lucrative post-war economy. Thus, the former combatants see peace as beneficial to secure wealth and as a foundation to gain political power. BRR and BRA created a basis for GAM elite participation in the post-conflict economy in Aceh. A highly developed patronage network characterised the participation among GAM elites and intimidatory practices to win the contracts. In other words, the post-conflict economy in Aceh reflects the nexus between political power and economic imperative.

The primary effort to alleviate economic grievances in Aceh was established in a late phase of peacebuilding. In 2008, the central government allocated a Special Autonomy Fund as a development fund. The government of Aceh channelled the fund according to the provisions in LoGA which gives the biggest share for infrastructure, education and health. Infrastructure has been criticised for its low quality, the lengthy process, and the focus on small projects that gives insignificant impact on people's welfare and economic development. The inequality of economic development within districts and municipalities in Aceh is also becoming a concern. To some extent, infrastructure, health and education programs contributed to the short-term legitimacy of GAM due to populism and the patron-client network. Particularly in the small-scale projects, these practices indicate the continuation and maintenance of patron-client economic networks among the GAM circle that were initiated in the post-tsunami reconstruction industry.

Aceh's first post-conflict administration demonstrated an ability to identify policy targets of the disbursement of the Special Autonomy Fund but not an ability to formulate concrete strategies designed to meet those targets and a lack of capacity in implementation. Another shortcoming is state capacity in translating development plans into comprehensive programs. They lack the long-term vision to channel the peace dividend into inclusive growth and investment projects which can stimulate future economic welfare and justice. It partially resulted from a lack of capacity building of the Aceh local bureaucrats dominated by former GAM members. Various kinds of peace dividends in Aceh had successfully integrated former combatants into post-conflict economic development and peacebuilding at large, but the participation and integration will not be sufficient to maintain peace: there is also an urgent need for building and enhancing capacity.

The current development of post-conflict economic settlement in Aceh has created anxiety toward the future of the peace dividend of the Special Autonomy Fund and the reemergence of ad-hoc institutions based on the patronage system as shown in the reestablishment of BRA. It has been ten years since the first disbursement of the Special Autonomy Fund, yet most Acehnese are unable to witness or reap significant improvements in the local economy. There have been various responses to the inadequacy of the Special Autonomy Fund to contribute to the alleviation of grievances in Aceh economic development. On the one hand, it raises awareness about the shortcoming of Aceh local bureaucrats in managing the fund. On the other hand, there is also criticism towards the negligence of the central government to supervise and monitor the utilisation of the fund and the urgency of stronger central government presence in supervising the fund.

Some patterns could be drawn from the economic settlement in post-conflict Aceh. Regarding participation and institutional building, the three components of the post-conflict economy – reconstruction, rehabilitation and the Special Autonomy Fund – are creating limited participation in the form of patron-client networks within GAM. The reconstruction programme led to "indirect" legitimacy from BRR/central government to GAM by the incorporation of former combatants to the reconstruction industry. The reintegration program that is managed by BRA demonstrated the pattern of the transfer of authority from the central government to Aceh. Rather than enhancing the legitimacy of the central government, the reintegration fund was thus utilised to strengthen the legitimacy of the GAM-dominated Aceh local government to former combatants as their major stakeholder. An interesting development emerged in the utilisation and management of the Special Autonomy Fund as the "real" peace dividend. The allocation of huge funds to finance Aceh post-conflict development indicated the process of authority transfer from the central government to Aceh. The profound grievance of centre-periphery economic disparity was restored by the larger authority of Aceh to manage their development fund. However, the unsatisfactory performance from insurgents/GAM in bringing welfare to Aceh has created disappointments among people in Aceh that surprisingly led to their demand for a greater role of the central government to oversee the utilisation of the fund. It appears to indicate a process of "transferring back" the legitimacy from insurgent to incumbent once their performance in exercising the authority is not as good as expected. While the short-term underlying legitimacy of insurgents as the sole benefactors of peace in Aceh had been secured by maintaining patron-client networks among GAM circles, the wider Aceh society demands output/performance legitimacy from the insurgents to address economic grievances.

These developments mark the normalisation process in Aceh, in which Aceh has been integrated into the nation-wide problem of good governance at the local level. Generally, the findings in Chapter 5 support hypothesis 1, that "a peace agreement which addresses grievances will contribute to the durable peacebuilding process in middle-income countries with a relatively strong government like Indonesia". The MoU Helsinki put specific provisions to correct economic grievances, particularly in the redistribution of the larger share of hydrocarbon deposits to Aceh, as well as the transfer of the management of strategic assets such as seaports, the free port and the airport. However, regarding hypothesis 2 that proposes "in order to secure sustainable post-conflict peacebuilding, the peace agreement should be enacted in national and local law", there are some indications on how the process of transferring the authority from local government in Aceh back to central government will affect national law. It appears particularly on the subject of the management of strategic assets by emphasising the presence of central government, along with Aceh's local government. This chapter also confirms hypothesis 4: "institution building will increase legitimacy, secure resources and stabilise the conditions for a lasting peace". Institution building that took place in the establishment of BRR and BRA has secured resources and stabilised the conditions for lasting peace. The economic settlement in post-conflict peacebuilding in Aceh is characterised heavily by the establishment of an institution with patronage practices and limited participation in economic development. Given the fact that grievance over economic inequality has been the main driver of insurgency in Aceh, the incompetence of the new government in delivering services, stimulating inclusive growth and equal development among regions in Aceh can potentially harm the durability of peace.

Chapter 6: The Institutionalisation of Identity in Post Conflict Peacebuilding

6.1 Introduction

Conflict in Aceh resulted primarily from grievances based on needs deprivation, in terms of political needs, security needs, and acceptance needs. While deprivations in politics and access to economic resources explained in chapter 4 and 5 share a similar pattern, the deprivation of identity is a peculiar case. Rather than presenting as the main grievance, identity serves as a mobilising factor for the existing grievances to be manifested in a separatist movement. Bowman (2005) argues that identity as "other" was embraced and utilised by GAM to highlight the socio-economic and political grievances, promote their separatist agenda and achieve their political agenda. This chapter focuses on the efforts to address the problem with identity in Aceh as part of a peacebuilding programme to create durable peace. Identity is divided into two primary segments: religious identity (Islam) and Aceh's cultural identity, with additional analysis of second order ethnic minorities in Aceh and their position in Aceh identity discourse in peacetime.

6.2 Grievance Alleviation

6.2.1 MoU

Identity is not stated in a particular section of the MoU but is inherent in the segment of governance that could indicate an attempt to merge identity factors with governance or institution building. Unlike the provisions of political participation, identity-related provisions did not lead to heated debate or lengthy discussion during the negotiations in Helsinki. Generally, the provision of identity was manifested in the right to create and use Acehnese identities as outlined in the following items:

4. Aceh has the right to use regional symbols including a flag, a crest and a hymn (Memorandum of Understanding between the Government of the Republic of Indonesia and The Free Aceh Movement Article 1.1.5).
5. Kanun Aceh will be re-established for Aceh respecting the historical traditions and customs of the people of Aceh and reflecting contemporary legal requirements of Aceh. (Memorandum of Understanding between the Government of the Republic of Indonesia and the Free Aceh Movement Article 1.1.6).
6. The institution of Wali Nanggroe with all its ceremonial attributes and entitlements will be established. (Memorandum of Understanding between the Government of the Republic of Indonesia and the Free Aceh Movement Article 1.1.7).

Wali Nanggroe, as stated in the article 1.1.7 of MoU is defined as "an indigenous leadership institution as the uniting instrument of the community and the preserving instrument of indigenous life of customs and culture" (Law of Governing Aceh, 2006, article 1.17).

6.2.2 LoGA

Provisions of identity are broadly regulated in LoGA, consisting of Wali Nanggroe, Indigenous Institutions and Islamic Sharia. Wali Nanggroe is designed as an indigenous leadership institution without the entitlement of governance or political rights. The right to establish Wali Nanggroe had already been stipulated in the previous Law No 18/2001 about Aceh's Special Autonomy, that was repealed due to the promulgation of LoGA, based on the *principle of lex posterior derogate lex priori* or the later law repeals the earlier law. The indigenous institution is then further delineated in the subsequent chapters of LoGA that consist of a wide range of institutions from the *imam* (leader) of the mosque to head of the village (*keuchik*).

The inclusion of Sharia in LoGA is an interesting case because this subject was not part of the MoU Helsinki but did emerge as a point of discussion in the negotiations (Marhaban, 2012a). However, the provision of sharia has been stipulated in two older laws: Law No 22/1999 on The Implementation of the Special Status of the Special Region of Aceh and Law No 18 /2001 on Aceh Special Autonomy. The central government seemed to sustain this speciality into peacetime by the insertion of the more comprehensive stipulation of Sharia in LoGA. The arrangement of Sharia is also complemented by the establishment of the Sharia Court and an Ulama (Islamic Scholar) Consultative Assembly.

6.2.3 Qanun

The provisions on identity are regulated further by several qanuns. Wali Nanggroe is regulated by Qanun No 8/2012, replaced by Qanun No 9/2013 due to objection towards the inclusion of political rights to wali nanggroe. The Flag and Crest of Aceh are regulated by Qanun No 2/2013. This qanun is still disputed between the Aceh local government and central government. The central government disagreed with the symbol of the Aceh flag as proposed in the Qanun that resembles a GAM symbol. Sharia is regulated with various qanun, and the latest ones (that annulled the old law) are Qanun No 6/2014 about Jinayah or Islamic Criminal Law, and Qanun No 8/2014, on the Main Principles of Sharia that regulate wide aspects, including sharia economics and Islamic banking.

This section demonstrates the attempts to alleviate grievance on identity in three levels of regulation: MoU, national law (LoGA) and qanun. While perceived by Bowman (2015) as a mobilising factor instead of a major grievance, the inclusion of a provision of identity in the

MoU Helsinki and subsequent regulations shows the high consideration of identity in fostering peace in Aceh. At the national level, there is an indication of the strong influence of the central government in incorporating sharia as a part of the alleviation of identity grievance. It is shown by the attempt of the central government to include sharia in several provisions in national law (LoGA), something rejected by GAM and not mentioned in the MoU. While in the subject of customary identity, the dynamics between Jakarta and Banda Aceh occurred in the subject of wali nanggroe and Flag of Aceh. The objection from central government on Wali Nanggroe was accommodated by the revision of the particular qanun, but for the Qanun on the Flag of Aceh, the Aceh local government rejected the objection from central government to annul it, and the two sides agreed to find a solution for this problem. Until 2018, this subject has not been resolved yet. Central government demonstrated its power to halt the authority that was previously given to the Aceh provincial government when the subsequent law breached the higher law as appeared in the wali nanggroe case, but in the subject of the Flag of Aceh, central government's objection was met with resistance from the GAM-dominated local government.

6.3 Building Institutions, Acknowledging Identity, Alleviating Grievance?

This chapter classifies the efforts to address the problem of identity in Aceh into two categories: cultural and religious. The first part of this section focuses on the attempt to alleviate cultural grievances in Aceh by the establishment of Wali Nanggroe, an institution that aims to preserve Aceh customs and culture. The establishment of Wali Nanggroe is intended as a corrective policy to address grievances over the domination of Javanese culture during Suharto's New Order as well as give a greater acknowledgement of Aceh customary institutions. It is followed by the section of the position of ethnic minorities in Aceh during peacetime to give an understanding of the diversity of ethnicity and culture in Aceh. The next section is the analysis of the establishment of sharia regimes to alleviate grievances. The provision of sharia in Aceh is perhaps intended to address the grievances over shortcomings in the realisation of autonomy for the subject of religion and custom in the aftermath of the Darul Islam rebellion. During the conflict era, those special rights were criticised as "existing on paper only" because the central government declined several local initiatives such as the obligation for elementary school pupils to recite the Quran and for the female students to wear headscarfs. This provision also illustrates the attempt of the central government to strengthen the construction of Islam as Aceh's ultimate identity.

6.3.1 Wali Nanggroe: Customary Institution

One attempt to address identity-related deprivation in Aceh is through granting "cultural protection". It is translated into the establishment of the institution of Wali Nanggroe as "an indigenous leadership institution as the uniting instrument of the community and the preserving instrument of indigenous life of customs and culture" (Law of Governing Aceh, 2006, article 1.17). It provides a traditional symbolic head of Aceh with no political or governmental power, serving mainly as a guardian of culture. According to Stange and Missbach (2011), there are no reports of the existence of Wali Nanggroe institutions from colonial scholars or travellers who visited Aceh before the twentieth century. However, Andaya (2001, as cited in Rahman and Abdullah, 2017), mentioned that the origin of Wali Nanggroe could be tracked from *Qanun Meukuta Alam Al-Asy' i* that described the structure of power of the Aceh Sultanate. Power was divided into three institutions: the Sultan of Aceh, *Malikkul Adil*, the customary leader, and the Aceh Sultanate Parliament, as the highest body. When the Sultan Muhammad Syah, the last king of Aceh, was abducted and exiled by the Dutch, he handed over the sultanate's authority to *Malikkul Adil*, Teungku Chik Di Tiro Muhammad Saman (Rahman and Abdullah, 2017). Teungku Chik Di Tiro then acted as Wali Nanggroe, since Muhammad Syah's son, Sultan Muhammad Daud Syah was only 11 years old when the monarchy in Aceh ended (Sri Mulyani, 2010 as cited in Rahman and Abdullah, 2017). As the maternal grandson of Teungku Chik Di Tiro, Teungku Hasan Tiro, GAM leader, claimed that the title of Wali Neugara (Tiro used the term "Neugara" or state, rather than "Nanggroe" or land) passed automatically to the Di Tiro clan permanently due to the extinction of the monarchy in Aceh (Stange and Missbach, 2011). After Teungku Cik Di Tiro, the first Wali, passed away, he was replaced by Teungku Muhammad as second Wali, and followed by Teungku Abdussalam, Teungku Sulaiman, Teungku Ubaidillah, Teungku Mahyiddin, and Teungku Mu'az as the third to sixth Walis, and succeeded by Teungku Hasan Tiro (Rahman and Abdullah, 2017).

The establishment of Wali Nanggroe as the leader of the customary institution had been stipulated previously in Article 10 Law Number 18/2001 on Aceh Special Autonomy. It was an indication of an initial effort to address identity grievance in Aceh by the central government during President Abdurahman Wahid's administration by acknowledging customary institutions and as an "offer to Hasan Tiro for a dignified return to Aceh in evet of peace" (Stange and Missbach, 2017). However, it was only after the Helsinki Peace Agreement, that this provision came into effect, after being promulgated in LoGA and Qanun.

Structurally, customary institutions are led by Wali Nanggoe, and consist of a High Council, a Functional Council, and a Structural Council. The leader of Wali Nanggroe and its subordinate

structures are elected every five years (Qanun Number 9/2013 about Wali Nanggroe). The position of Wali Nanggroe was given to Hasan Tiro, but his deteriorating health made it difficult for him to run the task. He made a short visit to Aceh in 2008 and was enthusiastically greeted by the people of Aceh who mostly see him as a "returning hero". Hasan Tiro passed away in 2010 and was replaced by Malik Mahmud Al-Haytar (The Jakarta Post, 13 December 2013). Mahmud is a Singaporean-born Acehnese who was actively involved in the GAM struggle as "prime minister" of GAM's government in exile and was also the head of the GAM delegation to the Helsinki negotiations (Ali, 2013).

The establishment of the institution of Wali Nanggroe was marred by controversy and discontent. Regarding the legal basis, the earliest version of the Qanun on Wali Nanggroe was drafted by the Aceh provincial parliament in 2009 but rejected by Governor Irwandi Yusuf and was never enacted. In 2010, a second Raqan (Rancangan Qanun/ Qanun Draft) was proposed by the Aceh parliament that was dominated by Partai Aceh Members as a result of the 2009 Legislative Election. The draft was politicised and significantly different from the initial purpose of Wali Nanggroe, to preserve Aceh's culture and traditions. Some of the more controversial provisions are the authority of Wali Nanggroe to dissolve the provincial parliament; dismiss the governor from office; sign business contracts with foreign companies; open Acehnese consulates abroad; and declare states of emergency (Stange and Missbach, 2011; Haikal, 2016). In addition to being highly politicised, the provisions potentially clashed with the role of existing executive institutions at the provincial and national level. The Wali Nanggroe was also granted religious power to give a final decision on a *fatwa* (Islamic legal pronouncement), a provision that overlapped with the authority of the ulama council. Undemocratic principles were also prevalent in the absence of an election council, and the Wali Nanggroe would be appointed for life (Stange and Missbach, 2011). The central government rejected this draft due to disapproval over Wali Nanggroe's extended authority.

The Aceh Provincial Parliament redrafted the legal basis for Wali Nanggroe and endorsed Qanun No 8/2102 with the omission of the criticised points of the previous draft. However, the Qanun still included the political aspect of Wali Nanggroe as well as the procedure of direct appointment of Wali Nanggroe. It led to the objection of the central government to 21 items of the new Qanun. Qanun No 8/2012 had to be again revised as Qanun No 9/2013.

The disagreement was not only voiced by the central government but also by civil society. Following the announcement of the first controversial draft of Wali Nanggroe, in December 2010, several civil society organisations in Aceh organised a workshop to criticise the executive powers extended to Wali Nanggroe that would lead Aceh into a monarchy and include the

undemocratic election of Malik Mahmud as Wali Nanggroe without a consultative process. (Stange and Missbach, 2011). One Banda Aceh resident, Abdul Haris said "I do not understand the need to have a Wali Nanggroe institution and a Wali Nanggroe position for the interests of Aceh people. Not only is the position not clear, but its contribution is also questionable" (Simanjuntak, 2013). Elements of civil society also protested the enormous funds for Wali Naggroe as shown by budget to build a Wali Nanggroe Meligoe (Palace) that cost IDR 100 Billion or USD 6,7 million (Serambinews, 8 December 2015).

Culturally distinct communities in Central Aceh expressed dissatisfaction with Wali Nanggroe. They criticised the fluency in Acehnese language and the category of Aceh ethnic group as the main requirements for a member of Wali Nanggroe (Serambi Indonesia, 3 November 2012). As a member of an ethnic group with different culture and language, some people in Gayo, Central Aceh considered Wali Nanggroe to be a culturally discriminative institution because it bestowed exclusive rights to the Aceh ethnic group.

Photo 6-1 Demonstration protesting Wali Nanggroe in Banda Aceh, held by students of Syiah Kuala University

Source: Tribun News

According to the Qanun No 9/2013, the Wali Nanggroe length of service is five years, and members can be re-elected. Approaching the end of the Wali Nanggroe term in December 2018, there has been a debate within Acehnese society about the existence of Wali Nanggroe. The sharp opinion voiced by Ghazali Abbas Adan, DPD (Senator) member from Aceh, was that Wali Nanggroe was no longer relevant in Aceh. Adan argued that Wali Nanggroe is entitled to Hasan Tiro as "the spiritual tribute granted to him as the continuation of Tiro's dedication to Acehnese" (Adan, Serambinews, 13 November 2018). As Hasan Tiro passed away in 2010, this

institution lost its relevance, coupled with the fact that Wali Nanggroe "has not been beneficial to Aceh and Acehnese, wasting much money and is unaccountable" (Adan, Serambinews, 13 November 2018). Mawardi Ismail, Law Scholar from Syiah Kuala University emphasised the disappointment felt by Acehnese over the performance of Wali Nanggroe over the last five years. "During the inauguration of Wali Nanggroe, the public in Aceh had high expectations that Wali Nanggroe could function as a unifier and mediate conflict when it could not be resolved through formal institutions. However, Wali Nanggroe has been incapable and even showed its one-sidedness during the gubernatorial election" (Ismail, Serambinews, 13 November 2018).

Nevertheless, other groups, mostly from Partai Aceh defended Wali Nanggroe. Muzakkir Manaf, the Partai Aceh chairperson, criticised Ghazali Abbas Adan for "sowing the winds". He would "reap the storm" for his derogatory statements about the unimportance of Wali Nanggroe (Modus Aceh, 17 November 2018). Manaf regretted Adan's statement as a senior politician and as a person who understood the spirit and process of peace in Aceh and accused Adan of being "sensational and seeking for a free political stage" (Modus Aceh, 17 November 2018). Senator from Aceh, Fakhrul Razi also defended Wali Nanggroe and Malik Mahmud, stressed Mahmud's role in national politics to lobby central government endorsing Peraturan Pemerintah (Government Decree) as the subsequent regulations of LoGA (Serambinews, 14 November 2018). Mahmud actively lobbied central government to win Aceh's bid as a host of PON (Pekan Olahraga Nasional/National Sport Week) 2024. Malik Mahmud was also seen as a high-profile figure who gained respect from the national elite (Serambinews, 14 November 2018). Nur Djuli, one of the GAM negotiators in Helsinki, urged Adan to pull his statement about Wali Nanggroe. Djuli corrected Adan's perspective that saw Hasan Tiro as the sole eligible Wali Nanggroe by stating that "Hasan Tiro was Wali Neugara (guardian of the state) of Free Aceh and would not be downgraded to a Wali Nanggroe (Guardian of the Land)" (Juli, Acehtrend, 15 November 2018). Furthermore, Nur Djuli explained that the establishment of Wali Nanggroe was a result of the last round of the Helsinki Negotiation to establish the unifying figure who holds the highest moral authority in Aceh without political attributes (Juli, Acehtrend, 15 November 2018).

Support for the Wali Nanggroe Institution was also voiced by the leader of Forkab Aceh (Forum Komunikasi Anak Bangsa/Communication Forum of The Sons of Soil), an organisation considered as pro-government. Head of Forkab Aceh, Polem Muda Ahmad Yani stressed That Wali Nanggroe was the result of GAM's long struggle (Dialeksis, 15 November 2018). Yani acknowledged the shortcomings of the current Wali Nanggroe but suggested an improvement rather than dismissal (Dialeksis, 15 November 2018). Despite all the discourse,

Malik Mahmud was reappointed with the direct appointment and inaugurated during a Special Plenary Assembly of DPRA (Aceh Provincial Parliament) for the next five years (2018-2023). The nexus between politics and identity in the establishment of Wali Nanggroe is explained by one respondent who represented a customary institution "Customary Council had existed before Wali Nanggroe, Wali Nanggroe is a political product, it is person, not institution, but can have staff, it's highly political" (Personal Interview, CC 8-B, August 2018).

The discourse over the existence of the Wali Nanggroe could be seen from the perspective of institution-building and determination of the identity of Aceh in the post-conflict era (Missbach and Stonge, 2011). It also marks the beginning of open disagreement over collective identity in Aceh, which had been suppressed during the conflict years, when most Acehnese put aside their diversity for the sake of independence. In the first place, Wali Naggroe is designed to support the transfer of the authority of central government to Aceh in a subject of identity. As elaborated in chapter 3, identity is always present in any Aceh discontentment over the policy of assimilation and centralisation of the Indonesian Government. The central government thus granted Aceh special customary institutions that are based on individuals to preserve and advance Aceh's cultural traditions. Wali Nanggroe developed as a highly institutionalised customary arrangement but with limited participation, in terms of granting an exclusive right to the Aceh ethnic group and a direct appointment procedure. Albeit non-political, Wali Nanggroe is claimed by GAM groups as their representative through the appointment of Malik Mahmud as Wali Nanggroe. GAM also supported Malik Mahmud to get a second term as Wali Nanggroe without democratic procedures. Wali Nanggroe is criticised for poor performance in terms of Aceh's cultural preservation and being a unifier for Aceh people, and as only functioning as a symbol. Wali Nanggroe has fulfilled the short-term legitimacy need as a symbol to safeguard Aceh identity but its performance legitimacy, at least from the first term, is far from satisfying.

6.3.1.2 Minority Groups in Aceh and Their Position in Peacetime

Protest from the Gayo Ethnic Groups over the establishment of Wali Nanggroe is only one expression from the long series of inter-ethnic discontentment in Aceh. Another example of dissatisfaction enunciated by ethnic minorities in Aceh over the hegemony of Aceh ethnic groups occurred in the subject of the flag and hymn of Aceh. A flag and hymn are part of the provisions of MoU Helsinki that granted Aceh the use of regional symbols such as a flag, crest and hymn (Memorandum of Understanding between the Government of the Republic of Indonesia and The Free Aceh Movement Article 1.1.7). This provision for an Aceh flag, crest and hymn are further regulated in LoGA in article 246 to 248 as follows:

Article 246

(1)*Bendera Merah Putih* (Red and White Flag) shall be the national flag of the Unitary State of the Republic of Indonesia, based on the 1945 Constitution of the Republic of Indonesia.

