

Indonesian government bows to foreign pressure and issues anti-terrorist decree

By John Roberts and Peter Symonds
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On October 19, just a week after the terrorist attack on the Indonesian island of Bali, President Megawati Sukarnoputri issued an anti-terrorist decree that greatly increases police powers of arrest and interrogation and provides the death penalty for a series of offences. The decree has been made retrospective to October 12 to cover the bombings in Bali, which have now officially claimed 190 lives.

Megawati's government also ordered the interrogation of Muslim fundamentalist cleric Abu Bakar Bashir, a move long resisted by Jakarta despite demands for his incarceration from the US, Australia, Singapore and Malaysia. Bashir was admitted to a hospital in Solo with respiratory problems this week, shortly before he was due to be detained as a suspect in a series of bomb attacks on churches during 2000. Police formally arrested him in hospital.

Neither the decree nor the arrest is the result of evidence gathered by investigators in Bali. Who was responsible for the Bali bombings and why has not been established. The police involved in the case have yet to announce that they have any clear suspects. The actions of the Megawati administration are a direct response to the international pressure, particularly from Washington and Canberra, both of which seized on the Bali tragedy to intensify their demands for a crackdown on Islamic fundamentalist groups in Indonesia.

The presidential decree was issued under a provision of the Indonesian constitution that allows for such measures in emergency situations and is loosely modelled on a law that has been stalled in the national parliament for months. One of the main concerns of legislators was that they would be seen as strengthening the powers of the military apparatus and police which, under Suharto, used security laws without restraint to detain, interrogate and even murder their political opponents.

Megawati's anti-terrorism decree is similar to the draconian Internal Security Acts in force in Malaysia and Singapore, which provide for extended detention without trial. Under the new provisions, Indonesian police will be able to arrest and detain for three days without charge anyone identified by intelligence information as being a terrorist suspect. After that period, police can bring the person before a judge who may order their detention and interrogation for a further six months—again without the laying of any formal charge.

Tougher penalties have been imposed for anyone convicted of terrorist activities. These range from three years jail to death by firing squad for a wide range of acts, including threatening acts of terrorism, damaging public or international property and for storing firearms or explosives. The police will also have wider powers to tap phones and intercept mail.

Four years ago, Megawati and other so-called reformers, such as Amien Rais and Abdurrahman Wahid, were pledging to implement democratic changes following the ousting of Suharto. Today all of them have lined up to support the anti-democratic measures being imposed in the name of fighting terrorism.

Peoples Consultative Assembly (MPR) speaker Amien Rais, a leader of the Muslim-based National Mandate Party, urged all parties to stand by Megawati and support the government's measures in the war against terrorism. Wahid, who heads Indonesia's largest Muslim group Nahdlatul Ulama and served as president until being forced out by Megawati last year, blamed the Bali bombings on domestic groups. He declared this week that Bashir should have been arrested long ago.

Vice President Hamzah Haz, who leads the Islamic United Development Party (PPP), has also offered cautious support for Bashir's arrest. He was previously critical of US and Australian demands to take action against Bashir and the Jemaah Islamiyah (JI) organisation that Bashir allegedly leads. Hamzah told the *Jakarta Post* that the government had no role in Bashir's detention, which was a matter for the police. "If the investigation links him to the Bali bombing, then the police could use the new anti-terrorism regulations," he added.

The support of Hamzah, Rais and Wahid is critical for Megawati. She presides over an unwieldy coalition of parties that includes representatives of all the major Muslim parties. Their support, particularly that of the so-called reformers, is crucial in preventing opposition not only from Islamic fundamentalist groups but from human rights organisations and others concerned by the erosion of democratic rights and stronger powers for the military and police.

Bashir has repeatedly denied any responsibility for the Bali attack, as well as for the church bombings in 2000. He has also rejected allegations that he was involved in a failed attempt on Megawati's life. The only evidence against Bashir consists of

statements allegedly made by suspected Al Qaeda member Omar al-Faruq, who had been interrogated by the CIA in Afghanistan after being arrested and handed over by Indonesian authorities in June.

