

East Timor and the new humanitarian interventionism

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'The path of justice and honour involves one in danger.'¹ This advice, offered by the Athenians to the islanders of Melos, could equally well apply to the drama that unfolded in South-East Asia some 25 centuries later. East Timor's path to justice and honour had been blocked in 1975 as Indonesia sought to impose its authority over the island following the end of Portuguese colonial rule. After a long and bloody struggle, the new colonizers agreed to a UN-sponsored agreement allowing for the possibility of independence. In the months leading up to the ballot of 30 August 1999 the islanders of East Timor and the staff working for the UN mission were in considerable danger from pro-Indonesian forces. Following the overwhelming victory of the pro-independence movement the island went up in flames as militias, aided by the Indonesian army, pursued a ruthless scorched earth policy.

The fate of East Timor provides an illuminating case study of how local political events can shape, and in turn be shaped by, macro-level forces of structural change. In addition to the question how the different pieces of the jigsaw fitted together (causation), there is the question who had the capacity to act and according to what moral principles (agency). What happened in early September 1999 illustrates the wide range of instruments, including force, that international society can use to exercise leverage over a powerful and recalcitrant sovereign state. The use of force for humanitarian purposes has become a familiar pattern in post-Cold War international politics. In this respect, East Timor is the most recent of several cases where the UN has passed Chapter VII resolutions permitting collective enforcement of the rules.² It further illustrates the emergence of what UN Secretary-General Kofi Annan has described as a

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¹ Thucydides, *The Peloponnesian war*, trans. Rex Warner (London: Penguin Classics, 1954), p. 361.

² See Nicholas J. Wheeler, *Saving strangers: humanitarian intervention in international society* (Oxford: Oxford University Press, 2000).

‘developing international norm in favour of intervention to protect civilians’.³ Perhaps more beguiling is the fact that, unlike the other cases, East Timor is a barometer for how far the normative structure of international society has been transformed. In the Cold War, powerful Western states gave the ‘green light’ to President Suharto to invade and then looked away while genocidal terror was perpetrated by Indonesian armed forces.⁴ Twenty-four years later, green turned to red as Indonesia came under intense pressure to allow a UN-mandated intervention force to stop the ‘worsening humanitarian situation in East Timor’.⁵

Australia played a key role in the international intervention, providing the leadership, the infrastructure and the biggest troop deployment. Why was it motivated to lead the operation? Geography and history each played a part. East Timor is only a few hundred miles from Darwin, the capital of the Northern Territory. More importantly, many Australians believed their neighbour had been abandoned in 1975: the Australian government knew about the planned invasion but chose, like the rest of the world, to sacrifice the islanders in order to maintain good relations with Indonesia. In the opening section of the article, we consider the various dimensions of the Timor ‘triangle’ involving Jakarta, Canberra and Dili. We explore the reasons why Australia recognized Indonesia’s claim to exercise sovereignty over the whole island and the steps it took to facilitate the withdrawal twenty-four years on. Not surprisingly, the Australian Prime Minister, John Howard, and his minister for foreign affairs and trade, Alexander Downer, presented the transition as a triumph for Australian foreign and security policy. Yet critics in academic and policy-making circles argue that the Canberra government’s handling of the crisis was at best inept and at worst culpable for the devastation wrought in the aftermath of the ballot. The crux of the critics’ argument is that the government should not have lent its support to the ballot process without ensuring the provision of an adequate framework for protecting the security of the Timorese both before and after the vote. As one commentator noted in the midst of the crisis, had Australia mobilized a quarter of the international pressure before 30 August that it exerted afterwards, ‘We wouldn’t be facing what we are facing now.’⁶

While there are good reasons for being critical of Australian diplomacy prior to the ballot, we contend that the Australian government could not have exerted the kind of regional and global influence needed to win the argument about a peacekeeping force. This is developed in the second section of the article, where we trace the intensive diplomatic activity that occurred after the ballot leading to the deployment of the International Force for East Timor

³ Kofi Annan, ‘Two concepts of sovereignty’, *The Economist*, 18 Sept. 1999, pp. 81–2 at p. 82.