(2) In addition to the *Bendera Merah Putih* referred to in paragraph (1), the Aceh Government may determine and affirm a regional flag of Aceh as a symbol of its specialness and uniqueness.

(3) The regional flag of Aceh as a symbol, as referred to in paragraph (2), shall not constitute a symbol of sovereignty and shall not be treated as a flag of sovereignty in Aceh.

(4) Further provisions related to the form of the flag as a symbol as referred to in paragraph (2) shall be governed by Aceh Qanun in accordance with prevailing laws and regulations.

Article 247

(1) The Aceh Government may establish a coat of arms as a symbol of specialness and uniqueness.

(2) Further provisions related to the coat of arms as a symbol as referred to in paragraph (1) shall be governed by Aceh Qanun.

Article 248

(1) *Indonesia Raya* shall be the national anthem of the Unitary State of the Republic of Indonesia.

(2) The Aceh Government may establish an Aceh hymn as a reflection of its specialness and uniqueness.

(3) Further provisions related to the Aceh hymn as referred to in paragraph (2) shall be governed by Aceh Qanun.

On March 2013, the Provincial Government of Aceh promulgated Qanun Number 3/2013 about Aceh's Flag. The design of the flag resembles that of the old GAM banner. The central government expressed their objections to the flag, considering it a violation of a Government Decree Number 77/2007 that prohibits the use of regional symbols that fully or partially resemble the symbols of forbidden organisations or separatist groups (Arabiyani, 2018). While the objection from Jakarta was primarily based on political reasons, another disagreement from ethnic minorities in Aceh was related to identity. A representative from Gayo Merdeka (Free Gayo Movement), Waladan Yoga refused the use of the GAM symbol and said that "raising this flag is prohibited in Gayo land, or we will take it down" (Umar, 2013). Another representative from the Gayo community, Jawahir Putra criticised the use of the GAM banner as a "selfish act and ignored the aspiration of other ethnic groups in Aceh such as Gayo, Alas, Singkil and Klue" (Tempo, 23 Maret 2013). The rejection resulted from the fact that GAM only attracted minor support within the Gayo highland area and in some areas populated by other ethnic minorities. GAM strongholds are mostly located on the coast and inhabited by ethnic Acehnese. Thus, GAM is seen as the representation of Acehnese, not the entire people of Aceh.

Photo 6-2 Comparison of Aceh Provincial Flag and GAM Symbol

Aceh Flag Based on Qanun Number 3/2013	GAM Banner/Symbol

Source: VoA Indonesia (2013) and Merdeka (2013)

In 2017 there was a new protest, this time from ethnic minorities in Aceh, over the subject of the Aceh hymn. Aceh's provincial government ran a competition for a new hymn for Aceh, with the use of the Acehnese language as one of the requirements of the competition. This requirement was protested by the Gayo communities and demanded the Aceh provincial government as the organising committee of this competition to amend the requirement of Acehnese language in the hymn to accommodate the diversity of ethnic groups in Aceh (Fajri, 2017). The competition continued with the disputed requirement of language and was won by Mahrisal Rubin with his song entitled "Aceh Mulia" (Aceh the Noble), that predictably used the Acehnese language (Radar, 2017). The coalition of Gayo Serumpun (Alliance of Gayo) rejected Aceh Mulia as Aceh's Provincial Hymn and urged "all districts government in Gayo area to endorse the regulation that bans Aceh Mulia, a racist and anti-diversity song, to be sung in entire Gayo region" (Lintas Gayo, 11 December 2017). The disapproval was not only voiced by Gayo communities. Arabiyani, the members of Partai Aceh who originated from Bireun, one of GAM stronghold areas, also rejected the hymn and considered it as "exclusive and discriminative and non-participatory" (Lintas Gayo, 24 December 2017).

There are various reactions to these rejections. Teuku Kemal Fasya, a lecturer from University Malikussaleh, Lhokseumawe described the hymn that uses dominant language as "a practice of ethnic chauvinism against multiculturalism in Aceh" (Pikiran Merdeka, 9 November 2017). Another lecturer from University of Syiah Kuala University, Husaini Ibrahim, acknowledged the diversity of Aceh but considered that "the use of Acehnese language as an official language is normal because the Acehnese are the majority" (Pikiran Merdeka, 9 November 2017). While the chairperson of Aceh Customary Council, Badruzzaman emphasised that "the Acehnese language is fundamental in Aceh, and so far, there has never been complaining about the use

of Acehnese language" advising people in Aceh to maintain inter-ethnic solidarity in Aceh, avoid disintegration, and prioritise unity to develop the region" (Pikiran Merdeka, 9 November 2017). The last statement reminds us of the frequent mantra of the New Order government motto to put aside difference and prioritise the harmony or Bhinneka Tunggal Ika (unity in diversity).

The protests from minority groups in Aceh over the hegemonic culture (ethnicity and language) to represent Aceh's identity lead us to see Aceh as not a place of homogenous ethnic identity, both in conflict and peacetime. While ethnic Acehnese make up most of the population (80 per cent), several other minority ethnic groups inhabit Aceh, such as Javanese, Gayo, Malay, and Alas. Singkil, Kluet and Aneuk Jamee (Barter, 2015, Ehrentraut, 2010). Table 7.1 provides a composition of ethnic minorities in Aceh:

Table 6-1 Ethnic Minorities in Aceh

Ethnic Groups	Origin	Area	Note
Gayo	Indigenous	Central Highland	Originally from the Northern Coast but pushed to the interior by the ruler due to the needs for slave
Alas	Indigenous	Southeast Aceh	Share clan affiliation with Muslim Batak Karo in North Sumatra
Aneuk Jamee	West Sumatra	South Aceh, Southwest Aceh, Nagan Raya	
Tamiang	East Sumatra	Aceh Tamiang	
Kluet	Malay Indigenous	West Coast	
Singkil	Malay Indigenous	Singkil	

Javanese	Java	East Aceh, Central Aceh, West Aceh, Singkil	The first migration of Javanese occurred in 1905 by the transmigration program of Dutch Government
Devayan, Sigulai, Haloban	West Coast of Sumatra (Nias, Enggano, Mentawai)	Simelue Island	

Source: Barter (2015), Kluetraya News (2016)

In 1999, following the promulgation of the Indonesian Law of Decentralisation, these distinct ethnic groups began to campaign for the establishment of ALA (Aceh Leuser Antara Province) that consisted of Aceh Tengah, Aceh Tenggara (Southeast Aceh) and Aceh Singkil (Hanafi, 2013). Law No 22/1999 on Local Governance allowed districts, cities and provinces to merge or detach as autonomous units (rather than separation, this process is called "pemekaran" or "blossoming"). This movement was started by a small group called GALAKSI (acronym for Gayo, Alas, Kluet, Singkil) that consisted of ulama (Islamic scholar), district leaders, students and civil society representatives (Ehrentraut, 2010). This movement joined another group with the parallel aspiration to establish separate provinces from Aceh, called ABAS (Aceh Barat Selatan/West-South Aceh) covering Aceh Jaya, Aceh Barat, Nagan Raya, Aceh Barat Daya, Simelue and Aceh Selatan in 2003. Similar to ALAS, ABAS areas are also inhabited by large a proportion of non-Aceh ethnic groups such as Aneuk Jamee, Kluet and Devayan, Sigulai and Haloban where the root of the languages are close to Minangkabau (West Sumatera) or Batak (North Sumatra).

Map 6-1 Map of Ethnic Majority of District in Aceh
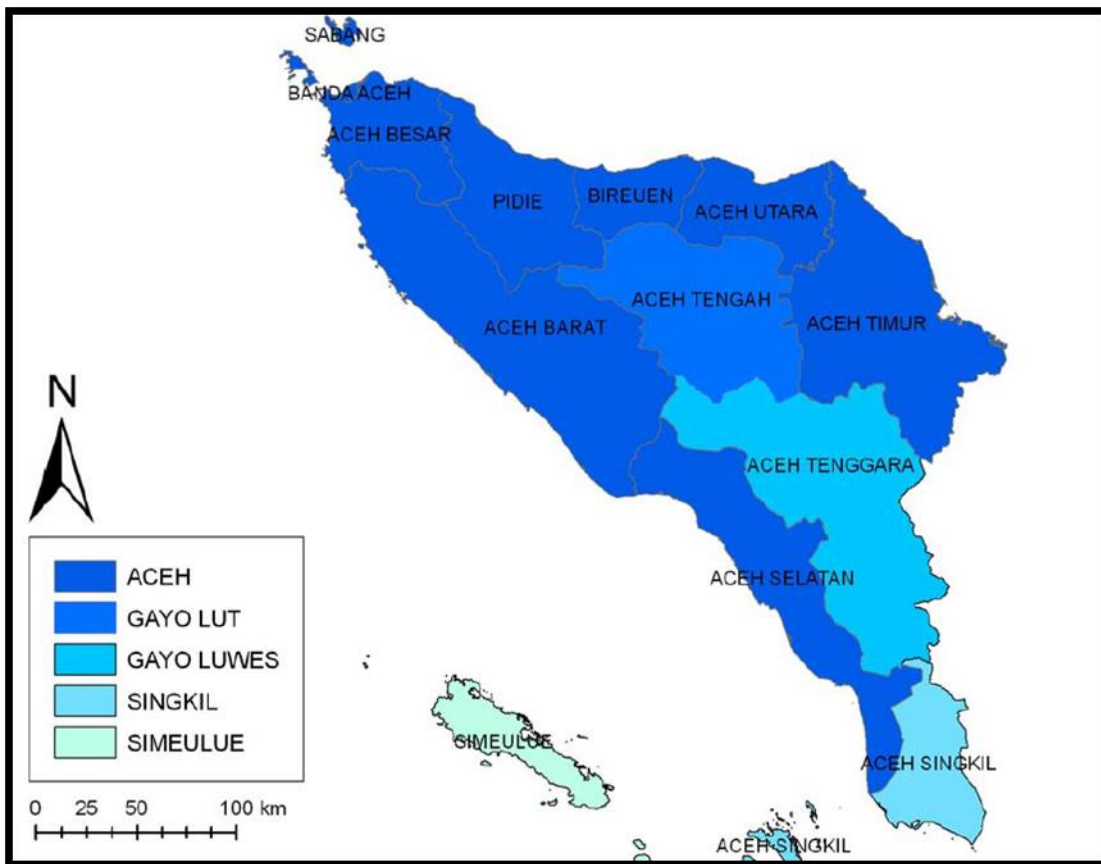
Source: Ehrentaut (2010)

This issue started to gain more serious attention within national and Aceh local politics when the advocates of the ALA-ABAS provinces blossoming project held a rally in Jakarta on 4 December 2005, to declare their demands. It caused anxiety over the drafting process of LoGA in the post-peace agreement. According to MoU Helsinki, the territorial boundary of Aceh was based on "the borders of Aceh corresponding to the borders as of 1 July 1956" (Memorandum of Understanding between the Government of the Republic of Indonesia and The Free Aceh Movement Article 1.1.4), a provision that closed the window for the establishment of a separate entity in Aceh. The choice of 4 December, the date of GAM's Anniversary, sent a strong message of the resentment of GAM from this group. In 2006, LoGA further affirmed the slim chance of the division of the province by highlighting the borders of Aceh as follows:

> a. Towards the north is bordered by Malacca Strait,
> b. Towards the south is bordered by North Sumatra Province
> c. Towards the east is bordered by Malacca Strait, and
> d. Towards the west is bordered by the Indonesian Ocean (Law of Governing of Aceh, Article 3).

However, in article 5, LoGA ambiguously mentioned the possibility of the formation, elimination, and amalgamation of the region as long as it was conducted according to the legal regulations. On several occasions, the Yudhoyono administration emphasised that dividing Aceh was not government policy (ICG, 2006). Conversely, several nationalist parties such as Golkar and PDI P were initially sympathetic towards this idea (Ehrentraut, 2010). One of the high-profile figures in national politics, former president Megawati Sukarnoputri, chairperson of PDI-P, warmly welcomed the idea of ALA ABAS province by referring to the experience of West Papua province that blossomed from Papua (Kompas, 24 July 2008). Miller (2009) and Gale (2008, as cited in Ehrentraut, 2010) analysed PDI-P support for ALA ABAS to show their gesture as "defender of the unity of the country" after their strong objection towards any political deal with GAM was declined by the MoU Helsinki. As the unpopular political party in Aceh, PDI-P also expected to gain considerable votes in the ALA ABAS area for the next election in 2009 by supporting the idea of blossoming. The controversy around the ALA ABAS province sparked further tension when the draft of the blossoming project was introduced to the national parliament. Despite the failure to be included into national parliament's 2008 agenda, this move had ignited an emotional reaction from the elites in Aceh. Irwandi strongly condemned this idea by stating "Aceh has existed for 700 years…it is not going to be broken up on my watch…." (ICG, 2008: 7). Among Aceh local elites, the idea of ALA ABAS province was a conspiracy between the national government and opportunistic local leaders to ruin Aceh's fragile peace and a retaliation for the loss in the 2006 election (Ehrentraut, 2010). The Map in Figure 7.3 shows the simulation of the division of Aceh if ALA and ABAS were eventually established as an autonomous province. Aceh would be divided into three major provinces of relatively equal size:

Map 6-2 Map of Aceh if ALA and ABAS were established
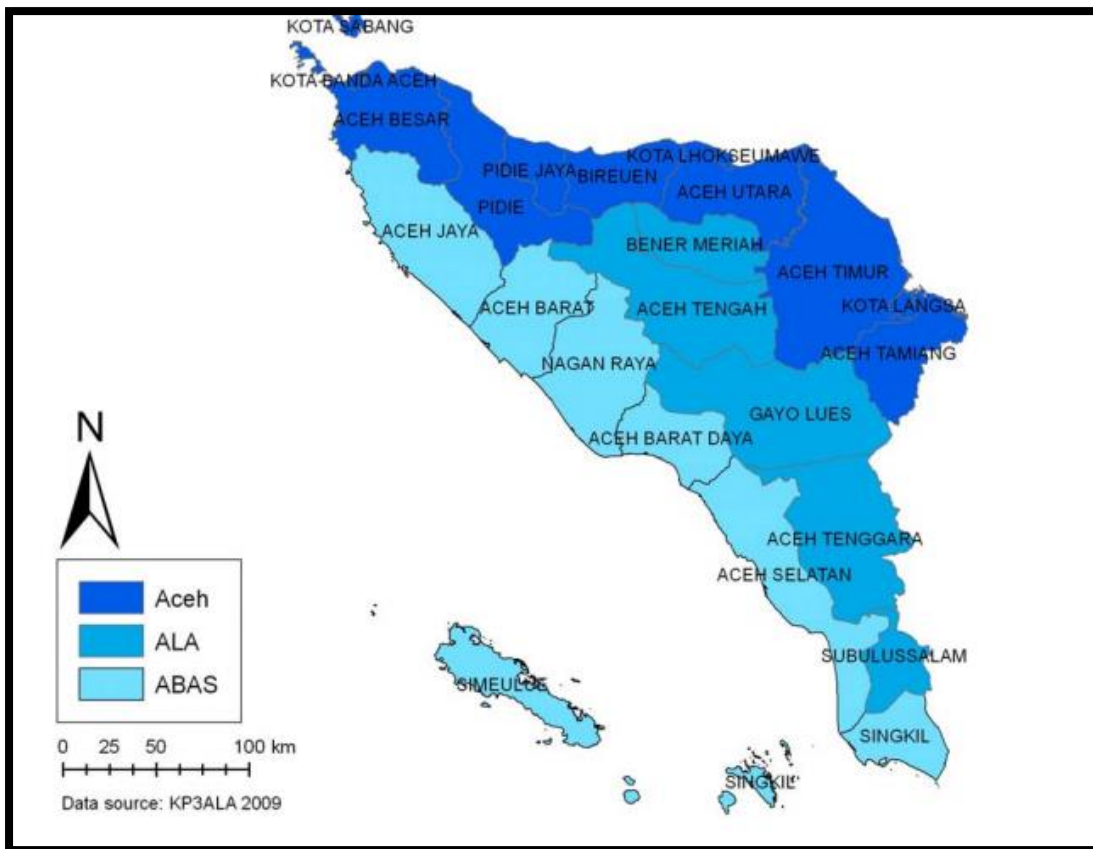
Source: Ehrentraut (2010)

While the aspiration for ALA ABAS province seems unlikely to happen, the movement for this partition project never ceased. They have been particularly active before local or national elections, which often leads to suspicion and cynicism about the primary motivation of this movement. Ehrentraut (2010) noted the differing reactions between elite, community leaders and villagers in ALA areas over the partition plan. While most of the elite and some community leaders strongly support the idea, most villagers seem reluctant to give responses to the partition subjects (Grayman, 2008 as cited Ehrentraut, 2010). Those who voiced their opinion expressed conditionality: the partition project must address development needs in highland areas, and if the purpose is achievable within the framework of Aceh Province, then the partition was no longer required (Ehrentraut, 2010). The emphasis of the top-down approach in the ALA establishment indeed warrants consideration concerning the deceptive impression of widespread support for the partition project. However, as elaborated in chapter 4, we should also look at the electoral result in a highland area that showed consistent support for national parties, not GAM-based political parties. One respondent mentioned the discrimination towards Gayo people in provincial government service "When we deal with bureaucracy in Banda Aceh, we often face difficulty because we are from Gayo, it is inevitable". (Personal

Interview, S-CA-2 October 2012). My other respondent criticised the "claim of Saman Dance as a traditional dance from Aceh, while in fact, it is originated from Gayo" (Personal Interview, S-CA-3 October 2012). The ALA ABAS partition might be an elite-based political movement, but the grievances felt and expressed by ethnic minorities towards the "domination" of GAM and Acehnese ethnic groups is evidence of the cyclical pattern of secessionism and internal colonialism.

The most prominent factor of the resistance of ethnic minorities to the GAM secessionism is the "virulent ethnonationalism" (Barter, 2015: 159). GAM ethnonationalism attempted to ignore and assimilate Gayo, viewed Malays as outsiders and treated Javanese as migrants (Barter, 2015). For some extent, this is evident in the process of the establishment of Wali Nanggroe that requires fluency in the Acehnese language, coupled with the obligation to use the Acehnese language in Aceh's provincial hymn and the use of the GAM symbol in the design of Aceh's Flag. It overtly refers to the greater privilege of Acehnese as the majority ethnic group.

The possible repetition pattern of internal colonialism is prevalent in the case of ethnic minorities in Aceh. While the competing legitimacy between incumbent (central government) and insurgent (GAM) has been largely resolved by the transfer of authorities through a peace agreement and ensuing regulations, there is a subsequent competition of legitimacy between GAM and ethnic minorities, particularly in interior districts. Whereas during the conflict era the central government was seen as the internal colonial power with forced assimilation, centralisation and exploitation, in peacetime, the regional government repeated the pattern. Citing Barter's argument, "as state efforts to build nations foster rebellion among national minorities, rebel efforts to naturalise secessionism also entail nation-building and thus resistance among second-order minorities" (Barter, 2015: 162). This secondary legitimacy competition occurs because of the factor of representativeness and participation in the separatist movement. While the cohesiveness of GAM as a rebel movement greatly contributed to smoother conflict resolution, compared to similar cases in Southern Philippines in which insurgent groups are heavily factionalised it also led to the perception of a single representation. GAM is seen as the only eligible group to represent Acehnese, while the reality of Aceh as an ethnically heterogeneous province does not support this perception.

6.3.2 Sharia as a Religious Institution

Sharia has long been seen as the primary attempt to alleviate tension in Aceh. The enactment of Sharia that covers most aspects of life, including custom and education, and enhancing the power of the ulama (Islamic scholars) is expected to curb the rebellion in Aceh (Salim, 2004).

There has been a perception that conflict in Aceh was a religious challenge to Suharto's policy of secular nationalism. The process of the inclusion of sharia in the peace process in Aceh started during President Habibie's administration when he signed Law No 22/1999 on The Implementation of the Special Status of the Special Region of Aceh, which enabled partial implementation of Sharia (Aspinall, 200a7). It was followed two years later by President Megawati Sukarnoputri signing law No 18/2001 on Extensive Autonomy for the Special Province of Aceh as Nanggroe Aceh Darussalam, which included full regulations for establishing Sharia courts and Sharia bylaws (qanun). Between President Habibie and President Megawati, there was the important role of President Abdurrahman Wahid who introduced and offered the idea of the implementation of Sharia in Aceh. Given Wahid's pluralist character, his decision to introduce Sharia to Aceh was at odds with his standpoint. One respondent representing women's activist groups gives an interesting opinion about the role of Wahid's in Aceh Sharia:

> I think Gus Dur (Abdurrahman Wahid) forgot that Aceh is not Java. In Java, Islam is heterogeneous; it is easily assimilated with the local culture. However, Aceh is different, in Aceh, Sharia uncontrollably converts to religious conservatism and fundamentalism" (PA-Personal Interview, September 2012).

However, Lies Marcoes, a women activist, argues that Gus Dur did not calculate that the downside of sharia in Aceh was its use as a political tool in Aceh, as GAM barely advocated religion as the basis of their liberation struggle (Hidayat, 2017).

GAM elites had been aware that the inclusion of Sharia in Aceh is prone to distort GAM's liberation struggle into a religious fundamentalist movement, something that would not gain international support. Also, the ideology of GAM is more ethnic-nationalism than Islamism. According to Aspinall (2007a), Islam could not justify separatism in Aceh because unlike places such as Kashmir, the Southern Philippines and Southern Thailand where Islam is practised by minority groups, Islam was not an indicator of difference but a point of commonality with Indonesia, where Muslims make up a majority of the population. Islam rather stands as a source of moral inspiration and only counts as one aspect of Acehnese national identity (Aspinall, 2007a).

Consequently, sharia was not a primary subject in peace negotiations, and the MoU did not include sharia as part of its provisions. However, it is stipulated in LoGA with quite extensive provisions. In addition to the right to establish sharia court and sharia qanun that has been

previously stipulated in Law No 18/2001 of Aceh Extended Autonomy, LoGA adds the authority of the sharia regime to endorse qanun on criminal and commercial law.

Structurally, the regime of sharia in Aceh comprises three institutions: Dinas Syariah (Sharia Bureau), Wilayatul Hisbah (Sharia Police) and Mahkamah Syariah (Sharia Court) (Aspinall, 2007). Dinas Syariah (Sharia Bureau) which is established at provincial and district level, is a primary institution to monitor and coordinate the implementation of Sharia (Aspinall, 2007a). Wilayatul Hisbah is the special police tasked with monitoring compliance with Islamic Law, ensuring that sharia codes are enforced (Aspinall, 2007a). In practice, Wilayatul Hisbah is the police force that raid hotels or houses, prosecutes couples who commit adultery, and arrests women who wear tight clothes or jeans. Mahkamah Sharia is a court designated to try cases and administer punishment of sharia violations (ICG 2006). Aceh's Sharia regime is also complemented by MPU/Majelis Permusyawatan Ulama (Ulama Consultative Assembly) and *Baitul Mal* (Treasury House) to manage Zakat (Islamic tithe) and other religious assets. These institutions transform Sharia in Aceh into a modern religious bureaucracy that has grown extensively and demands more funds from the provincial budget (ICG, 2006; Aspinall, 2007a). The efforts to institute sharia in local governance is seen clearly in Article 17, clause 2 of LoGA as follows:

> Other mandatory affairs which become the special authorities of District/city Government are the implementation of Aceh's special characteristics which among others cover:
> a. The administering of religious life in the form of implementing Islamic syari'at for its worshippers in
> Aceh by maintaining inter-religious community harmony of life;
> b. The administering of indigenous life based on Islam;
> c. The administering of good quality education as well as increasing local content subject matter in accordance with Islamic syari'at; and
> d. The role of ulama in the stipulation of District/city policy (The Law on the Governing of Aceh, Article 17 clause 2

As mentioned earlier, GAM had never promoted sharia during their struggle for independence. GAM consistently reiterated their standpoint towards the implementation of Sharia. One of the most profound statements delivered by the official spokesperson in 2002 was: "We encourage people to be good Muslims, but we do not think it is something for the state to decide." (Shaw, 2008: 8). GAM accused the central government of being manipulated sharia to divide Aceh community and based on Zaini Abdullah opinion, "to undercut support for GAM currently being in a superior position towards the Indonesian Government" (Hidayat, BBC Indonesia, 8 September 2017). The absence of the provision of sharia in the MoU but its

emergence in LoGA indicated the willingness of central government to include a religious aspect in the post-conflict arrangement.