Accounts published in *Time* magazine based on CIA reports state that Faruq “broke down” on September 9 after three months of CIA grilling and implicated Bashir and JI in a series of terrorist plots throughout South East Asia. After initially discounting Faruq’s confession, Indonesian officials are now using it as the basis for their case against Bashir. Bashir has denied even knowing Faruq and has asked the authorities to bring Faruq face to face with him.

According to the *Australian Financial Review*, questions are being raised in Jakarta about the veracity of Faruq’s claims. “His [Bashir’s] case is attracting mainstream support in Indonesia. Opposition politicians are calling for evidence against him, drawn from Al Qaeda ‘supergrass’ Omar al-Faruq, to be tested before being used to condemn the radical leader.” Well-known human rights lawyer Adnan Buyung Nasution, who is leading Bashir’s defence, warned that the case was a test of the country’s legal system.

Opposition has also emerged to Megawati’s decision to conduct a joint investigation of the Bali bombings with Australian police and the announcement that the Australian Security Intelligence Organisation (ASIO) would station agents in Jakarta. Deputy parliamentary speaker Soetardjo Soerjoguritno opposed the plans for a permanent ASIO presence, saying: “This is a republic with its own law and sovereignty. If you want to open an embassy or consulate general, it’s up to you. But if you want to open an intelligence office, that’s wrong.”

Megawati, however, is under intense international pressure to proceed with the new measures and to collaborate more closely with Washington’s “war on terrorism”. As well as political demands, Jakarta also faces the prospects of an economic crisis, as its already precarious position is worsened by a loss of tourism and foreign investment. Within days of the Bali bombings, share prices in Jakarta slumped by 10 percent and the value of the rupiah declined.

Tourism accounts for about \$US5.4 billion, or 3 percent of the Indonesian GDP, as compared with 12 percent for minerals and energy. Nearly 1.4 million visitors pass through Bali’s Denpasar airport each year and many of the other 3.7 million tourists who enter elsewhere travel on to Bali. The *Jakarta Post* warned in an editorial: “The Bali attacks were more than just a problem of security and terrorism. Unless this government can successfully address the imminent and real threat of terror, any remaining confidence in Indonesia’s business and investment environment will certainly fade away.”

The real beneficiaries from the terrorist attack in Bali have been the Indonesian military and police, who have seized the opportunity to further strengthen their position and their powers—all in the name of defending national security. Pushing

for an even greater role, army chief of staff Ryamizard Ryacudu declared to the Jakarta media this week: “Let’s not tie the hands of the soldiers and stop the military doing its job properly.”

The military’s new confidence reflects not only its stronger position under Megawati, who has given the generals the green light to crack down on separatist movements in Aceh and Papua. Amid growing social and political instability in Indonesia, Washington and Canberra have been seeking to strengthen their ties with the Indonesian armed forces (TNI). Both governments have stepped up their efforts in the aftermath of Bali tragedy, effectively putting Megawati on notice if she fails to meet their demands.

Reflecting the sentiment in Australian ruling circles, *Australian Financial Review* commentator Tim Dodd bluntly warned last week that Megawati risked being ousted by the military—with US and Australian support—if she failed to back the “war on terrorism”. “If she will not act against Muslim extremists,” he wrote, “there are plenty of powerful Indonesians who would. The armed forces chief, Endriartono, a political conservative who was close to Suharto, is likely to cooperate willingly with the US (and Australian) goal of destroying whatever Islamic terror cells exist in Indonesia.”

Dodd ominously warned that “the situation has eerie parallels with the Indonesia’s political cataclysm of 1965,” when Suharto ousted Megawati’s father President Sukarno and launched a purge of suspected Communist Party members that resulted in an estimated 500,000 deaths. He went on: “The dominant mood now in Indonesia is frustration and the feeling that the decades of Suharto autocracy were relatively stable and certain compared with today. And in turn that means if Ms Megawati falters, the ground is well-prepared for an army-backed (and US/Australian-backed) anti-Islamic strongman.”

Megawati and other political figures in Jakarta have obviously read the writing on the wall, which is one of the major reasons why her administration has rapidly fallen into line.

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