At the provincial level, the major supporters of the enforcement of sharia in Aceh are the ulama (Islamic Scholars) and non-GAM local elites (Aspinall, 2007a). From the trajectory of the conflict, it can be seen that ulama and local elites were not major proponents of GAM's independence struggle. The ulama had lost its influence in Aceh's politics after the demise of Darul Islam and during the Suharto era (and GAM struggle) when they were incorporated into Majelis Ulama Indonesia (Indonesia Ulama Council), a corporatist body controlled by the government (Bustamam-Ahmad, 2007). Thus, the post-Suharto era was seen as an opportunity to regain power and influence. The second group that supported sharia was the local (provincial and municipal) elites (Aspinall, 2007a). During the conflict, they were mostly co-opted by the central government and did not show significant support to GAM. In the post-conflict period, they enthusiastically supported the sharia because sharia is seen as the only concrete program they could offer (Aspinall, 2007a).

GAM's position on the implementation of sharia is rather ambiguous. They neither opposed nor supported it, as they calculated that allowing the implementation of sharia in Aceh was better than suppressing or criticising it, as long as they were still in power in Aceh (Aspinall, 2007a). GAM realises that Islam is an integral part of Acehnese life and the damage it will create if they declare Aceh secular (Shaw, 2008). It is also related to the low capability of local government apparatus from GAM to plan and execute development programs as has been elaborated in chapter 4. Supporting a sharia-based policy is seen as a pragmatic choice for GAM, given their low capacity in governance aspects. It provides strategic political advantages for local and religious affairs bureaucrats who want to regain influence and achieve a quick, tangible program. Particularly for former GAM's leaders, their poor skill and knowledge of good governance could be concealed by regulating morality through the implementation of sharia and related qanun. It is an easier and simpler task compared to performing more essential programs such as poverty eradication, job creation or enhancing the quality of education.

Later, GAM demonstrated considerable support for the implementation of sharia in Aceh. Teuku Kemal Fasya explained the tactical factor from GAM leaders to support sharia in Aceh:

> Regarding Sharia in Aceh, GAM made a pragmatic concession by channelling fund to religious groups and dayah (Aceh Traditional Islamic Boarding School). Sharia is used as a political tool to get public support. GAM elites do not have an

adequate framework to understand the application of sharia. They did not educate in dayah and spent a long time in Europe. They do not even understand the code of cultural Islam in Aceh (Fasya, as cited from Affan, BBC Indonesia, 18 August 2015).

The nexus between sharia and local politics is affirmed by Nur Djuli, a former GAM negotiator in Helsinki:

The situation now is that if we try to say something (criticise) about sharia, we will be labelled as anti-Islam. Islam has become a tool to win an election. When you do not support sharia, you will lose in local elections (Djuli, as cited from Affan BBC Indonesia, 18 August 2017).

In a different strain, Otto Syamsudin Ishak interprets this change as the incapability of GAM to resist fundamentalist Islam that has been growing very strong in Aceh and not because GAM gains an advantage from the implementation of sharia (Affan, BBC Indonesia, 18 August 2015). Ishak's opinion is contextual as the rise of Islamic conservatism also occurs at the national level, marked by the stronger grip of fundamentalist Islamic groups such as FPI (Front Pembela Islam/Islamic Defender Front) in politics, and the use of blasphemy laws to expel Basuki Thahaja Purnama from Jakarta's governorship. It is also coupled by the massive promulgation of Perda (Peraturan Daerah/Local Law) Sharia in various provinces in Indonesia.

The implementation of sharia in post-conflict Aceh demonstrates the result of authority transfers in the dynamics of legitimacy among key actors in Aceh's local politics. The central government transfers the authority to Aceh's local government to exercise sharia as a means to restore central government's legitimacy on the subject of religious identity. However, in practice, the authority to exercise sharia is held by ulama group rather than by GAM. It creates the distribution of power where the authority over religious affairs is allocated to ulama groups, and GAM occupies local government power. While sharia is not the ultimate goal of GAM's struggle as an ethno-nationalist movement, GAM lets sharia grow in Aceh and shares the local power with the ulama groups. By supporting sharia, GAM could gain legitimacy from the Islamic group. While for the central government, it could be a way to avoid power concentration to GAM by dividing it to ulama as an influential group in Aceh. The central government could also obtain stronger legitimacy among Islamic groups in Aceh by granting this province the right to exercise sharia.

In addition to the construction and dynamics of authority and legitimacy among the central government, ulama groups and GAM-dominated Aceh local government in the post-conflict era, sharia begets new grievances in Aceh, especially among ordinary people and women in particular. Sharia in post-conflict Aceh has been growing and has intensified exponentially. In 2014, the DPRA (Aceh Provincial Government) promulgated Qanun No 4/2014 about Jinayah or Islamic Criminal Code. This qanun had been proposed in 2009 but rejected by Governor Irwandi. It was reintroduced during Zaini Abdullah governorship and got considerable support. The offences under this qanun include alcohol consumption, production and distribution, gambling, adultery, khalwat (extra-marital intimacy), rape, and homosexuality. The punishment consists of fines, imprisonment, and caning. This qanun, as well as another element of sharia regime in Aceh, invited widespread criticism, one of which is voiced by Shadia Marbahan, the only female negotiator in Helsinki. Marhaban (2012a) found sharia to be confusing regulations rather than finding it a source of solace for a people recovering from the trauma of conflict and natural disaster.

The law is seen as discriminative because it mostly punishes ordinary people. It applies to people playing cards for a few thousand rupiah, but not police who protected the gambling place or corruptor (Marhaban, 2012a). A report published by Human Right in 2010 cited several opinions from Acehnese that considered Wilayatul Hisbah only raid the "places of ordinary people". They do not touch places like cafés or restaurants which are visited mainly by the rich (HRW, November 30, 2010).

Discriminatory practices toward women occur in the domain of sexual offences. A woman who confessed that she was forced to commit non-consensual sexual intercourse could accuse the man of rape (ICG, 2006). The offender could face 200 lashes based on sharia law or being fined or imprisonment as a substitute (ICG, 2006). However, the situation can turn the woman from victim to the accused if she fails to present four male witnesses to prove the claim. This requirement is derived from the Hudud Ordinance in Sharia, aimed to avoid false accusation (Abu Bakr, 2011). However, the requirement to bring four witnesses is almost impossible, especially in a province where patriarchal culture is very dominant, coupled with the inadequate judiciary. In May 2014, there was a case when a woman faced public canning due to an adultery case while she was also raped and beaten by seven vigilantes who raided the woman's house (The Jakarta Globe, May 7, 2014). The other case occurred back in 2010 when a woman was raped by the member of Wilayatul Hisbah who accused her of khalwat (excessive closeness between a man and woman who are not a legally married couple, but not involving sex) with her boyfriend in the city of Langsa (Tempo, 20 January 2010).

Sharia also inspires discriminatory rules in districts and cities that regulate female clothing and public behaviour. In West Aceh, Bupati (District Head)) Ramli Mansur, introduced a regulation banning women from wearing jeans and another kind of "tight trousers" – women who violate this rule will be asked to change their pants for a long skirt provided by the district government (Kompas, 29 October 2009). This law seems inspired by Arabic culture and not derived from traditional Acehnese culture; women's traditional clothing in Aceh consists of trousers and blouses (Marhaban, 2012a). This law was officially promulgated in 2010. In 2018, there are reports that every female visitor who came to West Aceh's head of district office and other local governments dealing with public services in West Aceh are not allowed to wear trousers (Abonita, 2018). In Lhokseumawe, Mayor Suaidi Yahya circulated a letter in the Lhokseumawe community, ordering women to sit sideways on motorcycles, with their legs dangling off to one side (Saragih & Simanjuntak, 2013). This regulation was based on the consideration that women straddling motorcycles is "against the Islamic culture in Aceh" (BBC Indonesia, 3 January 2013). This regulation was heavily criticised by several woman activists. Lawmaker Eva Kusuma Sundari said that the rule is the form of discrimination against women and could leave female riders more prone to accidents (Tempo, 3 January 2013). The chairperson of The National Commission on Violence against Women Yuniyanti Chuzaifah strongly criticised the qanun and demanded the local government focus on protecting women who experienced domestic violence rather than producing "unimportant regulations" (Fimela, 7 January 2013).

Photo 6-3 The Public Service Announcement in Lhokseumawe, Aceh, forbidding Women in Aceh from straddling motorcycles

Source: Personal collection of the writer.

The 231 Monitoring Network, a network of women's advocacy organisations in Aceh, reported that the implementation of sharia contributes to several cases of violations against women in Aceh (BBC Indonesia, 5 June 2013). Roslina Rasyid from LBH (Lembaga Bantuan Hukum/ Legal Aid) Apik emphasised that "rather than protecting women, sharia qanun ironically becomes one of the causes of sexual harassment experienced by women in Aceh" (BBC Indonesia, 5 June 2013). It occurs because women who are accused of committing khalwat or adultery are often sexually harassed by law enforcers or vigilantes.

Sharia in post-conflict Aceh has grown into a powerful institution without sufficient monitoring mechanisms and lack of participation aspects, but "agreed" on by almost all parties in Aceh. Sharia derivative qanun that regulates women in Aceh is not consultative. Based on their observations in five regions in Aceh, Solidaritas Perempuan (Women Solidarity) reported that 97 per cent of women in Aceh do not get the information about the qanun jinayat (Adi, 2017). While according to the chairperson of Koalisi Nasional Bhinneka Tunggal Ika (National Coalition of Unity in Diversity), Nia Sarifudin, there was only minor involvement of civil society in preparing the qanun, in addition to the lack of supporting research and socialisation (Fachrudin, Kompas, 23 October 2017). The position of Islam as the central aspect of life in Aceh has made sharia implementation an indisputable subject. Emerging as an attempt to relieve tension and address grievances of religious identity, the sharia regime has grown as an authoritative institution that creates new grievances.

Interestingly, the central government seems reluctant to address, even ignoring, the objections directed to the sharia-derivative qanun, especially Qanun Jinayah No 6/2016. The Minister of Religious Affairs, Lukman Hakim Saifuddin asked the coalition of civil society to file for judicial review to the Supreme Court if they think the qanun is conflicting with national legislation (DW, Qanun Jinayah Harm Women?", n.d). The Minister of Home Affairs also stated that government could not use executive reviews concerning Qanun Jinayah because according to LoGA Article 235 any sharia-derivative qanun could only be annulled by the Supreme Court through the judicial review (Hukum Online, 9 February 2015). It demonstrates the reluctance of central government to change the distribution of local power in Aceh, in this case, the full authority of exercising sharia that was held by ulama groups and let the sharia regime become a dominant power in Aceh local politics.

Islam has also surpassed tradition and culture in the domain of education. Based on LoGA, Aceh is granted the right to establish and develop local education as stipulated below:

> " Education organized in Aceh is one unity with the education system adjusted with the characteristic, potential and the needs of the local community" (Law on the Governing of Aceh, Article 215, clause 1)

> "All the citizens of Aceh have the right to quality and Islamic education in line with the development of science and technology that is implemented based on the principles of democracy, justice, and in high respect of human rights, Islamic values, culture and pluralism". (Law on the Governing of Aceh, Article 216, clause 1-2).

This regulation implies that education in Aceh must be based on the national education system but allowing the accommodation of Islamic values and Aceh traditional culture. Given the strong ethnonationalism ideology of GAM, intensified by their perception of Aceh's glorious historical past, it is crucial to disseminate and internalise Acehnese identity through local education. Nevertheless, the development of post-conflict local education in Aceh demonstrated the supremacy of Islam over culture and tradition. Based on her research in Banda Aceh and Bireun, Fitriah (2016) found noticeable changes in the curriculum in the area of Islamic education. However, a similar change in the area of Acehnese language and history, two subjects that represent tradition and culture, appear not to be evident. One teacher in Banda Aceh expressed concern towards the sidelining of Aceh's history and language in the local curriculum, stating "Please improve the curriculum and include Acehnese history and language. It is very sad that there only one page about the history of Aceh in the current history curriculum" (Loh Angen, Portal Satu, 11 May 2017). A number of GAM elites such as Governor Zaini Abdullah suggested the insertion into the MoU Helsinki and LoGA of history as a subject (RRI, 20 March 2016), while Usman Al-Farlaky, the chairperson of Partai Aceh in DPRA (provincial parliament) urged the introduction of local culture and language in Aceh's local curriculum (Media Aceh, 16 June 2017).

Despite the aspiration and concern towards the marginalisation of culture and language in Aceh's local curriculum, the Aceh Provincial Education Office formally endorsed Aceh's Curriculum in September 2018. The new curriculum is entitled the Aceh Islamic Curriculum. Affirming Fitriah's (2016) findings, Aceh's new curriculum is laden with an Islamic component by adding five subjects: aqidah-akhlak (Islamic Faith and Morality), Al Qur'an and Hadith, Fiqh (Islamic Jurisprudence), Arabic Language and Islamic History (Maharani, Republika, 23 January 2018). Rather than developing Aceh history and language, this new curriculum purposefully emphasises Islamic teachings and culture.

Fitriah (2016) suspects the lack of attention from the local government as a possible explanation of the shortcomings of language and history in the Aceh provincial curriculum. There was only limited financial support from the local government in delivering teaching materials and supplying teachers with relevant qualification to teach history and language (Fitriah, 2016). Despite the priority of education in the Special Autonomy Fund, the GAM dominated local government seemed reluctant to invest funds into the development of history and language as a medium to teach ethnonationalism in Aceh. GAM appears to choose coalescing Aceh national identity with Islam in the education realm. The possible explanation of the convergence between education and religion is because in the post-conflict era sharia has become increasingly powerful and politically influential in Aceh. Since education is one of the popular programs in local development, GAM will gain political advantage by the amalgamation of education, Aceh identity and Islam.

Throughout the entire section on the implementation of sharia in peacetime, there are several features to consider. The first apparent factor is the crucial influence of the central government in integrating sharia into autonomous Aceh and in the post-conflict arrangement. The attempt of the central government to integrate sharia in times of peace seems like an effort to address a (perceived) major grievance of the marginalisation of Islam from local politics and the public domain in Aceh, even though this reason only fits with the narration of the Darul Islam rebellion, not GAM. The central government has been transferring the authority of the implementation of sharia as a perceived grievance to the Aceh local government, even before the peace agreement in 2005. Over time, the central government appears to grant full authority of sharia to the Aceh local government, even when its implementation invited rampant criticism towards its discriminatory practices. The discrimination frequently occurs, particularly after Qanun Jinayat (Islamic Criminal Code) was promulgated in 2014. Later, the establishment of a sharia regime works to distribute power in Aceh local politics where the authority over religious affairs is held by ulama groups, and local government is dominated by GAM.

Secondly, as sharia developed into a powerful institution with limited participation, it eventually bred new grievances, especially among ordinary people and women specifically. The sharia police tend to avoid raiding luxurious hotels or upscale cafés and restaurants and focus instead on beaches or public places normally visited by ordinary people. If high-level figures are suspected of violating sharia, their cases mostly will not be processed. The implementation of sharia also contributes to the number of sexual harassment and other cases of violence against women. In the post-conflict era, sharia has been developing as the sole

legitimate institution enforcing morality, rather than religious-spiritual consolation for people who just recovered from conflict and disaster.

6.4 Conclusion

Unlike politics and the economy, identity was seen as a mobilising factor of the separatist movement in Aceh, not a primary grievance. Nevertheless, the persistent narration over the identity of Aceh and its mobilising effects had made identity gain significant attention in the peace agreement. The attempt to address identity grievance in Aceh was shown by the establishment of Wali Nanggroe, as well as the right to have a provincial flag, hymn, and crest. Sharia as the representation of Islamic identity that is fundamental in Aceh society is accommodated in LoGA, not in the MoU. It indicates a significant role of the central government in integrating Islam into post-conflict arrangements in Aceh. Through the provisions of Wali Nanggroe, the flag, crest, hymn, and sharia, the central government aimed to transfer the authority of the identity subjects to the Aceh local government. By exercising its authority to implement the provisions of Wali Nanggroe, the flag, crest, hymn, and sharia, the GAM-dominated Aceh local government expected to gain legitimacy from Aceh society in the post-conflict era.

The implementation of the provisions of identity in peacebuilding has been marked by the supremacy of institution building over participation in the development of Wali Nanggroe and sharia regimes as powerful institutions. In other words, there has been a process of the institutionalisation of identity in Aceh. While Wali Nanggroe and sharia regimes are not granted political rights, they tend to be political: Wali Nanggroe represents GAM (and Aceh ethnic groups) while the sharia regime provides the ulama with power in Aceh local politics.

Both Wali Nanggroe and sharia have created new grievances among some components in Aceh society. The requirement of belonging to an Acehnese ethnic group and being fluent in the Acehnese language prevent the ethnic minorities in Aceh from being a part of the Wali Nanggroe institution. The Acehnese language also became a requirement of the composition of Aceh hymns. This privilege to Acehnese ethnic group ignited widespread protest among the ethnic minorities, especially from Gayo communities. It appears that there is significant discontent within ethnic minorities in Aceh concerning the domination of Acehnese ethnic groups that led to the aspiration of the establishment of separate provinces or blossoming projects. The domination of one ethnic group over another in ethnic separatist movements could repeat the pattern of internal colonialism. During the conflict period, the central government is seen as an internal colonial power in the context of centre-periphery discontent. In times of peace, the majority ethnic group that holds power inclines to repeat a similar

pattern of domination and discrimination to the ethnic minorities. It is difficult for GAM and Acehnese ethnic groups to gain legitimacy in the regions that were inhabited by ethnic minorities as demonstrated by a low number of seats gained by Partai Aceh in interior and highland regions. It leads to the competition of "secondary legitimacy" that like internal colonialism, is a repetition of conflict-era in Aceh.

In addition to growing as an authoritative institution, sharia creates several new grievances. The first is discrimination (personal grievance) due to its selective legal process to the high-level figures and mainly deals with the cases involving ordinary people. The next grievances are gender-based. Sharia appears to contribute to the number of sexual harassment cases among women in Aceh. Also, sharia-derivative regulations in districts/cities level limit the freedom of women in terms of clothing, and riding motorcycles as a passenger. As gender is a part of identity, this is the example of how the attempts to alleviate grievance in identity (religious identity) have led to creating another grievance (gender-based grievance). The strong presence of Sharia regimes in Aceh has been accentuating religion as the primary identity in Aceh, surpassing the aspect of customs, history and language that attributes with GAM Aceh ethnonationalism. It has been evident in the absence of the component of history, customs and language in Aceh's local curriculum, which is predominantly laden with Islamic content.

Generally, this chapter affirms hypothesis 1: "a peace agreement which addresses grievances will contribute to the durable peacebuilding process in middle-income countries with a relatively strong government like Indonesia" by the inclusion of provisions for Wali Nanggroe, and a flag, hymn and crest for Aceh in the MoU Helsinki. The provisions of identity in the MoU have been contributing to the maintenance of durable peace in Aceh by granting GAM-dominated local government authority in establishing the customary institutions and creating Aceh provincial attributes. However, the authority to establish the customary institutions and create Aceh provincial attributes is largely influenced by the major ethnic group and dominant group, Acehnese and GAM, and marginalise aspiration from the minority groups. Hypothesis 2, which proposes: "to secure sustainable post-conflict peacebuilding, the peace agreement should be enacted in national and local law" is also supported even though there has been a strong influence from central government to include sharia in the national legislation despite its absence in the peace agreement. Hypothesis 4 that mentions "institution building will increase legitimacy, secure resources and stabilise the conditions for a lasting peace" is only proven partially. In this case, Wali Nanggroe and sharia indeed provide GAM elites and ulama groups with essential power and resources. However, although Wali Nanggroe and sharia achieve underlying, identity-based legitimacy, they do not achieve performance legitimacy.

Particularly for Wali Nanggroe, it cannot even achieve underlying and identity-based legitimacy among ethnic minorities in Aceh. This conclusion is debatable, especially for sharia, as some Acehnese might think that the process of Islamisation of Aceh, even with prevalent discriminatory practices, is the realisation of performance legitimacy of a religious institution.

During the normalisation phase, there has been a tendency towards stronger institutionalisation of identity in the customary institutions and sharia regime. Malik Mahmud had been directly appointed as Wali Nanggroe for the second term without democratic mechanisms. Criticism from civil society on the performance and benefit of Wali Nanggroe for Aceh people was mostly ignored. The sharia regime has also been growing stronger after the promulgation of Qanun Jinayat (Islamic Criminal Law) in 2014, which led to more corporal punishment in public. The participation aspect in identity subjects in the post-conflict era in Aceh is limited. Criticism and protests concerning the downside of the implementation of sharia were also mostly voiced by the element of civil society from outside Aceh rather than by the Aceh community. It possibly occurs due to the "moral obligation" of Acehnese who are known as devout Muslims to follow sharia and not oppose it.

Chapter 7: Addressing Human Rights Grievances through Transitional Justice in Post-conflict Peace-building

7.1 Introduction

The armed conflict in Aceh is characterised by widespread human rights violation conducted by the Indonesian military in the forms of extrajudicial killings, abduction or physical abuse, especially during the Military Operations Zone Era. As has been mentioned in chapter 3, the government of Indonesia responded to the GAM rebellion by launching a series of counter-insurgency actions. The military operations performed from 1989 to 1998 resulted in human rights violations in the form of a substantial death toll, disappearances, and torture and loss of property. The enormous numbers of casualties and intensity of human rights abuse are described by Hadi (2008):

> According to data from BRA (Badan Reintegration Aceh/Aceh Reintegration Agency) in 2007, 33,000 people had been killed over three decades of conflict. Data gathered in 17 districts of Aceh by a joint International Organisation for Migration (IOM) and Harvard Medical School survey showed that 35 per cent of informants had reported having to flee burning buildings, 24 per cent had experienced forced labour and 40 per cent had experienced the expropriation or destruction of property (Hadi, 2008: 68).

Rampant human rights violations bred new grievances among Acehnese. This occurred particularly where family members were victims of counter-insurgency operations. Nevertheless, it is important to note that both sides committed violent abuse. GAM fighters tried to expel Javanese from the province and punish the traitors who betrayed GAM's cause of independence (Aspinall and Zain, 2014). This two-sided atrocity has disturbed the social fabric among communities in Aceh.

Consequently, addressing human rights violations through a mechanism of transitional justice is seen as an important element for successful peacebuilding. The significance of including justice in peace agreements is emphasised by Lambourne (2004:2): "justice and reconciliation are fundamentally significant goals that need to be addressed in the design of successful post-conflict peacebuilding processes and mechanisms". The MoU Helsinki and its subsequent regulations aimed to address human rights violations through transitional justice. According to UNHCR (2009), the United Nations Secretary-General defined "transitional justice" as follows:

> The full range of processes and mechanisms associated with a society's attempts come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation (UNHCR, 2009: 1).

Transitional justice initiatives have become components of the wider United Nations rule of law framework and integrative elements of post-conflict strategic planning (UN Security Council, 2011). In the post-Cold War era, the implementation of transitional justice concepts has shifted primarily to the implementation of criminal justice focused on the promotion of human rights and establishment of democratic government, or nation-building, which reached the realm of internal conflict (Yusran, 2007: 12).

In Aceh, grievances over human rights abuses began to intensify during the turbulent times of Indonesian democracy following Suharto's resignation in 1998. As soon as the status of Military Operation Zone was lifted form Aceh, groups of student activist and NGOs such as SIRA (Sentra Informasi Referendum Aceh/Aceh Referendum Information Center) and SMUR (Solidaritas Mahasiswa Untuk Rakyat/Student's Solidarity for People) demanded a referendum for Aceh. Unlike the older generation of GAM who based their demands for independence on identity, historical incompatibility with the Republic of Indonesia and central-periphery economic inequality, the aspiration of self-determination in the post-Suharto era was motivated primarily by disagreement on human rights abuse. In other words, while GAM's older generation's demands of an independent Aceh were constructed on ethnic nationalism, the younger generation of GAM, NGO and student activists in Aceh based their demands for self-determination on the universal value of human rights.

This chapter focuses on the efforts to address human rights violations as part of a peacebuilding programme to create sustainable peace in Aceh. These are important factors to uphold durable peace since the human rights violations strengthened the grievances during the conflict period. The experience or the story which is told across generations in Aceh is feeding the hatred and making durable peace difficult to maintain.

7.2 Grievance Alleviation

7.2.1 MoU

Due to the importance of addressing past atrocities, the subjects of human rights and justice were included during peace negotiations in Helsinki. Despite being a key Acehnese grievance during the conflict years, human rights abuses were not very conspicuous and formed a

"secondary agenda of the Helsinki peace negotiation (Jiwon, 2015, Aspinall, 2008b). The subject of human rights and justice were overshadowed by politics and economic aspects, such as self-government and local political parties. According to Awaludin (2009), in the first round of negotiation, GAM raised the issue of the referendum, and when it was declined by GoI, GAM started to address the subject of human rights violations and demanded that the perpetrator must be brought to an international tribunal. However, during the next round of the negotiations about the establishment of local political parties, the subject of human rights and justice were no longer discussed either by GAM or GoI. The GoI standpoint of human rights and justice was based on principles of "reconciliation through amnesty coupled with economic integration" (Jiwon, 2015: 103). GAM members and political prisoners would be given amnesty and economic concessions by the central government. Nevertheless, despite being "a secondary issue", MoU Helsinki finally adopted the provisions of justice and reconciliation like other post-conflict arrangements elsewhere as stipulated below:

1. A Human Rights Court will be established for Aceh (Memorandum of Understanding between the Republic of Indonesia and Free Aceh Movement Article 2.1).
2. A Commission for Truth and Reconciliation will be established for Aceh by the Indonesian Commission of Truth and Reconciliation with the task of formulating and determining reconciliation measures. (Memorandum of Understanding between the Republic of Indonesia and Free Aceh Movement Article 2.2).

The process of authority transfers from incumbent/central government to insurgent/GAM does not appear in the subject of human rights and justice. What is depicted in the MoU is the attempt of the central government to alleviate grievances caused by human rights violations in the framework of the national institution through the "Indonesian Commission of Truth and Reconciliation" and domestic human rights court. In state-led peacebuilding, judicial institutions are well established, contributing to the strong control of the incumbent/central government over the domain of human rights and justice.

7.2.2 LoGA

The subject of human rights and justice in post-conflict Aceh was adopted in national law/ LoGA as stipulated below:

Article 228

(1) The Human Right Court in Aceh is formed to examine, try, decide and settle Human Rights violation cases taking place after this Law is promulgated.

(2) The decision of Human Rights Court in Aceh as meant in clause (1) contains among others the giving of compensation, restitution and/or rehabilitation for the victim of human rights violation.
Article 229

(1) This Law forms the Commission for Truth and Reconciliation in Aceh to seek for the truth and make reconciliation.

(2) The Commission for Truth and Reconciliation in Aceh as meant in clause (1) is an inseparable part of the Commission for Truth and Reconciliation.

(3) The Commission for Truth and Reconciliation in Aceh works based on the stipulation of law.

(4) In settling human rights violation cases in Aceh, the Commission for Truth and Reconciliation in Aceh may consider the indigenous principles that are used in the community.

The subject of transitional justice experienced significant amendment in national legislation due to the adoption of retrospective principles for human rights courts in Aceh. It means that the human rights court in Aceh could only try human rights violations after the promulgation of LoGA. Jiwon (2014) refers the process of human rights and justice in post-conflict Aceh as "pre-emptive transitional justice" or "policies adopted by the reluctant transitional leader in the face of worst alternative without the intention to fully implement the adopted policies" (Jiwon, 2014: 98). At the beginning of the peace process in the Helsinki negotiations, the delegation of the Government of the Republic of Indonesia agreed to include the provision of transitional justice. However, in the aftermath of the Helsinki Peace Process, the central government amended the provision of the human rights court, reluctant to support the establishment of the Truth and Reconciliation Commission (TRC) as the non-judicial mechanism of transitional justice. Jiwon (2014) argues that the acceptance demonstrated by central government towards the transitional justice provisions during the Helsinki negotiations was based on the presence of international actors that promoted universal values of human rights and justice. Due to the inconsistency of external actors to monitor the progress of transitional justice, the central government often adjusts the previously committed intention to address past human rights violations and secure them under the domain of the national judicial system.

The retrospective principle of human rights courts in Aceh indicates the bargaining process at national level over this sensitive subject. In the aftermath of Timor Leste's independence from Indonesia, the central government, particularly military groups and nationalist parties, were very reluctant to cooperate in human rights investigations. The inclusion of the transitional justice provisions, especially regarding the establishment of the human rights court in national

law, was strongly resisted by the nationalist groups under PDI-P (Partai Demokrasi Indonesia-Perjuangan/ Indonesia Democratic Party of Struggle) and the military groups (Shofwan, 2006). This rejection occurred because the establishment of a human rights court will potentially charge many military officers that violated human rights during military operations in Aceh. Thus, the retrospective principle of law that could only try the human rights violation cases after the promulgation of LoGA in 2006 enables military officers to avoid trial. GAM did not oppose this amendment significantly. There are two possible explanations of the GAM stance on human rights and justice issues. Firstly, GAM had shown little interest in the subject of transitional justice and used it as "bargaining power" towards the accomplishment of self-government and local political party during the Helsinki negotiations. Secondly, according to Aspinall and Zain "It [GAM] see[s] little to be gained from antagonising their most fearsome former rivals – and the most potentially dangerous peace spoilers – in the military, when there is so much to be gained politically and economically from securing the peace" (Aspinall and Zein, 2014: 123).

7.2.3 Qanun

Because of the minimum, or even the absence of the implementation of human rights and justice in the peacebuilding phase in Aceh, there was no qanun promulgated until 2013. Qanun No 17/2013 about the establishment of the Aceh Truth and Reconciliation Commission is the only qanun that regulates the subject of human rights and justice post-conflict.

The alleviation of human rights grievances was initially proposed in the MoU Helsinki through the establishment of a human rights court and a Truth and Reconciliation Commission. These ideas were however significantly amended in subsequent national regulations. In LoGA, the human rights court adopted retrospective principles that could only try the human rights violations in the post-promulgation of LoGA. It means past human rights violations during the conflict era in Aceh could not be processed by the courts. At the local level, Aceh promulgated a Qanun about the Aceh Truth and Reconciliation Commission (TRC) as a local jurisdiction under provincial legislation after the annulment of the national TRC. The development of regulation of transitional justice to alleviate grievance in post-conflict Aceh indicates the domination of central government. There is no clear process of the transfer of authority from the incumbent/central government to insurgent/GAM in the subject of human rights and justice in post-conflict Aceh. Only in later phases did the local government try to build its authority over the transitional justice that takes form in the establishment of Aceh's Truth and Reconciliation Commission.

7. 3 Human Rights Courts and the TRC: The Failure of Institutionalisation of Transitional Justice in Post-Conflict Aceh

Transitional justice can be divided into three major efforts: truth recovery, criminal trials and public inquiry as portrayed by figure 7.1 below:

Figure 7-1 Transitional Justice Mechanism
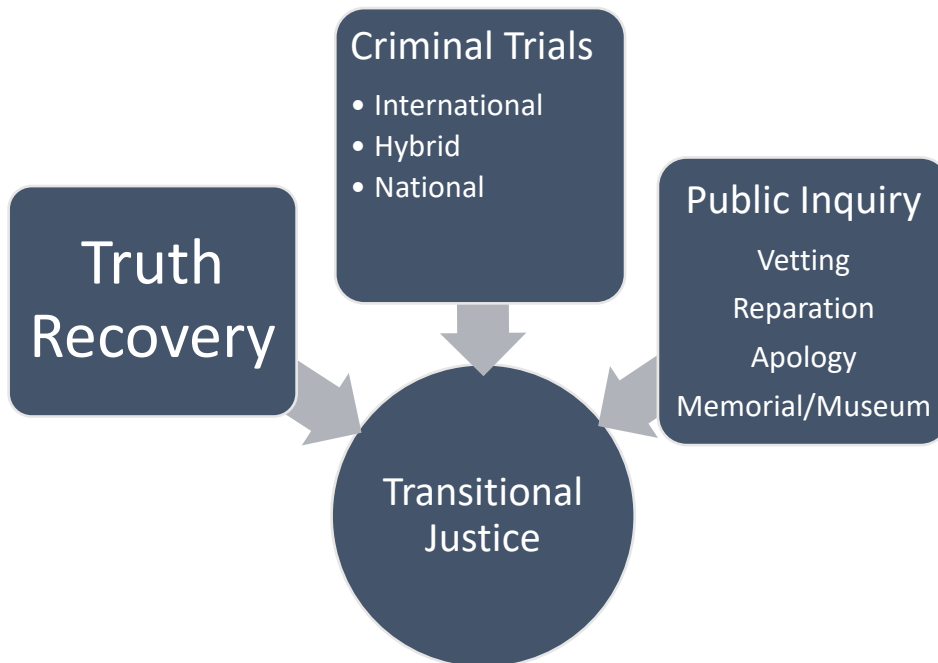
Source: Brankovic and Van der Merwe (2014)

Criminal trials are a judicial mechanism while the two others, truth recovery and public inquiries, are non-judicial. Brankovic and Van der Merwe (2014) elaborate judicial and non-judicial mechanisms as follows:

1. A judicial mechanism is executed by establishing Human Rights Courts at the national level, by prosecuting the perpetrators to international criminal court (Rwanda and Yugoslavia), or to hybrid court (international and domestic).

2. A Truth Commission is a mechanism to seek authoritative record about the past violation of human rights. It is conducted in various ways such as public or closed hearings, and subpoenas There are a variety of opinions about the necessity and effectiveness of the Truth and Reconciliation Commission in a post-conflict setting. Schlunck (1997) identifies the advantages and disadvantages of the establishment of TRC as a part of a peace settlement. Among the benefits of the establishment of TRC, Schlunck (1997) highlights the flexibility of the institution

as well as its instant establishment and low-cost consideration. TRC can serve purposes which could not be performed by human rights court or judicial mechanism such as giving an account, providing explanation and offer recommendation for a better future. However, TRC also contains several limitations. Schlunck (1997) emphasizes the political will of the elites, divergent interest and limited budget as the major constraints of the TRC. The other disadvantage of TRC could be seen from the individual perspective. The victims who testify before the commission may have to go through the agony of their traumatizing experience without any further relieve or tangible compensation.

3. Reparations for victims in both material and symbolic compensation. Material compensation takes the form of the cash payment and building schools or community centres), while symbolic reparations could be done by delivering a formal apology and building memorial places.

4. Adopting traditional /customary mechanisms to resolve conflict or to heal trauma caused by grave violations.

5. Vetting and restoration of the credibility of public officials who were involved in past abuses.

In Indonesia, transitional justice has been embedded in the trajectory of transition to democracy in the era following Suharto's New Order, consisting of judicial and non-judicial mechanisms. Various forms of human rights abuse were common during the New Order era to maintain national security and protect development projects. Any protest or disagreement towards certain development projects that sacrificed people's land was curbed by security apparatuses. The military approach was also used to curb separatism in Aceh, Papua, and East Timor. After Suharto stepped down in 1998, several initiatives were undertaken, and institutions set up to deal with past human rights abuses and to ensure that they would not be repeated in the future. Regarding judicial mechanisms, Indonesia enacted National Law No. 26/2000 on Human Rights Courts to establish human rights courts. Non-judicial mechanisms of transitional justice were made possible by the stipulation of Law No 27/2004 about the establishment of a national Truth and Reconciliation Commission.

Although being supported by laws, the process of transitional justice in Indonesia has been sluggish and ineffective. Only three *ad hoc* human rights courts were established successfully: the human rights court to deal with the violations committed during the UN-supervised poll in East Timor in 1999, the mass shooting in Tanjung Priok Jakarta in 1984, and the torture and killing of civilians in Abepura, Papua in 2000 (CNN Indonesia, 11 December 2018). Nevertheless, the senior military officers who have been prosecuted and convicted in the East

Timor case were released on appeal to the Supreme Court (Aspinall, 2008b). Two alleged military officers responsible for the Abepura case were released by the Makassar Human Rights Court (Detiknews, 9 September 2005) while the decision of the human rights court to punish military officers in the Tanjung Priok incident was annulled by the Supreme Court (Bhawono, 2017). The non-judicial mechanism experienced the same fate when they were annulled by the Constitutional Court in 2006. There have been several intertwined factors in the failure of transitional justice in Indonesia: the remaining strong influence of Indonesian military in domestic politics and structural problems such as judicial corruption, ineffectiveness and lack of political will (ICTJ, 2011). The next sections elaborate the efforts to alleviate human rights grievances in post-conflict Aceh through transitional justice by applying judicial mechanisms (a human rights court) as well as non-judicial ones (Truth and Reconciliation Commission).

7.3.1 The Human Rights Court

In 2006, a year after the Helsinki Peace Agreement, the House of People's Representatives enacted the Law on Governing Aceh which provided the legal basis for the establishment of the Human Rights Court for Aceh. The Law, however, interpreted the provision for the Human Rights Court in the Peace Agreement by using retrospective principles that could only process (investigate, prosecute and resolve) the cases which occurred after the enactment of the law. In other words, as stipulated in the Law of Governing Aceh article 228, the court could not try human rights violations that occurred during the conflict (Law of the Governing of Aceh, 2006). The decision of adopting retrospective principles reflected the complexities of human rights settlement post-conflict. There is a need to balance the fulfilment of justice and keeping the durability of peace. In most cases, the perpetrators are key figures in the government or top ranked military officers. It occurred in Aceh's case, as several military officers during the conflict, such as General Ryamizard Ryacudu, were influential figures in the Indonesian military and became one of the strongest opponents of peaceful negotiations with GAM. The provision of human rights and justice must be compromised to protect the honour of a military group and to minimise their opposition.

Although it is almost impossible to bring the perpetrators of human rights violations before 2005 to court, two other legal bases could be utilised instead. Firstly, before the Helsinki Peace Agreement, The Law No 26/2000 on Human Rights provides several opportunities to ensure justice for the victims of human rights abuse in Aceh. The Law on Human Rights regulates the establishment of a Human Rights Court in Medan to deal with human rights violations in Aceh after the promulgation of the Law in 2000 as well as the creation of an *ad hoc* human rights

court to process cases before 2000 (Amnesty International, 2013). Nevertheless, the courts only have jurisdiction over gross human rights violations that consist of genocide and crimes against humanity and exclude any case of war crimes, torture, extra-judicial killings and enforced disappearances (Amnesty International, 2013). The Medan Human Rights Court has never ruled on any cases related to human rights violations in Aceh and *ad hoc* human rights courts have never been set up to try similar cases.

Secondly, following Law No.26/2000 on Human Rights Courts, National Commission of Human Rights (Komnas HAM) was granted the power to conduct *pro-justicia* inquiries into genocide and crimes against humanity. Article 5 (1) Law Number 26/2000 about Human Rights Court defines a *pro justicia* inquiry as follows:

> "A series of action taken by enquirer [Komnas HAM] to look for or find the existence or otherwise of an event assumed as gross violation of human rights to be followed up by the investigation of Attorney General Office in the accordance with the provisions set forth in this law (Herbert, 2008: 467).

If Komnas HAM considers that there is sufficient evidence that gross abuse of human rights has occurred, a summary of the findings shall be submitted to the Attorney General's Office for investigation (Amnesty International, 2013).

Based on this right to conduct a *pro justicia* inquiry, in 2013 the Komnas HAM plenary decided to establish inquiries into five cases of past abuses in Aceh. They consist of various human rights violations in Rumoh Geudong, Pidie; mass killings in Simpang KKA, North Aceh; accidents in Bumi Flora, East Aceh; forced disappearances and mass graves in Bener Meriah, Central Aceh; and mass killings in Jambo Keupok, South Aceh (Hukum Online, 1 Agustus, 2013). Among those five cases, three of them – Rumoh Geudong, Simpang KKA, and Bumi Flora – had been previously investigated by Komnas HAM without any further response from the office of the attorney general. Komnas HAM declared that the military operation in Aceh, which lasted from 1989 until a peace deal was signed in 2005, could be categorised as a gross human rights violation and that the Indonesian Military (TNI) was responsible for the killing (Aritonang, 2013). However, as happened in the past inquiries, the result was not followed up by the office of Attorney General, an indication that bringing perpetrators of human rights crimes to justice has not been the priority of the central government for peacebuilding in Aceh. It was caused by inadequate regulations, lack of political will and high resistance from the suspected perpetrators. In 2018, Komnas HAM submitted another inquiry to investigate the Rumoh Geudong case and establish an *ad hoc* human rights court. The result remains to be seen.

The response from Acehnese communities toward the urgency of addressing human rights violations differs. The indirect rejection of the formal process of the prosecution was mainly voiced by government officials and both national and local political party officers:

> "I think it is now time to close the book. Let us end the old story and maintain the peace" (GO personal interview, September 2012).

> "Investigation of the violation of human rights will only open the old wound. It will threaten peace" (LPP 2, personal interview, September 2012).

A pessimistic opinion is also voiced by Marzuki Darusman, a legislator from Partai Golkar, who opined that the judicial resolution of human rights violations in Aceh will not be smooth because "the number of cases is too large, and it will not be possible to process them in normal trials" (Shofwan, 2006).

Despite the support of regulations, albeit weak, the future of justice for the victims of human rights violations in Aceh during conflict seems discouraging. This problem is exacerbated by the absence or half-hearted support from government officials and political parties to follow up on the investigation of human rights violence during the conflict in Aceh. The situation of almost complete impunity for human rights violations in the post-conflict era is common in many other countries (Amnesty International, 2013). Justice is side-lined by political participation and economic development because they are seen as more constructive efforts for peacebuilding, while human rights and justice, on the contrary, could harm the newly obtained peace.

It is important to emphasise that the strong and already established institutions in state-led peacebuilding do not give a positive contribution to the fulfilment of the judicial mechanism of transitional justice in post-conflict Aceh. Indonesian judicial institutions have been hesitant to process human rights violations, especially when they involved high-rank military officers. The continuous efforts from Komnas HAM (Indonesian Commission of Human Rights) to investigate human rights violations in Aceh by submitting *pro justicia* inquiry have always been gridlocked by the Office of Attorney General as a part of Indonesia's judicial institution system. Furthermore, there is no significant difference in judicial mechanisms of transitional justice in Aceh between the transition and normalisation phases of peacebuilding. Both phases are constantly characterised by the reluctance of the central government to take further steps to bring justice to victims of conflict in Aceh through human rights courts. It reflects the overall stagnation of human rights and justice in Indonesian democracy after the New Order

era. Usman Hamid, the Director of Human Rights Watch Indonesia, argues that despite granting Indonesians with more civil liberties and political participation, the Reformation era had failed human rights and justice, because the former police and military generals involved in past human rights abuse have been continuing to hold power in the past 20 years (Hamid, 2018). The transfer of authority from the incumbents to insurgents to address this grievance is also not possible since the Human Rights Court is a part of Indonesia's judicial system. Thus, it becomes one of the central government authorities which could not be managed or administered separately by Aceh's government.

7.3.2 Truth and Reconciliation Commission

Just one year before a peace agreement was reached in Aceh, Indonesia added another aspect of transitional justice by enacting a law to establish a national Truth and Reconciliation Commission in 2004 (Law No. 27/2004). The Truth and Reconciliation Commission in Indonesia was established with powers to receive complaints of the violation of human rights, investigating past human rights abuse and making recommendations for compensation and or rehabilitation for the victims (Amnesty International, 2013). The establishment of TRC was stipulated in the MoU Helsinki and LoGA, and it followed the pattern of peacebuilding in other post-conflict countries to include TRC as the non-judicial mechanism.

However, the Truth and Reconciliation Commission for Aceh's case was short lived. In 2006, a group of victims of human rights violations and representatives of the Human Rights CSO in Indonesia filed a material review to the Constitutional Court on three clauses in the Law on a National Truth and Reconciliation Commissions. The first criticised article is article 1 number 9: "Amnesty is a pardon granted to the perpetrators of gross human rights violations by the President of the Republic of Indonesia based on the consideration of National Parliament". The second criticised article is article 27: "Amnesty is granted to perpetrators of gross human rights violations before victims can receive compensation and rehabilitation". The third criticised article is article 44: "Gross human rights violations cases that have been resolved by the Truth and Reconciliation Commission cannot be brought again to the human rights court" (Hukum Online, 11 December 2006). It was considered a violation of the sense of justice because the perpetrators can avoid responsibility to the victim as well as eliminating the right of the victim to seek justice through the judicial mechanism. The decision from Constitutional Court was rather unexpected because it was not only revoked the three criticised articles but also annulled the establishment of the Truth and Reconciliation Commission due to the reasoning that the law is unconstitutional. There is an indication that the central government chose a political approach over legal mechanisms based on a statement

from Jimly Asshiddiqie, the chairperson of the Constitutional Court: "reconciliation is not necessarily conducted through legal mechanism, it could also use political mechanism such as compensating GAM members with the allocation of land" (Detiknews, 7 December 2006). Following the annulment, there was an attempt to re-establish the commission by submitting a new draft with the exclusion of amnesty. The reviewing process of the draft proceeds very slowly, hampering the progress of TRC in Aceh accordingly.

7.3.2.1 The Establishment of a Local TRC in Aceh

The failure of the judicial system and slow progress of non-judicial effort for advocating human rights and justice in Aceh had encouraged civil society to organise and take an alternative approach. The victims of conflict set up an organisation called Kagundah (Association of Acehnese Families of Missing Persons) and submitted a petition to demand compensation and the establishment of a TRC to the Aceh local government and parliament (Amnesty International, 2013). The attempt to establish a local TRC was initiated by several NGO coalitions, such as the Aceh Coalition of Truth, the Aceh Judicial Monitoring Institution, and Woman Volunteers for Humanity (Clarke, Wandita and Samsidar, 2008). They worked collaboratively to develop a model of a TRC in Aceh together with community leaders and victims' groups. They presented a concept paper of TRC Aceh to local government and local parliament (DPRA) to be followed up as a Qanun (Clarke et al., 2008).

The initiative to establish a local TRC is problematic as LoGA regulates that the formation of a Commission for Truth and Reconciliation in Aceh is an inseparable part of the [National] Commission for Truth and Reconciliation (Law of the Governing on Aceh, Article 229). On other words, Aceh TRC could not be established before the new law on National TRC is re-promulgated. However, the establishment of Aceh TRC could refer to another legal basis in LoGA. Article 7 of LoGA stipulates that Aceh government and district/city government are authorised to manage and administer governmental affairs except for national affairs, foreign affairs politics, defence, security, judicial, monetary, and national fiscal and certain affairs in the religious sector (Law of the Governing of Aceh Article 7). TRC as a non-judicial mechanism of transitional justice is therefore excluded from the sole authorities of the central government. The utilisation of LoGA as a legal basis of local TRC was also strengthened by KontraS (Komisi Untuk Orang Hilang dan Korban Kekerasan/Commission for Disappeared and Victims of Violence) by stressing the principles of the *ex specialis derogate generali*, or specific laws prevailing over general laws (Saraswati, 2017).

The effort to establish local TRC was intensified after the election of Zaini Abdullah, the second governor in peace-time. Regardless of his primary political objective to gain more support or

legitimacy from marginalised conflict victims, Zaini was seen as the more supportive figure to the effort of establishing truth and justice post-conflict. DPRA decided to process the draft of Aceh qanun even though the Constitutional Court cancelled the law (Simanjuntak, 2013a). In late 2013, despite the controversies surrounding the establishment of a local TRC, DPRA passed Qanun No 17/2013 about the establishment of a Local TRC in Aceh. This legal initiative received an initial objection from the central government based on the predicted reason: Aceh TRC is a part of national TRC. Thus, its establishment must be delayed until the new law of the national TRC is enacted. While the central government did not seem happy with this local initiative, there have been no further efforts from Jakarta to halt the establishment of Aceh TRC. The development of Aceh TRC itself has been very slow, taking three years from the promulgation of the qanun to the official inauguration of Aceh's TRC commissioners by Governor Zaini in 2016. The Aceh TRC also suffered organisational deficiencies as it was established under the Provincial Office of Social Affairs and received only IDR 4.5 billion (USD 300,000) annual operational fee from the provincial government (Usman, 2018). However, despite all the shortcomings and slow pace, Aceh TRC has been persistently conducting its task as the agency to deal with transitional justice in Aceh. In August 2018, Aceh TRC began to hear the victim's testimony and recorded the 500 testimonies from five regencies in Aceh to their database (Sanjaya, 2018).

The initiative of the establishment of TRC at the local level was a positive development in non-judicial mechanisms in Indonesia. The Coordinator of KontraS Aceh, Gilang Destika appreciated the formation of Aceh TRC and expected that the institution could break the cycle of violence in Aceh "... [Aceh TRC] is important to prevent the recurrence of the conflict in the future ... to enable our children and grandchildren to know the truth about the atrocities experienced by our family and relatives that must not be repeated" (BBC Indonesia, 27 December 2013). The similar expression of the necessity of the Truth and Reconciliation Commission was also voiced by my respondents, especially from academics and civil society organisations:

> "Human Rights and Justice in Aceh should be based on the principle of forgiveness but not forgotten. Truth-seeking is important, and it must be driven by civil society, not government" (LR 2, personal interview, October 2012).

"The enforcement of human rights in Aceh in the post-conflict period is very poor; this is partially caused by the former combatant who is now in power and does not have any sense of urgency to follow up the human rights problem. Truth and Reconciliation in Aceh is still necessary" (PA 3, confidential interview, September 2012)

Aceh TRC is not the first case of the "adjustment" of transitional justice in post-conflict Indonesia. The Government of Indonesia had modified the Truth and Reconciliation Commission for the East Timor case into the Commission of Truth and Friendship (Komisi Kebenaran dan Persahabatan/CTF). The CTF was established under the agreement between Xanana Gusmao, East Timor President and Susilo Bambang Yudhoyono, President of the Republic of Indonesia in 2005 to review the various reports about the violations of human rights during the 1999 referendum. The result of the commission is the acknowledgement of violations of human rights, albeit without a formal apology or further recommendations for the judicial process regarding the perpetrators. The two leaders agreed to "close" the past. This decision was supported by the East Timorese leader as a political compromise.

The delayed establishment of TRC in Aceh is another case of the sluggish transitional justice in Indonesia. Even though TRC is a non-judicial mechanism, its establishment in Indonesia's transitional justice structure was responded to half-heartedly. After the Law No 27/2004 about Indonesia's Truth and Reconciliation Commission was annulled, there has been no significant attempt to re-enact this law. Again, a strong institution in state-led peacebuilding, that is represented by national parliamentis reluctant to support transitional justice in a post-conflict setting. In 2017, the Coordinator Minister of Politics and Security who is also a high ranking military officer, Army General (retired) Wiranto, announced the proposed establishment of the Council of National Harmony (Dewan Kerukunan Nasional) to resolve past human rights abuses (including gross human rights violations) between the victims and perpetrators by using compromise and consensus (Asian Human Rights Commissions, n.d). The authority of the council to tackle gross human rights violations through non-judicial mechanisms was heavily criticised by Human Rights CSO due to the possibility of immunity given to the perpetrators. This widespread protest caused Wiranto to correct his early statement and stressed that the council is tasked to suggest the resolution of vertical conflict (between government and society) and horizontal conflict (conflict between societies) by using consensus and compromise (Andwika, 2017). Wiranto also acknowledged that the Council intended to replace the Truth and Reconciliation Commission (Gabrillin, 2018).

In the middle of the gesture of "political compromise" on the subject of transitional justice at the national level, it is indeed interesting to observe the persistent development of TRC as a non-judicial mechanism in post-conflict Aceh. The absence of a legal basis for the establishment of a national TRC was filled by an initiative from civil society groups to establish a local TRC in Aceh. Despite the lack of support from central government, this initiative has been appreciated as the alternative transitional justice mechanism. While the primary proponents of a local TRC are civil society groups, to mark the participation aspect in this field, its establishment was supported by the provincial government. Despite slow progress and institutional-financial deficiency, the formation of a local TRC in Aceh indicates the process of "authority take over" performed by local government when there is an absence of regulation at national level, instead of "authority transfer" from central government to Aceh local government in the subject of transitional justice. The support from GAM-dominated local government, albeit slow and lukewarm, is quite surprising because the process of truth and reconciliation if conducted correctly, must also involve GAM personnel as the atrocities were committed by two parties, GAM and the Indonesian military. It could also be an indication of an attempt from GAM to gain legitimacy from Acehnese society, especially from the victims of conflicts.

If we follow the analysis of the advantages and disadvantages of the TRC as explained by Schlunk (1997) there are some distinct features on the strength and weakness of TRC in Aceh. In the countries with a strong presence and influence of military groups that impede the process of trials in the human right court such as in Indonesia, TRC provides the opportunities for the communities or non-elite groups to reap the benefits of peace, since other post-conflict benefits such as political power and economic resources could only be enjoyed by a few elite. In Aceh, the local TRC is the evidence of the successful collaboration between civil society organisations, communities and the families of the conflict victims to bring justice to the victims of the longstanding conflict in Aceh, when a similar institution at the national level is absent. This local initiative, surprisingly, gained considerable support from the local government. And lastly, while the effectiveness of the Aceh local TRC is questioned due to its inability to bring Indonesian military officers, the TRC could be utilised as the internal reconciliation forum between different ethnic groups such as in Gayo, where the past conflict often involved two different ethnic groups. However, Aceh TRC also contains several weaknesses. The most profound weakness is the resistance from the military and nationalist group over the establishment of the TRC. While there was no direct challenge from the military and nationalist groups to the Aceh TRC, the political initiative at the national level does not favour the transitional justice initiative as accentuated by General Wiranto. Wiranto prefers the establishment of The Council of National Harmony to replace the Truth and Reconciliation

Commission. Other weakness of Aceh TRC that affirms Schlunk's notion is the limitation of the budget provided by the local government as well as the institutional deficiencies. Lastly, given its territorial jurisdiction that only covers the area of Aceh Province, the Aceh TRC will not be able to compel testimony or enforce the restitution to the perpetrators who no longer reside in Aceh.

7.4 Reconciliation from Below

In addition to the effort undertaken by civil society organisations to establish a local TRC in Aceh, there are also other local initiatives with similar mechanisms that seek truth and reconciliation. In Aceh, the incorporation of local cultural traditions is acknowledged by the article 229 of LoGA that stipulates: "In settling human rights violation cases in Aceh, the Commission for Truth and Reconciliation in Aceh may take into the consideration custom principles that use in society". One of the most widely used cultural ceremonies for conflict resolution in Aceh is *peusijeuk*. As described by Kimura, *peusijuek* is "a ritual performed to show that harmony and peace have been restored to a community after a disruptive incident by extending apology and compensation to the victims" (Kimura, 2015: 85). The ceremony is done by pouring sacred water, yellow rice, or powder as a symbol of forgiveness and reconciliation (Kimura, 2015). *Peusijeuk* was common during the early post-conflict years when former GAM soldiers returned to their hometowns and were welcomed back by the communities (Brainwathe et al. 2010). However, this traditional mechanism of reconciliation is focusing on implicit forgiveness based on the intention to move on to the future and does not consist of truth-telling (Aspinall and Zain, 2014). This customary mechanism of reconciliation is often criticised because it could be manipulated by the perpetrators of human rights violations to escape from accountability (Kimura, 2015). It is further seen as the co-optation of a traditional mechanism to avoid legal responsibility.

Photo 7-1 Peusijeuk Ceremony

Source: Website of National Radio of Indonesia (RRI)

Another example of a civil society attempting reconciliation is by transforming the memory of conflict into cooperation. This conflict transformation initiative was organised by KontraS Aceh and the Peace-Loving Women's Group (Kelompok Perempuan Cinta Damai/ KPCD) (ICTJ and KontraS, 2011). It takes place in Bener Meriah, a central highland district with a multi-ethnic composition; Acehnese, Gayo, and Javanese. Due to its heterogeneity, Bener Meriah faced high-intensity inter-communal conflict beside separatist conflict between GAM and the Indonesian military (Aspinal and Zain, 2014). In coastal areas of Aceh, TNI (Indonesian Army) directly confronted GAM, thus making a distinction between friends and enemy easier. On the contrary in coastal areas such as Gayo, ethnic plurality and presence of militia groups made the situation more complicated because violence could be done by the various groups and the perpetrators were difficult to identify. This situation led to the diminishing social fabric among the communities in Gayo.

Women were the first beneficiaries of this project for two reasons. Firstly, there were lower levels of violence used among women when they encountered dispute or conflict. Secondly, women are expected to socialise and nurture the culture of peace for their family members, particularly their children, to stop the spiral of violence (Lintas Gayo, 22 December 2010, Christanty, 2011). Later, this programme was expanded into the other community groups and ordinary villagers in the interior areas of Aceh (Aspinall and Zain, 2014). The reconciliation programme was directed to the three different ethnic groups by involving them in communal

livelihood programmes such as vegetable plantations, fish-farming and handicraft (Aspinall and Zain, 2014). The participants in the programme engaged in a discussion about transitional justice, training on peace and reconciliation, establishing cooperation and setting up peace villages, the multi-ethnic villages in the post-conflict era (Christanty, 2011). According to Aspinall and Zain (2014), this programme seemed to reach a significant outcome as shown by the collaboration between the former adversaries, the ex-GAM combatants and ex-PETA (government militias) in the same caucus of district parliament that was enhanced by the interaction in this reconciliation programme. The participants also noted substantial changes in inter-racial relations as expressed by Maimunah "Previously the different ethnic groups often insult each other, but after joining this group we feel being united as one ethnic group, no more difference" (Lintas Gayo, 22 December 2010). The 16 peace villages were also established to foster peace in the Gayo area. This reconciliation effort is considered important as accentuated by Wiwin from KontraS "Despite its reduced intensity, inter-ethnic segregation is still rampant in Central Aceh, and it potentially could be used to create another conflict" (Arif & Muhammad, 2011).

Notwithstanding its potential as an alternative approach to fulfil the need for justice and reconciliation in the post-conflict period, Avonious (2009) stresses that *peusijeuk* or other grassroots reconciliation methods are not sufficient for maintaining the durability of peace. Reconciliation in Aceh takes more than just local dispute settlement. It is also important to find long term solutions that are based on a thorough understanding of human rights and justice. It is affirmed by one respondent that expressed her concern towards the delay of transitional justice in Aceh, stressing the point that peace will not be complete without justice and fair dealing with past atrocities (PA 1, confidential interview, September 2012).

7.5 Memorialisation in Transitional Justice

While the future of the investigation and prosecution of perpetrators of human rights abuses during the conflict in Aceh seems discouraging, a group of human rights activists in Aceh established various memorial places as a reminder and lesson learned of the history of conflict. Barsaloe and Baxter define memorialisation as "a process that satisfies the desire to honour those who suffered or died during the conflict and as a means to examine the past and address contemporary issues" (Barsaloe and Baxter, 2007: 1). Memorialisation could occur in every conflict cycle, taking different forms and in a highly politicised process that is shaped by those in power (Barsaloe and Baxter, 2007). Public memorialisation is considered to be an important element of transitional justice due to its power to grip with the past. They also become a primary ground of the different constituencies to address the challenging and traumatic past (Brett, Bickford, Sevcenko & Rios, 2007).

In Indonesia, memorialisation through museums, monuments, books and film was used largely as state propaganda, especially under Suharto. It echoes Kappler's (2017) argument about the political aspect of memorialisation projects involving the reproduction and transformation of power relations. The most famous one is the memorialisation of the communist rebellion in 1965 that is widely used as an anti-communist campaign. In a smaller scale, several civil society organisations offer an alternative narration of the "government version" of history by documenting human rights violations cases that occurred during 1965-1998 (Impunity Watch, 2015). There is also "Munir Museum" in Malang to commemorate Munir, one of the most prominent Indonesian human rights activists who was murdered during his Jakarta-Amsterdam flight in 2004. In Aceh, memorialisation has developed as the alternative transitional justice mechanism to the stalled human rights courts and TRC.

7.5.1 The Human Rights Museum

The establishment of a human rights museum in Aceh was initiated in 2011 by four human rights organisations: Tikar Pandan, LBH (Lembaga Bantuan Hukum/ Legal Aid Foundation) Aceh, KontraS, and Aceh Human Rights NGO Coalition (Aspinall and Zain, 2014). Initially, human rights activists in Aceh expected the government to establish a memorial to remember past human rights violations. However, after five years passed without any follow-up, they took the initiative to establish this museum (Tempo, 24 March 2011). This consortium of human rights NGOs brought together artists and activists to establish the museum to record human rights violations during the conflict. Due to small funding, Komunitas Tikar Pandan dedicated one room of their office in Ulee Kareng, Banda Aceh to house the museum (Christanty, 2011). It displays photographs of disappeared victims, a documentary film on school burnings and a record of tragedies such as the murder of Tengku Bantaqiah, a well-known religious cleric who has been accused of possession of illegal firearms, together with his students on July 23, 1999, in West Aceh (Jakarta Globe, 26 March 2011). The management of this museum does not exhibit graphic pictures of those tragedies for ethical reasons and to avoid reopening old wounds (Jakarta Globe, 26 March 2011). The museum is also used as a place to conduct various activities such as screenings, readings, lectures and discussions concerning violence and human rights issues (Freener, Klos and Samuels, 2015).

Photo 7-2 A visitor of the Human Rights Museum Aceh reading displays of a violent accident

Source: Tempo Online

Photo 7-3 A visitor of the Human Rights Museum observes pictures of victims of conflict in Aceh

Aceh. Source: Tempo Online

According to the initiator of the Human Rights Museum, Reza Idria, the establishment of the museum was inspired by the Holocaust Museum in Berlin. Furthermore, Idria explains that the museum is established to commemorate conflict in Aceh:

While we wait for the establishment of the Truth of Reconciliation that takes a long time.... we have limited memory. Then it will be good if we can have space to enable people to put stuff or picture to remind us about the human rights violation in Aceh" (Christanty, 2011).

The concept of a Human Rights Museum was initially rejected both by GAM and the military, so as "not to open old wounds" (Christanty, 2011, Amnesty International, 2013).

Photo 7-4 Human Rights School conducted in Aceh Human Rights Museum

Source: Website of the Aceh Human Rights Museum

The fate of the Human Rights Museum stands in contrast to the Tsunami Museum, another memorialisation project in peace-time. The Tsunami Museum is a 2,500 square metre, four-storey building designed by Ridwan Kamil, Indonesian architect and built for USD 6.7 Million (Herlily, 2010, Williamson, 2009). This memorial place is designed both as a tribute to the 230,000 Acehnese killed by tsunami and as a place for reflection (Herlily, 2010). The museum was officially opened by President Susilo Bambang Yudhoyono in 2009.

Photo 7-5 Tsunami Museum in Banda Aceh

Source: Website of Aceh Provincial Government

Until 2018, the Tsunami Museum was one of the popular tourist destinations in Banda Aceh for both national and international visitors and frequently featured on tourism websites. On the other hand, the Human Rights Museum "seemed to have disappeared from the digital and physical landscape" (Grayman and Bronnimann, 2018: 112). It illustrates the case where two memorialisation projects experienced different trajectories. Kent (2016) argues that the perilous relations between the GAM-dominated Aceh local government and the central government with a strong military presence impedes efforts to commemorate conflict victims publicly and collectively. The existence of the Human Rights Museum that refuses to forget past atrocities does not seem fit with the narrative of an Aceh settled peacefully within the state of Indonesia (Grayman and Bronnimann, 2018).

7.5.2 Simpang KKA Monument

The Simpang KKA (Kertas Kraft Aceh/ Aceh Kraft Paper) monument is a memorial to the mass shooting in North Aceh district, the Dewantara Massacre. It occurred on 3 May 1999 when martial law was declared in Aceh. This incident was preceded by the search for an alleged missing soldier in Cut Murong Village, Dewantara Sub-District by the Guided Missile Unit of Military Resort Command Lilawangsa. During the searching process, the soldiers attacked 20 villagers. Following that violent accident, the community and military held a meeting and came up with the agreement to prohibit soldiers from entering the village again, and the searching process of the missing soldiers would be carried out by community leaders (Rini, 2002). However, the military broke the agreement and led to the mobilisation of the hundreds of people to protest the accident. The protest that initially went peacefully turned chaotic and was responded to by frantic and massive shooting from the military that ended up killing at

least 49 people, including seven children, wounding 156, with ten people reported missing (Muslimah, Detiknews, 22 June 2016).

In the middle of prolonged absence of Truth of Reconciliation Commission, the victims of the Simpang KKA massacre organised themselves into K2HAU (Komunitas Korban Pelanggaran HAM Aceh Utara, or the Community of the Victims of Human Rights Violation in North Aceh). Several human rights CSOs conducted a public hearing during the 11th commemoration of Simpang KKA by adopting the model of the Aceh Truth and Reconciliation Commission (Junge, 2010). Testimony by one victim strongly stressed the urgency to establish a human rights court and TRC for the perpetrators:

> …A bullet had hit my head, and I had to be operated on several times…There are still bullet splinters in my head, but I cannot afford the necessary treatment…I hope that this violence will not be repeated. The government has to pay attention to the victims. There has to be a court to try the perpetrators and a truth commission. If the perpetrators are not tried, they will feel encouraged to repeat what they have done, maybe to do even worse".[19]

The public hearing was followed by a ceremony to lay the foundation stone for a monument to commemorate the victims of this massacre by the representative of the North Aceh Regency and local parliament (Junge, 2010). In 2011, the monument was completed and inaugurated (Amnesty International, 2013).

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[19] Cited from Fabian Junge, "Public Commemoration for Victims of Aceh Conflict" *Watch Indonesia! Information and Analysis*, at http://www.watchindonesia.org/7720/public-commemoration-victims-aceh-conflict?lang=en

Photo 7-6 Simpang KKA Monument in North Aceh Regency

Source: Website of Aceh Provincial Government

The agreement from local government to erect the monument that permanently commemorates the conflict victims is a result of intensive lobbying from K2HAU. The establishment of this memorialisation project indicates the possibility of the opening up of public recognition of past human rights abuses by the state even though only at local level (Junge, 2010).

7.5.3 Rumoh Geudong Monument

Another memorialisation initiative of human rights violations in Aceh was the construction of a monument of Rumoh Geudong. Rumoh Geudong is located in Bili Aron Village, Glumpang Tiga Sub-district, Pidie regency and was used as an Indonesian military post during 1989-1998 when Aceh was declared as a military operation zone. There were numerous cases of crimes against humanity, including abduction, torture, rape, and extrajudicial executions at Rumoh Geudong (Amnesty International, 2013). In 1998, when the status of Aceh as Military Operation Zone was lifted, Rumoh Geudong was burned by the people living in surrounding areas (Tirto, 11 April 2017). While the investigation of human rights abuses in Rumoh Geudong has been carried out repeatedly by Komnas HAM (Komisi Nasional Hak Asasi Manusia/Indonesia National Commission of Human Rights) without any significant results, a consortium of regional, national and local human rights organisations – AJAR (Asia Justice

and Rights) KontraS and PASKA Aceh – initiated this memorialisation project as a support to victims of crimes of humanity of Rumoh Geudong (AJAR, 26 July 2018). The inauguration of the Rumoh Geudong monument was attended by Pidie Regent, Head of the Aceh Truth and Reconciliation Commission, representatives from Komnas HAM, survivors, and hundreds of people from Pidie and the Pidie Jaya area (Zulkarnaini, 2018). The presence of the Head of the District of Pidie during the inauguration of this memorialisation project demonstrated a certain level of support from the central government while the central government was represented by Komnas HAM.

Photo 7-7 Rumoh Geudong Monument

Source: Amnesty International website

Photo 7-8 Pidie Regent, Choirul Anam (Komnas HAM) and Farida Haryani (Paska Aceh) attended the inauguration of Rumoh Geudong Monument

Source: AJAR website

Memorialisation in the form of the establishment of museums and monuments emerges as one of the non-judicial mechanisms of transitional justice in peacebuilding in Aceh. The participation from civil society has been prevalent in these memorialisation initiatives. There has been a strong network among regional, national and local human rights organisations such as AJAR (Asia Justice and Right), national (KontraS), and local (PASKA Aceh, RPUK/Relawan Perempuan Untuk Kemanusiaan/Woman Volunteers for Humanity) persistently voicing the subject of human rights and justice in post-conflict Aceh when judicial mechanisms and TRC has been halted or progressing very slowly.

There are several points worth pondering regarding memorialisation as one of the forms of transitional justice in Aceh. The first point is the strong presence of civil society organisations at the local, national and regional levels to initiate the memorialisation projects that appear in the establishment of the Human Rights Museum, the Simpang KKA Monument and the Rumoh Geudong Monument. The civil society that organised itself under the coalition of victims (K2HAU) has also shown considerable efforts to accomplish their goal of the establishment of the monument. It demonstrates robust participation of human rights and justice in the post-conflict era in Aceh.

The second notable point is the level of support from the government regarding the establishment of memorialisation projects in Aceh. The central government has shown only little interest in the memorialisation projects. The presence of Khoirul Anam, as a member of Komnas HAM during the inauguration of the Rumoh Geudong Monument, could be interpreted as attention from central government. However, it might be seen sceptically since Komnas HAM is the state institution that carries out assessment, research, education, monitoring and mediation of human rights. In other words, Komnas HAM is only performing its official task, not showing particular support. In contrast, support was illustrated in the establishment of the Tsunami Museum, another memorialisation project that was well funded and officially opened by President Susilo Bambang Yudhoyono. The Tsunami Museum is a memorial to commemorate victims of natural disasters. Therefore, no party could be blamed as the perpetrator, unlike the Museum of Human Rights, the Rumoh Geudong Monument and the Simpang KKA Monument, which point fingers at the Indonesian military.

A different gesture is demonstrated by the local government, in this case, the district government of North Aceh and local parliament that support the erection of the Simpang KKA monument. The district government of Pidie also showed some level of support by attending the inauguration of the Rumoh Geudong Monument. This support might be shown to gain

legitimacy from society, especially conflict victims. Another possible reason for support from the local government is that they were not the perpetrators of human rights abuse in the Simpang KKA or Rumoh Geudong. Hence, they consider the support is safe because the monuments are erected to remember the atrocities of their past enemy, the Indonesian military.

The last point about the memorialisation projects is their purposes as a reminder to future generations in Aceh about past human rights violations as a source of support for the victims. In the middle of the absence of the establishment of human rights court and slow progress of the truth commission, museums and monuments are the symbols of collective memory. It is particularly true when the demand for justice in the normalisation phase of peacebuilding is diminishing due to collective forgetting. Memorialisation projects are essential to remind the future generations of lessons learnt, not as a medium to sustain hatred or revenge.

7.6 Conclusion

Transitional justice in post-conflict Aceh is characterised by the reluctance of strong and already established judicial institutions in Indonesia to support the alleviation of human rights grievances through legal mechanisms. The stakeholders of the peacebuilding process tend to halt or delay the process of justice to maintain the fragile peace that has just been attained. It occurs particularly due to the presence of former human rights perpetrators from the military or high-ranking police holders of government office, coupled with inadequate and ambiguous regulations such as the annulment of Law Number 27/ 2004 about the National Truth and Reconciliation Commission, and the retrospective principles of the Human Rights Court. There was an absence of authority transferred from central government to local government to support the efforts of human rights and justice in post-conflict Aceh. However, there is a notable authority takeover, instead of an authority transfer, through support from the local government towards the establishment of Aceh TRC. This "authority take over" occurred in the middle of the absence of a national legal basis for the establishment of TRC. The absence of a human rights court and national Truth and Reconciliation Commission followed by establishment of a provincial TRC could decrease the legitimacy of the national government while increasing the legitimacy of GAM-dominated local government in Aceh.

On the other side, there have been promising developments in participation in civil society to break the stagnation of the transitional justice process. The participation flourished through the local initiative to establish Aceh TRC, grassroots conflict transformation and the memorialisation projects. Some of the civil society groups at the provincial and national levels

such as PASKA Aceh, RPUK and KontraS continue to raise this issue. Others have opted to employ grassroots mechanisms. Civil society participation in the subject of transitional justice has been encompassing institutions in state-led peacebuilding in Aceh. More than ten years after the MoU Helsinki, peace in Aceh is still durable without being supported by significant efforts in addressing the human rights abuse and promoting justice for the victims. However, the aspiration of the fair dealing with past abuse is also persistently voiced by some components of civil society and victims. It indicates the need to keep the subject of human rights and justice as part of the peacebuilding process in Aceh, despite being overshadowed by vibrant participation in politics or robust economic reconstruction, two aspects that are seen as more beneficial to maintain the durability of peace.

As the last grievance during the conflict in Aceh, human rights and justice are undergoing a stagnant trajectory with participation coming from below. The findings in this chapter partially affirm hypothesis 1, namely that "a peace agreement which addresses grievances will contribute to the durable peacebuilding process in strong middle-income countries like Indonesia". Human rights and justice provisions are indeed accommodated in the MoU Helsinki, but they were not implemented as proposed. The Human Rights Court was never set up, and the Truth and Reconciliation Commission (TRC) was annulled. While the lack of capacity or the deficiency of strong institutions might be the primary causes of the absence of transitional justice in fragile states, how do we explain the same absence of post-conflict transitional justice in a strong middle-income country like Indonesia? The first possible explanation relates to the existence of a strong government/institution in state-led peacebuilding. Indonesia has strong military institutions that will protect their members who might otherwise be prosecuted for human rights violations. There is also a presence of nationalist political parties which traditionally oppose peaceful resolution with separatist groups, including the efforts to deal with human rights abuse in the aftermath of conflict. Also, we should not forget that GAM, which is later growing as a strong political institution in post-conflict Aceh, committed human rights abuses as well. They have reasons not to support the establishment of transitional justice.

To sum up, the strong institution of two former adversaries, central government and GAM contributes to the absence of transitional justice in post-conflict Aceh. Factually, during the transition phase, the durability of peace in Aceh is helped somewhat by the absence of transitional justice because it prevents instability that might be triggered by the justice process. While the lack of the institution characterises transitional justice in the transition phase, there are new developments in the normalisation phase that are explained below.

Hypothesis 2, that "in order to secure sustainable post-conflict peacebuilding, the peace agreement should be enacted in national and local law", is also partly proven as there is a significant alteration to the realisation of a human rights court in LoGA by adopting retrospective principles that could only process the cases after the promulgation of LoGA. The establishment of the Truth of Reconciliation Commission is halted due to the annulment of the respective law. However, the barrier in national regulation is surpassed at the local level by the promulgation of Qanun No 17/2013 about the establishment of Aceh Truth and Reconciliation Commission. Aceh demonstrated an exceptional case of state-led peacebuilding by the establishment of local TRC under provincial legislation without any involvement from the central government. The local government and local parliament, which are mostly dominated by former GAM members have built a foundation for the creation of local transitional justice and assume authority from central government over this subject. Given the fact that some of the human rights perpetrators during conflict might come from GAM, this development is remarkable.

The robust civil participation and the limited level of support from local government in the human rights and justice realms confirm hypothesis 3 about the contribution of participation in peacebuilding to unification, recognition of identity and legitimacy to address underlying grievances. The establishment of local TRC, as well as the memorialisation project and grass root peacebuilding, are supported by a strong coalition of community and civil society organisations. These coalitions persistently proposed the establishment of local TRC and initiated the memorialisation project and finally gained support from local government. The complete absence of central government, support from local government and participation from community and civil society organisations will lead to the stronger legitimacy of local government over the subject of human rights and justice. In the normalisation phase of peacebuilding, the failure of national transitional justice and absence of strong national institutions are gradually replaced by local initiatives which are primarily based on participation.

To conclude, human rights and justice as the last grievances, have also been least addressed during the peacebuilding phase in Aceh. One side of grievances, especially the ones that were experienced by civil society have not been fully resolved yet. The lack of alleviation of these grievances appears to help sustain peace during the transition phase, but it remains to be seen if peace will keep intact without fair dealing with past human rights abuse or it will create another grievance in the future.

Chapter 8: Conclusion

8.1 Introduction

This thesis is motivated by the consideration of the durability of peace in Aceh, Indonesia. Thirteen years on from the signing of a peace agreement in Helsinki in August 2005, peace remains intact with relatively low levels of violence and the integration of former combatants into local politics. Post-conflict Aceh represents a case of peacebuilding in which the dominant role is carried out by the national government. While many cases of peacebuilding occur in fragile states with extensive intervention from foreign countries or international agencies, state-led peacebuilding in strong middle-income countries and consolidated democracies warrants more attention due to its high frequency, rampant casualties and impact on development. Building on the previous chapters, this concluding chapter presents the findings and conceptualises them into the framework developed for a specific type of case study of state-led peacebuilding. This research seeks to explore the questions around the implementation of peacebuilding in a strong middle-income country. What is the nexus between grievance and conflict? How is grievance alleviation accommodated in peace settlement? How is peacebuilding conducted in a strong-middle income country?

8.2 Grievance Alleviation

Before presenting the findings, this chapter will elaborate on the underlying factor of conflict in Aceh as an integral aspect of the peace settlement and peacebuilding. In analysing the underlying factors of conflict in Aceh, this thesis employs a grievance approach and theory of internal colonialism which were elaborated in chapter 2. It is an important aspect in state-led peacebuilding as the underlying factors are often caused by the legacy of the unfinished process of nation-building or the failure of a development programme. The intricate process of nation-building in newly democratic countries might result in the supremacy of one ethnic group over another. The domination of one ethnic group is then exacerbated by the centralisation of development, a process which eventually widens the gap between the region and central government as well as among regions.

The grievance is widely used as a tool of conflict analysis. It is based on the principle of relative deprivation, which is defined by Gurr (1970: 13) as "a perceived discrepancy between men's value expectation and their value capabilities". Gurr further defines value expectations as "the goods and conditions of life to which people believe they are rightfully entitled while value capabilities are the goods and conditions they think they are capable of attaining or maintaining, given the social means available to them" (Gurr, 1970: 13). The grievance

approach is supported by the theory of internal colonialism, a framework that views the nexus between centre-periphery inequality and ethnicity. Hechter (1975) emphasises that heightened core-periphery interaction resulted in structural inequality between various regions. The superordinate group in the core attempts to stabilise and maintain its advantages through policies of the institutionalisation of the existing stratification system and denying access to the less advanced groups based on cultural distinctions (Hechter, 1975).

Economic inequality and limited political access are among the primary grievances experienced by Acehnese. Economic grievances have been experienced by Acehnese since the colonial era by the exploitation of their oil by Dutch companies. Natural resources exploitation continued after independence, shifting from the Dutch colonial government to the Indonesian central government. It only left a small amount of the profit for Aceh's local development, making Aceh one of the poorest provinces in Indonesia. This uneven distribution of the profit share of natural resources is the major cause of internal colonialism as explained by Hechter because Aceh is a region inhabited by Acehnese while the Javanese maintained nationwide hegemony. Political grievances were derived from the development of Indonesia as a new nation state in the post-colonial period. Aceh, which had been actively struggling for national independence, felt politically betrayed when the national government decided to merge it into the province of North Sumatra. The elimination of the obligation to observe sharia (Islamic Law) for Muslim people from the Indonesian constitution exacerbated these grievances among Acehnese who adhered strictly to Islam. These early grievances gave birth to the rebellion of Darul Islam, the first religious dissent in Aceh in post-colonial times. This rebellion was brought to an end by the replacement of non-Acehnese troops with Acehnese and the alleviation of political and religious grievances by granting Aceh special region status and informal recognition of Islamic law in Aceh.

8.2.1 Politics

During Suharto's New Order administration, political grievances were continued as a result of political centralisation, the hegemony of a single political party and direct appointment of local leaders (governor and regent/mayor) by the central government. By adopting state-led development, Suharto felt the urge to safeguard economic development by ensuring national stability through centralisation of politics in Jakarta. Stable domestic politics was deemed necessary to attract investors and guarantee a favourable investment climate to spur growth. Through Law Number 5/1974 on Regional Government, the central government elected the local leaders. Although they must be endorsed by the provincial legislature, the final decision was the entitlement of the central government. The politics of centralisation were extended into electoral and party politics. As a multiparty system in post-independence was seen as a

destabilising aspect of domestic politics, the number of political parties was consolidated into three parties: PPP (United Development Party/Partai Persatuan Pembangunan), the result of the enforced merger of Islamic parties; PDI (Indonesian Democratic Party/Partai Demokrasi Indonesia), a coalition of Christian and Nationalist political parties; and Golkar (Golongan Karya), a political machine of the New Order regime. Golkar became the hegemonic party due to the compulsory membership of all bureaucrats. During the domination of Golkar in electoral politics, Aceh was the only province in Indonesia that demonstrated significant support for the PPP over Golkar.

8.2.2. Economy

The economic sector during the New Order era was highly centralised, especially because the practice of centralisation was "constitutionally legitimised". Based on Article 33 sections 2 and 3 of the Indonesian Constitution, natural wealth and vital production sectors were controlled fully by the state: "Production sectors that are vital to the state and that affect the livelihood of a considerable part of the population are to be controlled by the state" and "The land and the waters, as well as the natural riches therein, are to be controlled by the state to be exploited to the greatest benefit of the people". Aceh's natural wealth, especially its oil and gas, has been exploited since the colonial era and the practice was continued after independence. Although Aceh was planned originally to be Indonesia's rice barn, the discovery of oil and gas made Aceh a major contributor to oil and gas revenue. However, only a small percentage of the profit went back to Aceh in terms of social welfare and economic development. Exploitation also occurred in the forestry sector due to excessive logging. As well as unfair distribution, the exploitation of Aceh's natural resources caused environmental degradation and conflict about land expropriation.

8.2.3 Identity

The identity-based grievance is not as simple as political or economic deprivation, because identity is a heavily constructed concept. Deprivation of identity in Aceh was mainly derived from the strategy of assimilation adopted by the central government. The nature of Indonesia as a multi-communal nation contrasts with the strategy of assimilation based on the unity of diversity, in which the Javanese became the hegemonic culture. The transmigration programme that relocated people from Java to Aceh and other provinces was perceived as an attempt to spread Javanese culture and take over land and jobs from local people. The implementation of Law No 5/1974 about local government administration that adopted the Javanese village system for nationwide use was also seen as a part of an assimilation strategy or Javanisation. Resentment of the promotion of Javanese culture was not felt exclusively by

the Acehnese but also by people from outside Java. There were a few mobilised movements responding to these grievances like in Aceh. The key factor behind the accomplished ethno-nationalist movement in Aceh is the role of leaders who could narrate the grievance and transform it into mobilisation. Hasan Tiro, the grandson of an Aceh national hero, mobilised the grievances by highlighting Aceh's glorious past and contrasting it with the political and economic deprivation after Aceh became a part of the Republic of Indonesia. Owing to Javanese culture enforcement during Suharto's era, Tiro also exploited the sentiment of identity and created a new common enemy for the movement: the Government the of the Republic of Indonesia, a *de facto* Javanese empire. By utilising history and identity, Tiro mobilised grievances successfully into a separatist movement.

8.2.4 Human Rights and Justice

Grievances over human rights and justice were the latest deprivation felt by the Acehnese. These grievances originated from the military operation as the response from the government to combat the insurgency. Several counter-insurgency efforts were launched, such as Operasi Jaring Merah (Red Net Operation) which involved the Indonesian Army Special Forces. These military operations resulted in rampant human rights violations such as extrajudicial killings, torture, and abduction. After Suharto stepped down, the government sought a peaceful resolution by initiating negotiations. Unfortunately, the first two negotiations failed, and the government returned to military operations to deal with GAM. The human rights violations resulting from military operations have exacerbated the existing grievances, benefiting GAM with more support. Grievances on human rights and justice differ from the three other grievances on politics, the economy, and identity. It emerged late in the rebellion and serves as amplification for past grievances. The violations of human rights also give GAM the new universal value of human rights to support its independence cause, completing the framing of the deprived and discriminated Acehnese.

Chapter 3 investigated grievances as the underlying factor of the conflict, and the following discussion is about approaches to peacebuilding in Aceh. Peace-building has been growing rapidly as an international practice to help post-conflict countries avoid a relapse. As the concept was developed by the UN, it has been standardised internationally. Peace-building is influenced highly by the liberal democratic principle which believes that democracies will not wage war, a widespread tenet during the third wave of democracy. From democratisation, this principle further influenced peacebuilding. The advocates of a liberal democratic peace believe that free and fair elections, liberalisation of the market, freedom of speech and the advancement of human rights are necessary to attain sustainable peace after the civil

war/internal conflict (Paris, 2001, Newman, 2009). However, the increasing number of conflict relapses, especially between previous rival parties, has been a concern.

The peacebuilding process in Aceh is intriguing given its durability and that the primary stakeholder is the national government. Aceh represents a peculiar case, where the peace settlement was mediated by a third party, assisted by a short-term peacekeeping mission (Aceh Monitoring Mission), planned and supervised by a national government and executed through the collaboration between national and local government. Thus, this research endeavours to investigate two primary questions: how grievances are addressed in a peace process and subsequent regulations, and how peacebuilding in Aceh is conducted to reach durability throughout the transition and normalisation phase. Through the combination of field research and document study, this research has reached several findings. The elaboration is divided based on the types of grievance (politics, the economy, identity and human rights-justice) and the peacebuilding methods employed to address those grievances, either through encouraging participation or building strong institutions.

Participation, due to its broad meaning, is limited to the peacebuilding realm and understood as "the active involvement of the people in the conflict setting in the peacebuilding" (Nascimento, Jacobs and Keeler, n.d., 6). Participation in this thesis is defined as electoral participation as well as general public participation, including women's political participation in decision-making processes. Institution-building refers to the approach of liberal peacebuilding that is driven by the belief that the principal "problem" with conflict-prone and post-conflict states is the absence of effective state institutions that could be solved by (re) building a viable institution and often based on generic western model (Futamura, Newman & Tadjbakhsh, 2010). Given the state-led characteristic of peacebuilding in Aceh, where the primary institutions in governance, legislative, judicial and security have been long established, relatively strong and not installed by external actors, it is indeed appealing to observe how the institution-building works in the case of Aceh.

The subsequent sections of this chapter will validate hypotheses, summarise key findings, as well as outlining limitations of the research and direction for future research.

8.3 Hypotheses Explanation

Hypothesis 1: A peace agreement which addresses grievances will contribute to the durable peacebuilding process in stronger-middle-income countries like Indonesia.

Hypothesis 1 is proposed due to the failure of preceding peace settlements in Aceh, Cessation of Hostilities (COHA) and Humanitarian Pause. The failure of COHA and Humanitarian Pause were primarily instigated by the unmet demand between central government and GAM around the political arrangement in Aceh. GAM insisted on a referendum or independence while the central government refused to tolerate any disputation of territorial integrity. These two settlements were also too focused on security to give confident building measures for both conflicting parties, GAM and the Indonesian military. Unfortunately, the truces were frequently breached, and the level of violence in the field remained high. Therefore, there is a need for a peace agreement that comprehensively addresses the grievances to create durable peace in Aceh.

Table 8-1 Grievances Alleviations in MoU Helsinki

Grievances	MoU Helsinki Provisions
Political Grievances	3. The Establishment of the Local Political Party 4. Free and fair local elections
Economic Grievances	8. The rights of Aceh to raise funds with external loans and set interest rate beyond the rates set by the Central Bank of the Republic of Indonesia 9. The development and administration of all seaports and airports within the territory of Aceh. 10. The jurisdiction over living natural resources in the territorial sea surrounding Aceh. 11. The entitlement of seventy (70) per cent of the revenues from all current and future hydrocarbon deposits and other natural resources in the territory of Aceh, as well as in the territorial sea surrounding Aceh. 12. The transparency of the collection and allocation of revenues between the Central Government and Aceh by agreeing to outside auditors to verify this activity, and to communicate the results to the head of the Aceh administration. 13. The full participation at all levels in the commission established to conduct the post-tsunami reconstruction (BRR). 14. Reintegration of former combatant into the society
Identity	3. The establishment of Wali Nanggroe (an indigenous leadership institution). 4. Aceh will have its flag, crest and hymn.
Human Rights and Justice	3. The establishment of the Human Rights Court. 4. The establishment of the Truth and Reconciliation Commissions.

From table 8.1 we can see that MoU Helsinki accommodates the primary grievances in Aceh: political centralisation, economic inequality, identity and the violations of human rights and justice in its provisions. Politics was the most complicated subject during the negotiation and resolved by the establishment of a local political party as a compromise between self-determination and self-governance. The two most important provisions of political participation are local elections and the establishment of a local political party.

In the economic realm, the major grievance is addressed through the provisions of redistribution of Aceh's natural wealth. Aceh gained a larger percentage of oil and gas for future distribution and received a Special Autonomy Fund to redress the previous imbalance of the distribution of natural resources. In addition to the Special Autonomy Fund, Aceh's post-conflict development was also supported by a massive fund for tsunami reconstruction. Although the target of this fund is tsunami victims, not the conflict victims, it eventually delivered a peculiar peace dividend to former rebels in the form of access to the construction business. This fund was managed by BRR or the Agency for Reconstruction and Rehabilitation for Nias and Aceh. The other source of large funds is the reintegration assistance for the former GAM members under the supervision of BRA or the Aceh Reintegration Agency, while the utilisation of the Special Autonomy Fund is under the authority of local government.

Regarding the peacebuilding programme which is related to identity, the MoU stipulated that the office of Wali Nanggroe with all its ceremonial attributes and entitlements will be established" (MoU Helsinki, 2005). The Law of Governing Aceh specifies the attributes of Wali Nanggroe as a customary leadership body whose duty was to unite the people. It is also authorised to "oversee cultural life and ceremonies and confer traditional titles" (Simanjuntak, 2013). Aceh is also granted a right to have its provincial flag, crest and hymn to accentuate Acehnese identity. Human rights violations are settled by the provision of transitional justice: the establishment of human rights courts and a truth and reconciliation commission.

In sum, the primary grievance in Aceh in the subjects of politics, economy, identity and human rights and justice has been comprehensively addressed in the MoU Helsinki. The full acknowledgement of grievances in the peace settlement has successfully laid a strong foundation of the next process of peacebuilding to reach the durability of peace. The accommodation of grievances in peace settlement occurs during the transition phase, while the process of translation of peace agreement into ensuing national and local regulations as well as the implementation of peacebuilding programmes provisions occur in both the transition and normalisation phases and will be further elaborated in following sections.

Hypothesis 2: In order to secure sustainable post-conflict peacebuilding, the peace agreement should be enacted in national and local law.

The objective of hypothesis 2 is to analyse how the grievances are addressed by the peace process and its subsequent regulations. It is an important subject in state-led peacebuilding since in the aftermath of mediated peace negotiation, the central government will be the primary actor in determining the process of peacebuilding. Thus, it is important to observe whether the provisions of the peace agreement are well translated into the subsequent regulations, including national law and local law. In the case of Aceh, the provisions related to peacebuilding are promulgated in National Law Number 11/2006 on the Law on the Governing of Aceh (LoGA). The ensuing laws are promulgated in Qanun (bylaws) at the provincial level.

Table 8-2 Grievance Alleviation through Regulations

Grievance	Regulation	Level
Politics	Local Political Party	MoU (International), LoGA (National) and Qanun (Local)
	Local Elections	MoU (International), LoGA (National) and Qanun (Local)
	Independent Candidate	LoGA (National)
Economy	Aceh Reconstruction and Rehabilitation Agency	MoU (International)
	Reintegration	MoU (International) and Qanun (Local)
	Special Autonomy Fund (partially funded from the bigger allocation of natural resources share)	MoU (International) and LoGA (National)
Identity	Wali Nanggroe	MoU (International), LoGA (National) and Qanun (Local)
	The Flag, Crest and Hymn of Aceh	

	Sharia	MoU (International), LoGA (National) and Qanun (Local) LoGA (National) and Local (Qanun)
Human Rights and Justice	Human Rights Court	MoU (International) and LoGA (National)
	Truth and Reconciliation Commission	MoU (International), LoGA (National) and Qanun (Local)

Table 8.2 demonstrates the translation of the peace agreement into national and local laws. Most of MoU provisions have been accommodated in LoGA and qanun. However, we can see several new provisions in national law that were not derived from the MoU. In the political realm, LoGA adds the subject of independent candidates to run in Aceh's local elections. This provision was made to give opportunities to former GAM members to compete in the first local election without being nominated by the national party. During the 2006 gubernatorial election, the first election in the post-conflict era, local political parties had not been established. Thus, independent candidacy enables former GAM members who are reluctant to cooperate with national parties to participate actively in elections. Another new provision is sharia. Although it is not mentioned in the MoU, sharia has long been perceived by the central government as the remedy to cure conflict in Aceh in the post-Suharto era. Therefore, the implementation of Sharia is regulated in LoGA and supported by various qanuns at the provincial level.

Besides the addition of peacebuilding provisions in LoGA that were not previously stipulated in the MoU, there are also some alterations of MoU provisions in LoGA. It particularly occurs in the subject of economy and human rights and justice. In several economic provisions that regulate the management of strategic assets (airport, seaport, natural resources), there is the insertion of the role of central government together with the Aceh government. Human rights and justice experienced the most significant change by the retrospective principle of the human rights court that could only process (investigate, prosecute and resolve) the cases which occurred after the enactment of the law. Another major alteration in a subject of transitional justice in post-conflict Aceh is the annulment of the Law on the National Truth and Reconciliation Commission (TRC) in 2006, one year after the peace agreement. The

cancellation of the National TRC Law halted the process of non-judicial transitional justice in Aceh due to the absence of the legal basis at national level.

While most of the translation of the MoU to LoGA and qanun occurred mainly during the transition phase, there is an interesting development during the normalisation phase by the promulgation of Qanun of Aceh TRC. The decision from the central government to annul the law on the National Truth and Reconciliation Commission had stalled transitional justice in post-conflict Aceh. In the middle of the absence of national regulations to support transitional justice, there was an initiative from civil society that was supported by provincial parliament to promulgate Qanun No 17/2003 on Aceh Truth and Reconciliation Commission. The qanun was an important legal basis for the establishment of Aceh local TRC. The promulgation of the Qanun of Aceh TRC demonstrates the possibility of bottom-up participation at local level to propose local law on transitional justice. It occurred when the national government appeared hesitant to make further attempts to alleviate grievances in the subject of human rights and justice through national regulation. It indicates that despite being stipulated in the peace agreement, grievances on human rights and justice are not alleviated in the subsequent national law.

From the research and literature review, I found that the peace agreement has been well translated into national (LoGA) and local (qanun) law. However, there are several additions or alterations of the provisions, especially in the national level regulation. This gives us evidence about the strong role of the central government as the primary actor in state-led peacebuilding to determine the direction of peace in Aceh. Nevertheless, this thesis also reveals the initiative from civil society and local government to compose and promulgate local law of TRC to fill the absence of national regulation of transitional justice. The lack of national regulation in the subject of transitional justice is seemingly intended to keep the durability of peace to avoid resistance from the military group. However, the long absence of efforts on transitional justice that left human rights and justice grievances unattended will potentially harm the peace. The support from the local parliament (that is dominated by Partai Aceh, GAM-based political party members) to the promulgation of local law to establish the TRC at provincial level could be considered an unusual feature in peacebuilding in Aceh. It is quite surprising because the process of truth and reconciliation if conducted correctly, must also involve GAM personnel as the atrocities were committed by two parties, GAM and Indonesia's military.

The second part of the thesis is an attempt to answer the research question about the approach of peacebuilding in Aceh that has been the subject of analysis in chapters 4, 5, 6, and 7. How

is peacebuilding implemented in a middle economy, a newly democratic country with a working bureaucracy and limited intervention from foreign countries or international institutions? How does the national government conduct the peacebuilding efforts in the aftermath of a successful negotiation with the separatist group? The analysis of the peacebuilding approach in Aceh is carried out by using the concept of participation and institution-building.

Hypothesis 3: The participation aspect in peacebuilding will contribute to unification, recognition of identity and legitimacy to address the underlying grievance.

As was revealed in chapter 4, public participation is seen in the local elections. Five local elections generated reasonably good voter turnout between 75-88 per cent and the elites and public also responded positively to the opportunity to compete in the gubernatorial and legislative elections. The contenders of three gubernatorial elections come from different backgrounds as well as local political parties. Gubernatorial elections accommodate candidates from various backgrounds, from academics, bureaucrats, entrepreneurs, artists and religious leaders. Furthermore, the possibility of independent candidates competing in the election was provided in the MoU Helsinki, something that can be considered as a breakthrough in Indonesian electoral history.

Limited participation prevailed in the establishment of local political parties by the establishment of Partai Aceh. GAM has been transforming itself from an insurgent movement into a political entity within the Republic of Indonesia by establishing the Aceh Party (Partai Aceh/PA). Local political parties also become an avenue for political participation among combatants, albeit limited to the GAM elites and *Sagoe* (sub-districts) commanders. Some former rank-and-file combatants become members of KPA (Komite Peralihan Aceh, or the Aceh Transitional Committee) and they are largely incorporated into Aceh's local politics and economy through patron-client networks in the reconstruction industry. Given the strong connection between politics and the reconstruction industry in Aceh, GAM members turned quickly to construction contracts, relying on influence, patronage, and coercion to influence business. The patronage started in post-tsunami reconstruction and continued by using the Special Autonomy Fund. This patron-client network creates limited participation in post-conflict Aceh.

Women's political participation remains low in the post-conflict peacebuilding. Partai Aceh only nominated a small number of woman candidates for legislative elections, and only a few of them won a seat in the provincial legislature. This situation mirrors the position of women

in GAM during the conflict era where the women were largely marginalised in the structure of the rebel movement, and only a few of them were assigned as commanders. Women's participation in politics is still limited and hampered by cultural barriers and reluctance of their male counterparts to promote women candidates as well as a lack of access to money and networks that is very significant in patronage and "predatory" politics. The chairpersons of political parties are often unsupportive of the nomination of female candidates due to low electability and gender bias. Female candidates are seen to bear responsibility for children, supposedly hampering their ability to be actively involved in politics. Entering an electoral competition also means providing large amounts of money for campaign materials and sometimes for buying votes. Financial access is dominated by male candidates as the prominent players in the lucrative post-tsunami construction business. To sum up, the factors of religion, the culture of patriarchy, and predatory politics hamper the participation of women in post-conflict politics.

Bottom-up participation has been a significant feature in human rights and justice in post-conflict Aceh. The analysis in chapter 7 revealed that there has been an absence of strong institutions to address this grievance. Inadequate laws, resistance, and lack of political will from the national and local government to prosecute human rights violators and bring justice to the victims have encouraged civil society to develop a grassroots movement. The establishment of a Human Rights Court to conduct trials for human rights violators never came into being. The retroactive principle and lack of political will hamper it. A similar case occurs for the establishment of a truth and reconciliation commission. The national legal basis for the creation of the national Truth and Reconciliation Commission (TRC) was abolished by the annulment of Law Number 27/2004 on the Indonesian Truth and Reconciliation Commission. However, participation from society in the field of human rights and justice has been flourishing to replace the lukewarm response from the elite and government. Some civil society organisations set up a Human Rights Museum independently as a public place to commemorate the victims of conflict in Aceh and as a reminder to avoid future violence. This bottom-up initiative to raise awareness about human rights issues indicates the constant movement of civil society groups in the peacebuilding phase. Despite its low impact and being sidelined by local political economy contestation, human rights organisations in Aceh are an important aspect in peacebuilding as a pressure group to keep reminding people of the human rights violations during the conflict. They also aim to prevent one of the grievances from reoccurring, particularly after GAM became the hegemonic group in local politics and prone to abuse their new power to oppress other groups. There is also a grassroots reconciliation initiative using cultural mechanisms such as *peusijeuk* and bottom-up advocacy to establish local TRC. The establishment of local TRC occured in the middle of the absence of similar

institutions at the national level which is allowed by LoGA. Although slow and institutionally weak, Aceh local TRC has shown significant progress by conducting its first testimony of the victims.

During the normalisation phase, one of the most prominent features of participation in Aceh is the division within GAM that was led to the establishment of Partai Nasional Aceh (PNA), a new GAM-based local political party. The participation of PNA in the 2014 legislative election marked the first inter-GAM party competition in a local election that was marred by political violence. PNA also performed very poorly without an innovative platform. However, another inter-GAM competition in the 2017 gubernatorial election between a candidate from Partai Aceh and PNA demonstrated a lower level of political violence and better performance of PNA, an indication of the maturity of local democracy in Aceh. The competition within GAM as the primary actor in Aceh's local politics is necessary to build local democracy especially in the normalisation phase of peacebuilding. The factionalism of the former rebel movement has created intra-GAM participation and more options of local political parties for an Acehnese vote in the local election. However, GAM internal political participation is not followed by women's political participation which still experiences stagnancy in both executive and legislative representation. Women in Aceh must face multiple challenges: religious, custom, access to political funds, low electability and political calculation to fully participate in local politics.

In the economic realm, the patron-client network between GAM elites and their contractor counterparts as a form of limited participation remains widespread in the normalisation phase. While during the transition phase this patron-client network was centred on the usage of post-tsunami reconstruction funds, during the normalisation phase this practice is sustained by the utilisation of the Special Autonomy Fund. The Special Autonomy Fund as a peace dividend is mostly allocated to finance small-scale projects with a direct appointment. In addition to limited participation in the form of patron-client relations, bottom-up participation has also emerged. Participation from below is demonstrated by the promulgation of Qanun on the Aceh Truth and Reconciliation Commission (TRC) and the establishment of Aceh TRC as a result of persistent attempts from the community and supported by various CSO working in human rights and justice.

Hypothesis 4. Institution-building will increase legitimacy, secure resources, and stabilise the conditions for lasting peace.

Institution-building has been dominant in the economic sector of peacebuilding by the establishment of BRR (Badan Rekonstruksi dan Rehabilitasi Aceh dan Nias/ Reconstruction and Rehabilitation Agency for Aceh and Nias) and BRA (Badan Reintegrasi Aceh/ Aceh Reintegration Agency). The establishment of BRR to manage the reconstruction fund and BRA for the reintegration fund was necessary to "buy" peace. When a reconstruction fund was disbursed for helping tsunami victims rebuild their damaged houses and infrastructure, it opened a channel for former combatants to get involved in construction. They might be awarded contracts, becoming sub-contractors or supplying materials for construction work. Some of them were granted contracts without official procedure and even used intimidation to be selected as suppliers. A similar case occurred in the BRA, a strategic institution for the former GAM elite to gather support from their former subordinates which in the long run will be beneficial to secure their political positions. BRA is also handicapped by the strategy of reintegration that was primarily focusing on individual assistance and not on integrated community development. These two institutions grew as powerful and elitist entities. The decision-making process is determined by the elites, and the key positions were dominated by new elites in Aceh. Consequently, there is only limited participation in these institutions.

In the identity sector, the presence of institutions is strong. If we refer to the explanation of grievance in Aceh, identity serves as a mobilising factor for ethno-nationalist movements and not primarily deprivation. Identity is often used by elites to breed ethno-nationalist sentiment; in other words, it is narrated by the elite. Sharia has been growing as an influential institution with courts and a formal legal system. The implementation of sharia is merely for "policing morality", enforced by *wilayatul hisbah* (sharia police). Cases that went to court are dominated by adultery, *khalwat* (pre-marital physical displays of affection), gambling or alcohol selling or consumption. There has been mounting criticism toward sharia, particularly the increasing amount of corporal punishment in the aftermath of the promulgation of *qanun jinayah* (Islamic criminal law). Sharia also appears to contribute to the growing number of cases of violence against women and the practices toward the limitation of expression for women such as "modest clothing" regulations. Criticism is also directed to the discriminatory practices towards the enforcement of sharia law. Some cases are also dismissed after paying briberies to the sharia police. Sharia has been emerging as a strong institution with wide acceptance and limited criticism, not because most people agree with it, but because it is "morally wrong and politically incorrect" if Acehnese takes a stand against Islamic Law, because Islam is ingrained in every aspect of life in Aceh and its history.

The other identity-related peacebuilding provision goes in the same fashion. Wali Nanggroe, a customary institution has been characterised by the desire of acquiring unlimited customary power that is illustrated in the early draft of qanun that regulates this institution. While the qanun has been revised twice to rule out the political rights of Wali Nanggroe, this customary institution is still criticised by non-Acehnese ethnic groups as a culturally discriminative institution because it requires fluency of Acehnese language and only the Aceh ethnic group is eligible for membership.

The attempt to re-establish institutions and the tendency to build stronger ones are the major features during the normalisation phase in Aceh. It could be understood regarding the relations between institution-building, resources and legitimacy in post-conflict Aceh. It is demonstrated by the attempt to revitalise BRA as an ad hoc reintegration institution in Aceh. Despite the criticism from civil society towards BRA for its poor performance in delivering reintegration programmes, coupled by the demand from several civil society organisations to hand over the task of BRA to existing local government agencies, the attempt to re-establish this reintegration institution is persistently carried out by a legislative member from Partai Aceh. The possible explanation of the revitalisation of BRA is that it is an important institution for GAM in maintaining a patron-client network with former combatants as well as to gain resources. In the subject of identity, Wali Nanggroe and the sharia regime have grown as strong institutions with undemocratic practices such as direct appointment and the hegemony of one ethnic group. Both Wali Nanggroe and the sharia regime are financed by the provincial budget. In 2018, the proposed budget for Wali Nanggroe was IDR 32 Billion (USD 215 Million). Based on Qanun No 12/2014, sharia obtains 5 per cent allocation of the annual provincial budget, lower than the education sector (20 per cent) and health (10 per cent) but still higher than the allocation for other sectors such as the environment (1 per cent). Wali Nanggroe is a customary institution that is important for the advancement of Acehnese ethnic groups, and indirectly, it will also be beneficial for GAM as most of its members are from Acehnese ethnic groups. The sharia regime is advantageous to the legitimacy of ulama groups among Acehnese society.

On the other hand, we also see a particular feature of institution-building in state-led peacebuilding during the normalisation phase. There has been a strong presence of existing national institutions such as the police force and the election commission as a marker of state-led peacebuilding. The strong and respected police force and election commission are beneficial to the management of peaceful local elections in Aceh. To sum up, several local institutions such as BRA, Wali Nanggroe and sharia regimes tend to grow stronger and

hegemonic to secure resources and legitimacy, while the strong state institutions help to maintain peace in Aceh.

Hypothesis 5: In a country where the bureaucracy, state institutions and national identity have been relatively strong and settled like Indonesia, state-led peacebuilding that combines participation and institution-building contributes to a durable post-conflict peacebuilding process.

Public participation is prevalent in the peacebuilding process in Aceh. Participation was created by and involved elements of GAM in electoral politics and has the indicators of high voter turnout and high interest in the electoral competition. Inclusive participation is still lacking, especially if we look at the opportunities for women to get involved in politics. The position of women in GAM has been relatively stagnant since the period of their struggle for independence. While GAM had a women's wing called Inong Balee, their role in the armed struggle never reached the strategic leadership level as commanders. This situation persists after GAM has transformed from a guerilla organisation to a political entity.

Women's representation from Partai Aceh is low both in parliament and in local government. The low participation is caused by internal and external factors, such as social, cultural and religious pressure upon the priority of the domestic role of women rather than being actively involved in the public sphere. This factor is also supported by the reluctance of the leaders of political parties to nominate and promote women candidates due to electability and lack of networks and capital to compete in elections. During the armed struggle, GAM women's wings were dominated by the widows of GAM soldiers. They joined GAM's military wing as a protest of their marginalisation and aimed for better conditions from what they experienced during the conflict. However, the process of marginalisation remains in the peacebuilding phase. It is exacerbated by the implementation of sharia, a policy that aimed to appease political tension in Aceh. However, unfortunately, sharia is narrowly interpreted as symbolic regulation targeted at women, prolonging the process of marginalisation and discrimination in the peacebuilding period. Participation has emerged in the election and human rights and justice, where intervention from the government was absent.

The establishment of institutions in the economy, politics and identity has been an important aspect in post-conflict Aceh, particularly to secure resources and integrate the elite, especially from GAM, into the peacebuilding phase. Thus, patronage politics and patrimonialism appear to be inevitable to "buy" and maintain newly gained peace. It is particularly important to consolidate peace by making it beneficial for former combatants. Patronage politics is usually prolonged in the peacebuilding era to make the former adversaries stick to it. However, in the long run, institution-building that is based on patronage could harm the peace unless there

are the simultaneous efforts of capacity building. Transformational institutions rooted in GAM, such as PA or the local government (both executive and legislative branch) could grow too strong and lead to authoritarian behaviour.

Institution-building in the post-conflict economy in Aceh is largely supported by the enormous peace dividend, either indirectly through the reconstruction fund or direct through formal peace dividends from the special autonomy fund. Its early impact is positive about maintaining peace. Enormous funds, a lucrative construction business and a generous special autonomy fund, are attractive incentives for the former rebels to see peace as beneficial for their future. However, heavy reliance on the peace fund will harm the future of peace. Aceh is a distinct case of peacebuilding since it is supported by a strong national peace fund on top of the funds from international donors or foreign countries. It enables the sequence from the reconstruction and rehabilitation phase to the peacebuilding effort which focuses on developing the economy, enhancing political participation and strengthening social justice. Therefore, the appropriate use of the peace dividend to bring welfare and social justice is paramount to the durability of peace. Thus far, the utilisation of the peace dividend in Aceh has not been optimally utilised to minimise grievance. Several programmes such as education and health are indeed beneficial for the public. The biggest proportion of the peace dividend is channelled to small scale infrastructure programmes that repeat the pattern of the post-tsunami economy that was heavily concentrated on the construction industry. This kind of business sector will only be economically beneficial for some groups of the Acehnese community, particularly those who are in the power circle and have strong capital. This type of group is mainly dominated by former GAM elite that hold various positions in Partai Aceh (PA) or government offices. The other groups such as women, former foot soldiers of GAM or conflict victims are left out from post-conflict economy.

Another concern of institution-building is the problem of capacity building. Reintegration institutions such as the BRA were weakened by a lack of skilled human resources and a clear reintegration strategy. Partai Aceh (PA) experienced similar institutional shortfalls. Most of the former GAM members who became members of PA have never been trained as politicians in leadership, organising a political party, budget drafting or other necessary skills. Therefore, it is not surprising to hear about the long delay in the submission of the Aceh provincial budget to the national government as well as the intimidation by PA members of their counterparts in local parliaments. Sharia suffers the same problem of capacity building, especially regarding the performance of Wilayatul Hisbah (Sharia Police). Most Wilayatul Hisbah officers do not obtain sufficient knowledge of sharia which has led them to be the enforcers of morality rather than personnel of religious institutions promoting and supervising the comprehensive

application of Islamic teaching. Institution-building without capacity building will not be sufficient for peacebuilding. Institution-building might incorporate former insurgents and other groups in Aceh such as religious groups into the newly gained peace and securing them with plenty of resources. However, in the long run, the public will demand performance from the institutions. The lack of capacity building and consequent poor performance will potentially create other grievances among Acehnese society towards the new rulers.

It can be concluded that the durable peace in Aceh has been reached due to the interplay between participation and institution-building. Given the characteristic of peacebuilding in Aceh as state-led, the role of the existing national institutions is essential to the durability of peacebuilding. Indonesia has strong bureaucracy, adequate funding, financial institutions and a judicial system that to some extent, are supporting the implementation of peace efforts in Aceh. However, the institution-building process has also emerged locally during peacetime and together with participation, creates the dynamics of peacebuilding in Aceh.

8.4 Summary of Key Findings

8.4.1 Legitimacy

In addition to participation and institution-building, legitimacy is another important aspect of peacebuilding in Aceh. While during the conflict era there was a competition for legitimacy between the central government and GAM as an insurgent, in peacetime we can expect to see the process of the dynamics of legitimacy among the central government, former insurgents and the Aceh community. The interplay of legitimacy in peacetime is started by the transfer of authority from the central government to Aceh through the provisions in the MoU and LoGA. In the subject of politics, the authority given by the central government to Aceh to establish local political parties has been fully utilised by GAM to establish Partai Aceh as their political outlet. The constant victory of Partai Aceh over the national political parties or candidates nominated by national parties both in legislative and gubernatorial elections indicates legitimacy gained by GAM among people in Aceh. Partai Aceh frequently employs their past performance legitimacy as the sole benefactor of peace in Aceh to win the election. In the early phase, the strategy to glorify past performance legitimacy for election campaigns might work. However, in the later phase, the excessive use of GAM past-performance legitimacy as the campaign platform of Partai Aceh becomes gradually obsolete as the people of Aceh begin to demand performance or output legitimacy from this party. In the normalisation phase, the legitimacy of a national party is also increasing due to the need for a local-national party coalition for the nomination of national parliament members from Aceh as well as the necessity of support from national parties for governor candidacy.

In the economic realm, the establishment of BRA, a reintegration agency, is one provision in thr MoU that also increased GAM legitimacy among the former combatants. BRA created and sustained patron-client relations between GAM elite and former rank-and-file combatants by the disbursement of reintegration funds. However, a different case occurs in the case of special the autonomy fund as a "real peace dividend". The authority to manage the special autonomy fund to create inclusive economic development and bring welfare to Aceh people is not well utilised by the GAM-dominated local government. The poor capacity of local government to manage the fund has made their legitimacy decline, and people in Aceh began to turn to the central government. In other words, when GAM could not deliver performance/output legitimacy, there is a possibility of the shift of legitimacy from former insurgent (GAM) or incumbent (central government. Sometimes GAM's legitimacy increases, and the government's legitimacy decreases but at other times, the legitimacy of these two former adversaries could go up together. Another variation of the dynamics of legitimacy is the partial legitimacy of GAM. Especially in the subject of identity, the preference of one group over the others meant GAM only gained legitimacy from the privileged ethnic group but discontentment from the marginalised ones.

8.4.2 New Grievances and Repetition of Internal Colonialism

Another interesting finding is related to the concept of internal colonialism from Hechter. This concept is employed together with a grievance to explain the underlying factors of conflict in Aceh. Internal colonialism could explain the core-periphery antagonism between Jakarta and Aceh and the birth of the ethno-nationalist movement with identity as the mobilising factor. Furthermore, as it is revealed by the case of Aceh, internal colonialism could be repeated by the growing domination of the local elite in Aceh. During the conflict period, the central government was perceived as the "colonial power" given to the politics of centralisation that neglected the periphery and extracted most of its natural resources. While the early grievances led to the birth of insurgency, the practice of internal colonialism has eventually been reproduced by the Aceh local government after the conflict. In the post-conflict period, Aceh was granted special rights in several aspects of politics, law, economics and culture which were meant to alleviate grievances. All those aspects appeased Aceh from the perceived "colonialism" that was conducted by the Indonesian central government during the conflict period. Aceh has a right to establish local political parties, customary institutions, conduct local elections, and get a fairer share of natural resources and was supported by a huge peace dividend.

In cultural affairs, the establishment of the Wali Nanggroe institution is used to benefit Acehnese as the hegemonic ethnic group. The Acehnese ethnic group is very dominant in this customary institution, despite the protest of some non-Acehnese groups that could not participate due to ethnic and language differences. There is also a constant economic deprivation in ethnic minority areas such as Bener Meriah. The feeling of cultural deprivation in identity coupled with economic inequality has inspired some groups from Central Aceh and Southwest Aceh to separate from Aceh and demand a new province.

After the conflict between centre and periphery is resolved, there will be the possibility of the rise of a hegemonic power in the periphery. It is possible because the periphery itself is not a homogenous entity. It consists of different ethnic and religious groups. The majority of ethnic groups in the periphery will tend to dominate inter-ethnic relations in terms of the distribution of wealth, the concentration of development projects and customary institutions. Thus, internal colonialism will be continued in the periphery, between the dominant group and minority group. It is inevitable at the beginning of peacetime and in some way, it is needed to keep a commitment from the former combatants to stick to a peace agreement. Enforcing equal political rights and economic distribution along regional or ethnic lines will take some time. However, the prolonged domination of one ethnic group over another will harm peace as it will create another grievance and cyclical process of internal colonialism.

8.4.3 Peace-building in Aceh: From Transition to Normalisation

I had the opportunity to conduct two phases of field research in Aceh, in 2012 and 2018. The time between the two phases of research allowed me to observe the trajectory of peacebuilding in Aceh during the transition and normalisation phases. Citing the Annex of Normalisation from the Comprehensive Agreement on Bangsamoro between the Government of Philippines and MILF, normalisation is broadly defined as:

> A process whereby communities can achieve their desired quality of life which includes sustainable livelihood and political participation within a peaceful deliberative society. Normalisation aims to ensure human security. It helps build security that is committed to basic human rights where individuals are free from fear of violence and crime and where long-held traditions and values continued to be honoured.[20]

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[20] Retrieved from
https://peacemaker.un.org/sites/peacemaker.un.org/files/PH_140125_AnnexNormalization.pdf

In the normalisation phase of peacebuilding, we could expect broader political participation, reduction of violence, equal distribution of welfare, acknowledgement of inclusive identity and stronger law enforcement. We could also expect less acceptance of flexibility in regulations or ad-hoc institutions as society demands more stability. During the normalisation phase, peace is not only built but also consolidated among all elements in society. The major features of the peacebuilding process in Aceh during the transition and the normalisation phase is portrayed in Table 8.3 :

Table 8-3 Peace-building in Aceh during the Transition and Normalisation Phases

Subject	Transition	Normalisation
Politics	- Single domination of local political party of former combatant - Landslide electoral victory of former combatant in local elections	- The establishment of the alternative local political party of former combatant and competition between two local political parties of ex-GAM - Emerging/stronger coalition building between local and national political party
Economy	- The patron-client economy in reconstruction projects - Patron-client in reintegration fund	- Institutionalisation of reintegration - The patron-client economy in the utilisation of Special Autonomy Fund as Peace Dividend - The demand for greater involvement of the central government in monitoring the Special Autonomy Fund
Identity	- Institution-building of cultural affairs (Elite-based) - Institution-building of Sharia	- Stronger customary institution - Stronger sharia regime
Human Rights and Justice	- The absence of judicial and non-judicial transitional justice - Participation from civil society and civil society organisations	- The establishment of local TRC - Participation from CS and CSOs

What we can see from these two phases is a mix between stagnation and change in every aspect of grievance addressed by peacebuilding efforts. In the political realm, the domination of Partai Aceh in electoral contestation during transition time has been challenged by the

presence of Partai Nasional Aceh. While the contestation between these two GAMS-based local political parties is a positive development for the local democracy in Aceh, it also indicates the marginalisation of non-GAM local political entities. The next appealing development in Aceh local politics during the normalisation phase of peacebuilding is the stronger coalition between local and national parties. While GAM has been growing as a significant force in Aceh's local politics, it must cooperate with national parties to represent Aceh's interests at the national level. The cooperation appears to be strengthening and surpasses ideology and identity, as proven by a coalition between Partai Aceh and Partai Gerinda that was led by Prabowo Subianto, a former commander of the Indonesia Special Force, one of the influential corps during a military operation in Aceh. Another coalition occurs between Partai Nasional Aceh with PDI-P, a national party that typically opposes every peace attempt with separatist organisations, including GAM.

In the economic settlement, institution-building has been dominant both in the transition and normalisation phases. There is an attempt of the institutionalisation of the reintegration agency (BRA) and the continuation of patron-client during the reconstruction phase to the transition and normalisation phase in the utilisation of the special autonomy fund. The participation of civil society is limited to the monitoring of the management of the special autonomy fund and another regional fund by the anti-corruption and good government civil society organisations. Interestingly, the poor performance of the Aceh local government in managing economic development has led to the shift of legitimacy from local government to the central government in terms of greater involvement in monitoring the utilisation of the fund.

Identity demonstrates a similar trend of the stronger institution over participation. Malik Mahmud was inaugurated as the Wali Nanggroe for the second term by direct appointment without a democratic mechanism. Criticism over Wali Nanggroe performance and budget have been largely ignored. The hymn of Aceh that uses the Acehnese language invited criticism from the non-Acehnese ethnic minority. The sharia regime also grows stronger and more influential in Aceh local politics. The promulgation of *qanun jinayah* (an Islamic penal code) led to more frequent public corporal punishment and harassment of women. In sum, the attempts to alleviate cultural and religious deprivation have bred new grievances among minority groups and women.

Human rights and justice as the last grievances illustrate different characteristics. The absence of transitional justice mechanisms, human rights courts and the Truth and Reconciliation Commission (TRC) in the transition phase was filled by the participation from below during

normalisation. Aceh successfully established a TRC following persistent pressure from the coalition of civil society organisations and the association of the families of the victims. While Aceh TRC is considered institutionally weak and slow, its existence is the proof of the achievement of the participation in post-conflict transitional justice.

The development in the normalisation phase of peacebuilding in Aceh provides us with several features: democratic competition within GAM, the shift of legitimacy from local government to the central government in the management of peace dividends, stronger links with national politics, and ongoing grievances in identity and human rights and justice. There has been robust political participation and democratic competition within former insurgents, better economic conditions as well as a greater level of security compared to the conflict era. However, there also several shortcomings in the field of politics, human rights and justice, welfare, and identity. Local party politics have mainly developed within GAM but have not yet occurred to non-GAM Acehnese. Human rights and justice experienced long delays in the process of transitional justice. The poor performance of the Aceh local government in utilising the special autonomy fund as the peace dividend has hampered the advancement and distribution of welfare among Acehnese. The superiority of one dominant ethnic group also relegates the aspiration of ethnic minorities to achieve equal rights in political, economic and cultural realms.

Thus far peacebuilding has largely benefited elites in Aceh, an important factor to keep the durability, but it has not been manifested yet as inclusive peace to all Acehnese. The elite-centred peacebuilding in Aceh could be traced from the peace agreement in Helsinki. This peace settlement might be classified as elite-based, with the presence of GAM (and Acehnese ethnic groups) as the sole representative of the Aceh community and not complemented by an element of other civil societies in Aceh. Thus, it is not surprising that in the aftermath of the peace agreement, the elite groups represented by GAM, Acehnese ethnic groups and religious groups become the parties that reap the most of the result of peace, such as political power and material resources. While the provisions of the peace settlement do indeed address the grievances of all Acehnese, the implementation of the peace settlement in the peacebuilding phase gives most advantages to the elite groups in Aceh. The implication of this non-inclusive peacebuilding to the durability of peace is the risk of heightened tension and a return to violence when the power or resources enjoyed by elites is no longer available. It can be manifested when Partai Aceh or PNA finally lose their grip in Aceh's local politics or when the special autonomy fund as the major peace dividend has been completely phased out. The elite-based peacebuilding is also detrimental to civil society and disengages it from the peace process. Although we can see promising developments brought by civil society through their

initiate to establish local TRC, based on my research, the civil society groups in Aceh, especially those who work in the fields of human rights, justice and women have begun to enter an exhaustion phase. This is occurring due to a lack of funds, human resources and support from the government. Peace in Aceh remains intact entering the normalisation phase, but it must be made more inclusive to maintain its durability in the following years.

8.5 Implications for the Literature

The first contribution of my research to the literature is evidence that factionalism within rebel movements in post-conflict party politics do not necessarily lead to the relapse of conflict or continuing violence. The risk of violence that is instigated by the participation of former combatants in the political parties has been emphasised by Hillman (2012), while Dudouet (2009) highlighted the importance of internal party cohesion in the post-conflict era. The division within GAM that gave birth to Partai Nasional Aceh as the new GAM-based local political party has created democratic competition within the former insurgent group that is necessary to build local democracy in Aceh. It indeed contributed to the elevating violence in the early phase but over time, the level of violence reduced, and the two GAM-based local political parties complied with the final decision from the election commission. The relations between accelerated democratic competition and violence has been the primary criticism of the liberal peacebuilding approach that leads to the suggestion to establish political stability rather than accelerated election and democratisation or "institutionalisation before liberalisation" (Paris, 2007). However, in state-led peacebuilding exercises like Aceh, existing state institutions such as election commissions and police help reduce violence and direct the political participation into the relatively peaceful local democratic competition.

My research also combines the concept of internal colonialism, an identity based centre-periphery structural inequality (Hechter, 1975) with framing (Stone, 1979). In the case of Aceh, centre-periphery inequality that occurs nationwide in Indonesia was crafted by Hasan Tiro, the founder of GAM with the framing of the Indonesia-Java government as "neo-colonialist". which successfully mobilised grievances into a rebel movement.

The next contribution of my research is related to the normalisation phase. Several works of literature that discuss the normalisation phase of peacebuilding focus on externally-led peacebuilding cases. For example, Zanotti (2006) and Lemay-Hebert & Vizoka (2017) stressed that the condition of normalisation in the peacebuilding process is determined mostly by external actors which refers to the achievement of democratic and liberal values, while the definitions from CSIS and OECD emphasise the "withdrawal of outside intervention" and "greater national ownership". My research offers some findings of the normalisation phase in

state-led peacebuilding that does not follow a specific path or values. The study reveals that the combination between strong national and local institutions, limited participation and bottom-up participation as well as a mix between patronage and democratic competition have contributed to the durability of peace in Aceh in the normalisation phase.

Lastly, as a response to Aspinall's new article on the durability of the peace deal in Aceh that accentuates the "strong undercurrent belief of separate Acehnese identity" and suspicion of the Indonesian government" (Aspinall, 2018, 18), I argue that ethnic minorities have constantly challenged the separate Acehnese identity that is primarily represented by Acehnese ethnic groups. This persistent discourse on the pluralism of Aceh identity will potentially weaken the narration of hegemonic identity of Acehnese in the long run. The suspicion of the Indonesian government could also gradually subside due to a stronger coalition between Aceh local political parties and national parties for national parliament member nomination, governor candidacy and the presidential election. The failure of the GAM-based local government in utilising the special autonomy fund to distribute equal welfare to Acehnese also has increased central government legitimacy in Aceh.

The primary contribution of my research is its emphasis on durable peacebuilding in strong-middle income countries with limited foreign assistance during the normalisation phase. I use the grievance and relative deprivation approach, also called a contingent approach by Eckstein (1980) as the source of conflict in Aceh as well as the methods of peace building. Although the contingent approach, in order to fix the broken system, tends to focus on rebuilding institutions and divorces the element of participation (Ockey, 2019), I found a different pattern occurred in the case of Aceh. Peace building in Aceh is indeed directed to build new institutions such as local political parties, reintegration agencies and customary institutions. However, given the democratisation process in Indonesia that preceded the peace building in Aceh, the elements of participation already existed and were sustained during the peace building phase in Aceh. This evident in the electoral participation that is marked by a high level of turnout in the local elections and later, in the form of civil society participation in establishing local TRC in Aceh when the establishment of similar institutions at national level is halted. The institution building (in terms of the establishment of local political parties, reconstruction and reintegration agencies, customary institutions and the sharia regime) that characterises the contingent approach contributes to the durability of peace in Aceh because it could redress the relative deprivation and grievance. In other words, the contingent approach might work in a peacebuilding effort that occurs in a strong-middle income democratic country with an existing sufficient institutional framework.

Nevertheless, as the current trend shows, these institutions tend to be elite-based and adopted a patron-client network that undermines the element of participation. While the peace in Aceh has shown its durability during the past thirteen years, in the long run, the inherent approach should gradually replace the contingent approach. Several findings from my research reveal the dynamics of conflict that shows the shift from the conflict between the central government and rebel groups to the tension between the new elite in Aceh with the minority groups in peacetime. My thesis also describes the dynamics of political support and legitimacy for the national government and local government. This is where the inherent approach gains its prominence in the peace building in Aceh. The inherent approach that encourages reconciliation, building relationships and mechanism to predict and manage conflict as well as the rights and needs of the minority and sensitivity to the local culture (Ockey : 2019, Lederach, 1997) will be essential to create inclusive peace in Aceh. As accentuated by Ockey (2019), after successfully maintaining its durability, peace in Aceh should move forward by ensuring the continuing alleviation of all potential sources of conflict rather than solely focusing on the transformation of the insurgent group into political contestation.

8.6 Limitations of Research

Notwithstanding several significant findings of this research, some limitations must be recognised. Firstly, this research could not elaborate further on the development of the local TRC in Aceh due to time constraints. The emergence of a local TRC in the middle of the long stagnation of transitional justice at the national level is the appealing feature in state-led peacebuilding. The local TRC in Aceh was established as a result of persistent efforts from the community and civil society organisations and in the later phase, finally supported by the GAM-dominated local government. The second limitation which is also derived from time constraints is the lack of further analysis of the prospect of the special autonomy fund as a peace dividend in Aceh. This fund will phase out in 2028 and has created anxiety among people in Aceh. The special autonomy fund that is derived from the state budget is one of the most important markers of state-led peacebuilding. Hence, it is interesting to observe the dynamics between national and local government in negotiating the future of the fund to sustain the peace in Aceh.

The next primary limitation is related to methodological problems. This research is lacking the full voice from civil society, especially the grassroots community. While I have attempted to include CSO activists as one of the categories of the respondents, they are the representatives of civil society whose opinions do not necessarily express the voice from the community. Also, the answers from respondents from particular categories such as local political party officers, local government or civil society representatives were often in

accordance with their political or ideological affiliation, while the response from the grassroots is expected to vary. I attempt to manage this problem by asking probing questions and balancing the primary resources from the interviews with the secondary data. The second limitation of this research is related to the single case study as the method of my thesis. Single case studies tend to create a "template trap" or generalisation since the subject of the research is chosen by the researcher based on particular purpose or purposive sampling (Hsieh, n.d). It may lead to outcomes that only fit the subject of the particular case (in my case, peacebuilding practice in Aceh). Thus, a comparative study which brings two or more cases together will be beneficial to complement this early work.

8.7 Directions of Future Research

There are several directions for future research that could be proposed. Several countries in Southeast Asia, such as Thailand and the Philippines also have the problem of sub-national conflict. The government of the Philippines and the Moro Islamic Liberation Front (MILF) had reached significant progress in the peace attempt for Bangsamoro. The peace agreement between the Government of the Philippines and MILF resembles the MoU Helsinki, with similar provisions of a peace dividend and acknowledgement of identity. In Thailand, meanwhile, attempts to reach peace are still ongoing. Therefore, there is a need to conduct more comparative research about the process of peacebuilding among these countries. This research is needed to contribute to lessons learned of the similar or different paths and choices for policy and strategy of peacebuilding. The case of Aceh contributes valuable lessons about the importance of capacity building in political participation, particularly regarding the establishment of local political parties. The second possibility is by researching each aspect of peacebuilding efforts, especially where the findings of this research lead to an appealing result, such as the role of the peace dividend and identity. A more comprehensive study of the peace dividend or peace fund is necessary as the experience of Aceh revealed that peace could be sustained by allocating ample amounts of the national budget for supporting peace and not entirely depending on foreign assistance. The role of identity in post-conflict peacebuilding is also an intriguing subject due to its highly "manipulative" nature. In most cases of internal conflict, the rebel movement often does not represent the entire population. When the majority rebel group is holding power after the conflict, there always is a possibility of discrimination against a minority group. During the struggle, the ethnicity or religious difference within the movement is often superseded by the greater aim of independence and the presence of the common enemy. After the rebellion, a reality of diversity emerges, and it could cause another rift over the distribution of political power, economic access or cultural entitlement. It may ignite a new cycle of internal colonialism similar to the one that led the conflict in the first place.

Appendix I: Interviews Concerning Local Politics Phase 1 (2012-2013)

Topics	Questions	Probing	
Political Participation	1. Do you think political participation for Aceh people is well accommodated by MoU? If no, can you explain why? What is lacking in MoU? If yes, which part of the MoU is most accommodating to political participation? 2. What is your opinion about the condition of political participation in Aceh five years on from the peace agreement?	The establishment of the local political party Independent candidate The establishment of the institution of Wali Nanggroe	
Economic Development	Do you think economic development for Aceh people is well accommodated by MoU? If not, can you explain to me why? If yes, which part of the MoU has accommodated the economic development in Aceh best?	Provision of 70% redistribution of hydrocarbon and other natural resources in Aceh. The right for Aceh to conduct development and administration of all seaports and seaports within Aceh. The role of BRR.	
Human Rights and Justice	1. How satisfied are you with the implementation of MoU regarding human rights? 2. Do you think the problem of the rule of law is well addressed by MoU? 3. Can you share your opinion		

	about security problems in Aceh (related to conflict or not)? Do you think the security problem is well addressed by MoU?		

Topics	Questions	Probing
Political Participation	1. Do you think political participation for Aceh people is well-accommodated by MoU? If no, can you explain why? What is lacking in MoU? If yes, which part of the MoU is most accommodating of political participation? 2. What is your opinion of the condition of political participation in Aceh after five years from peace agreement?	The establishment of the local political party Independent candidate
Economic Development	Do you think economic development for Aceh people is well accommodated by MoU? If not, can you explain to me why? If yes, which part of the MoU is best accommodating the economic development in Aceh?	Provision of 70% redistribution of hydrocarbon and other natural resources in Aceh. The right for Aceh to conduct development and administration of all seaports and seaports within Aceh. The role of BRR
Human Rights and Justice	1. How satisfied are you with the implementation of MoU in concern to the human rights issue? 2. Do you think the problem of the rule of law is well addressed by the MoU? 3. Can you give me your opinion about the security problem in Aceh? (either it is related to conflict or not). Do you think the security problem is well addressed by the MoU?	

The role of different stakeholders in formulating and implementing post-conflict peacebuilding in Aceh.	In your opinion which party have the most important role in formulating policies on post-conflict peacebuilding in Aceh?	International organisation, national government or local government.

Interview with Central Government Officer and
International/Donor Agencies Officer
Phase 1 (2012-2013)

Topics	Questions	Probing
Political Participation	1. Do you think political participation for Aceh's people is well accommodated by MoU? If no, can you explain why? What is lacking in MoU? If yes, which part of MoU is most accommodating of political participation? 2.What is your opinion about the condition of political participation in Aceh five years on the from peace agreement?	The establishment of the local political party Independent candidate
Economic Development	Do you think economic development for Aceh people is well accommodated by MoU? If not, can you explain to me why? If yes, which part of the MoU is best accommodating the economic development in Aceh?	Provision of 70% redistribution of hydrocarbon and other natural resources in Aceh. The right for Aceh to conduct development and administration of all seaports and seaports within Aceh. The role of BRR
Human Rights and Justice	4. How satisfied are you with the implementation of MoU in concern to the human rights issues? 5. Do you think the problem of the rule of law is well addressed by MoU? Can you give me your opinion about security problems in Aceh (whether related to conflict or not)? Do you think the security problem is well addressed by the MoU?	
The role of different stakeholders in formulating and implementing post-conflict peacebuilding in Aceh.	In your opinion which party has the most important role in formulating policies on post-conflict peacebuilding in Aceh?	International organisation, national government or local government.

Interview with University Student
Phase 1 (2012-2013)

Topics	Questions	Probing
The dissemination of the MoU Helsinki to the wider community in Aceh	1. Do you know about MoU Helsinki? 2. Have you ever read the full text of MoU Helsinki?	
The implementation of MoU in the national and local legislation	1. Do you know any national regulation which is derived from MoU? 2. Do you know any Kanuns (local law) which are derived from MoU?	
The role of MoU in addressing the grievance as an underlying factor in the conflict in Aceh	Can you tell me some articles in MoU which you consider as the most important to address the conflict in Aceh?	Political participation economic development

Interview with NGO/ Peace-building Activist
Phase 1 (2012-2013)

Topics	Questions	Probing
The dissemination of the MoU Helsinki to the wider community in Aceh	1. What do you know about the MoU Helsinki? 2. Have you ever read the full text of MoU Helsinki?	
The implementation of MoU in the national and local legislation	1. Do you know any national regulation which is derived from MoU? 2. Do you know any Kanuns (local law) which are derived from MoU? 3. Do you know any undang-undang (national law) and or qanun (local law) about political participation in Aceh? What is your opinion about that law? Are you satisfied with those laws or what is still lacking and should be improved? 4. Do you know any undang-undang (national law) and or kanun (local law) about economic development in Aceh? What is your opinion about that law? Are you satisfied with those laws or what is still lacking and should be improved? 5. Do you know any undang-undang (national law) and or kanun (local law) about security, the rule of law and human rights in Aceh? What is your opinion about that law? Are you satisfied with those laws? Or, what is still lacking and should be improved?	

The level of participation in legislation making in regard to the implementation of the MoU	Have you been invited to discuss the preparation of particular qanun before it is enacted by the DPRA (local legislative) If yes, what kind of participation did you perform in the Qanun making?	
The role of MoU in addressing the grievance as the underlying factor of the conflict in Aceh.	Can you tell me some articles in MoU which you consider as the most important to address the conflict in Aceh?	Political participation economic development.

Interview Community Leader
Phase 1 (2012-2013)

Topics	Questions	Probing
The dissemination of the MoU Helsinki to the wider community in Aceh.	1. What do you know about the MoU Helsinki? 2. Have you ever read the full text of MoU Helsinki?	
The implementation of MoU in the national and local legislation	1. Do you know any national regulation which is derived from MoU? 2. Do you know any Kanuns (local law) which is derived from MoU? 3. Do you know any undang-undang (national laws) and/or qanun (local laws) about political participation in Aceh? What is your opinion about that law? Are you satisfied with those laws or what is still lacking and should be improved?	
The level of participation in legislation making in regard to the implementation of the MoU.	1. Have you been invited to discuss the preparation of particular qanun before it is enacted by the DPRA (local legislative) 2. If yes, what kind of participation did you perform in the Qanun making?	
The role of MoU in addressing the grievance as the underlying factor of the conflict in Aceh.	Can you tell me some articles on MoU which you consider to be the most important in addressing the conflict in Aceh?	Political participation Economic development

Appendix II: Interview with Women's Groups and Activists, Phase 2 (2018)

Topics	Questions	Probing
Political Participation in Elections	1. What is your opinion about voter turnout in Aceh local elections? Do you think people in Aceh were enthusiastic about casting their vote? What is the reason for their enthusiasm (or apathy)? 2. Are you satisfied with the quality of candidates in the local elections, both gubernatorial/mayoral and legislative elections? 3. What do you think about the management of local elections in Aceh? Were they conducted based on free, fair and confidential principles? Did you witness any violence or threat to voters?	Voter turnout The selection mechanism of political parties' members who will run as parliament members
Political Participation through Political Party	1. Did you join any political parties? Is that local or national party? 2. Do you think political parties in Aceh have supported the representation of women? 3. How about the role of political parties in Aceh on endorsing policies related to women's issues?	-The implementation of affirmative action -The number of laws/qanun that tends to discriminate women

Gender and Identity	1. How do you see the position of women in Aceh after peace agreement? Do you think women in Aceh have more opportunities in various sectors (governance, education, economy) after peace? 2. What is your opinion about sharia law? What is its impact on women in Aceh? 3. Do you think the ex-GAM members have gain advantages in politics as a result of a peace agreement? What are the advantages? Do you women/ female ex-combatant also got the same advantages as men did?	

Interview with Local Election Commission
Phase 2 (2018)

Topics	Questions	Probe
Political Participation through election	1. What do you think about public participation in local elections in Aceh? 2. What is the challenge or obstacle in conducting the local election in Aceh?	-Voter turnout trends
Electoral Dispute	1. Could you tell me about the electoral dispute in Aceh during the past local elections in Aceh? What were the main causes of those disputes? 2. How was the dispute be resolved?	-Monetary politics
Electoral Violence	1. What do you think about violence in the election in Aceh? Did they occur frequently? 2. Did the violence in Aceh give impact to the voter? 3. What are the problems encountered by KIP (Election Commission) to investigate the violent accident or intimidation?	
Women Representation	What is your opinion about the representation of women in Aceh elections, both in legislative and gubernatorial/mayoral elections?	-Affirmative action
Local Politics Dynamics	1. What is your opinion about local political parties in Aceh? Do you think they accommodated MoU? 2. What do you think the causes of the breakup of local political parties of GAM? How did it happen? 3. What do you think about the dynamics and competition	-Factionalism

| | among local political parties in Aceh? Do you think it will bring negative impact to the peacebuilding process in Aceh. Or on on the other hand, is competition necessary for healthy political development in Aceh? | |

Interview with Local Political Parties
Phase 2 (2018)

Topics	Questions	Probing
Political Participation through elections	1. What is your opinion about voter turnout in Aceh's local elections? Do you think people in Aceh were enthusiastic about casting their vote? What is the reason for their enthusiasm (or apathy)? 2. Are you satisfied with the quality of candidates in the local elections, both gubernatorial/mayoral and legislative election? 3. What do you think about the management of local elections in Aceh? Were they conducted based on free, fair and confidential principles? Did you witness any violence or threat to voters?	Voter turnout
Political Participation through the political party	1. Why did you decide to join this political party? 2. Who are the constituencies of your party? (ex-combatant, youth, women, student, professional, urban, rural) 3. What is your opinion about local political parties in Aceh? Do you think it had accommodated MoU? 4. What do you think the causes of the breakup of local political parties of GAM? How did it happen? 5. What do you think about the dynamics and competition among local political parties in Aceh? Do you think it will bring negative impact to the peacebuilding process in Aceh, or on the other hand, competition is necessary for healthy political development in Aceh? What do you think about political parties in Aceh in general, both local and national parties? Do you think they have accommodated political participation of people in Aceh?	Motives (Participation, economic gain, others) Grievance alleviation Factionalism Internal politics competition

		Do you think they have represented the political aspiration of people in Aceh?	
Women Participation	Political	What is your opinion about women's political representation in Aceh?	-Affirmative action

Appendix III: List of Interviewee, Phase 1 (2012-2013)

No	Category	Gender	Area
1	CSO/Peacebuilding Activist	Female	Banda Aceh
2	CSO/Peacebuilding Activist	Male	Banda Aceh
3	Student	Male	Banda Aceh
4	Local Political Party	Male	Banda Aceh
5	Local Government Officer	Female	Banda Aceh
6	NGO/Peacebuilding Activist & Local Political Party	Male	Banda Aceh
7	Lecturer/ Analyst	Male	Banda Aceh
8	Lecturer/Analyst	Male	Banda Aceh
9	CSO/Peacebuilding Activist	Female	Banda Aceh
10	Student	Male	Banda Aceh
11	CSO/Peacebuilding Activist	Male	Banda Aceh
12	CSO/Peacebuilding Activist	Male	Banda Aceh
11	Lecturer/Analyst	Male	Lhokseumawe
12	CSO/Peace building Activist	Male	Lhokseumawe
13	Student	Male	Lhokseumawe
14	Student	Male	Lhokseumawe
15	Student	Male	Lhokseumawe
16	Local Political Party	Male	Takengon
17	Lecturer/ Analyst	Female	Takengon
18	Lecturer/ Analyst	Male	Takengon
19	Student	Male	Takengon
20	CSO/Peace building Activist	Male	Takengon
21	Student	Male	Takengon
22	Student	Male	
23	Lecturer/Analyst	Male	Takengon
24	CSO/Peace building Activist	Female	Takengon
25	Local Political Party	Male	Takengon
26	Lecturer/Analyst	Male	Jakarta
27	Lecturer/Analyst	Male	Jakarta
28	International/Donor Agencies Officer	Male	Jakarta
29	Lecturer/Analyst	Male	Jakarta
30	Lecturer/Analyst	Female	Jakarta

Appendix IV: List of Interviewees, Phase 2 (2018)

No	Category	Gender	Area
1	Women CSO/Peacebuilding Activist	Female	Banda Aceh
2	Local Election Commission	Male	Banda Aceh
3	Local Political Party	Female	Banda Aceh
4	Women CSO/Peacebuilding Activist	Female	Banda Aceh
5	CSO/Peacebuilding Activist &Lecturer	Male	Banda Aceh
6	Local Political Party and Lecturer	Female	Banda Aceh
7	Local Government Officer	Male	Banda Aceh
8	CSO/Peacebuilding Activist	Male	Banda Aceh
9	Local Political Party	Male	Banda Aceh
10	Local Political Party	Male	Banda Aceh
11	Local Political Party	Male	Banda Aceh
12	Women CSO/Peacebuilding Activist	Female	Banda Aceh
13	Women CSO/Peacebuilding Activist	Female	Banda Aceh
14	Local Political Party	Male	Banda Aceh

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