⁴ By piecing together estimates from the Indonesian government, the local administration and Catholic Church census data, James Cotton estimates the number of fatalities between 1975 and 1979 to be in the region of 120,000–200,000 out of a population of 700,000. See James Cotton, “‘Peacekeeping’ in East Timor: an Australian policy departure”, *Australian Journal of International Affairs* 53: 3, 1999, pp. 237–46 at p. 237.

⁵ James Cotton, ‘Against the grain: the East Timor intervention’, *Survival* 43: 1, 2001, pp. 127–42 at p. 130.

⁶ Bob Lowry, quoted in Patrick Bishop and Barbie Dutter, ‘Howard defends Australia’s actions in face of bloodbath’, *Daily Telegraph*, 22 Sept. 1999.

(INTERFET).⁷ How was it that an intervention became possible after 30 August when it had been ruled out before? The answer lies in the fact that in the days immediately following the ballot pro-Jakarta militias set about punishing the population that had voted overwhelmingly for independence. The scenes of devastation recorded by brave journalists prompted a chorus of cries from world leaders to 'do something' to end the inferno. On 5 September the Australian foreign minister pledged that his country would lead a UN force providing the following conditions were met: there was a Security Council mandate; the action was consented to by Indonesia; the mission was a short-term one aimed at restoring security prior to the establishment of a UN force; and the force had a strong regional component. We examine how pressure from a variety of sources effectively forced President Habibie and his minister for defence and security (and commander-in-chief of TNI⁸) General Wiranto into submission.⁹

What distinguishes the East Timor intervention from other cases in the post-Cold War era is its success in humanitarian terms. By contrast with Somalia and Kosovo, there was no mismatch between the military means and the humanitarian ends of 'Operation Stabilize'. The Australian action was not compromised by a similar nervousness about the risks of casualties that had undermined the success of these earlier Western interventions. Although the Howard government prudently ruled out war with Indonesia to save the East Timorese, President Habibie's promise of cooperation could not be relied upon. Consequently, there was genuine uncertainty as to what kind of reception would confront the Australian-led force when it disembarked on the island, and there was a real risk of Australian soldiers returning in body bags. As we discuss, Australia, assisted by its friends on the Security Council, notably the UK, worked hard to ensure that its force was equipped with a robust Chapter VII mandate.

What is surprising about Howard's and Downer's decision to risk Australian forces in an uncertain operational environment is that the moral impulse to 'do the right thing by East Timor' was not supported by strong national interests.¹⁰ Indeed, Australia's decision put it on a collision course with its powerful neighbour, marking the abandonment by the Howard government of the hardy perennial of good relations with Indonesia that had guided Australian foreign policy since the Second World War. One of the guiding questions considered in this article is how the Howard government came to disregard the old certainties of the 'Jakarta first' policy. A crucial dimension here is the extent to which the

⁷ The case study is broadly focused on the time period from December 1999 to September 2000. While consideration is given to the UNAMET and INTERFET operations, we do not consider the UN Transitional Administration (UNTAET) mandated to oversee East Timor's reconstruction.

⁸ TNI stands for Tentara Nasional Indonesia (i.e. national troops of Indonesia). The army is sometimes referred to as ABRI (Angkatan Bersenjata Republik Indonesia: Armed Forces of the Republic of Indonesia). It changed its name to TNI after a reshuffle in 1999. We use the terms TNI/ABRI interchangeably in the article.

⁹ These conditions are set out in *East Timor in transition 1998–2000: an Australian policy challenge* (Canberra: Department of Foreign Affairs and Trade, 2001), p. 133.

¹⁰ The words are Prime Minister Howard's. See Ted Bardacke, Gwen Robinson and Sander Thoenes, 'Jakarta cancels Australian pact', *Financial Times*, 17 Sept. 1999.

new normative context of humanitarianism constrained the exercise of Indonesian sovereignty and enabled the deployment of a multinational force led by Australia. In the aftermath of the intervention, Downer politely suggested that East Timor and not Kosovo should be the model for future humanitarian interventions. We end by reflecting on this contention and evaluating the lessons of East Timor for the new humanitarian interventionism.

Ballot diplomacy and security

The INTERFET operation opens up a number of important questions about Australia's foreign policy priorities. Did the decision to mobilize support for an intervention force represent a voluntary U-turn or should it be thought of as a change of direction forced upon the government by events? A further twist in the tail is provided by the paradox that it was a right-wing government that eventually stood up to Indonesia, despite the fact that the previous policy of appeasing Jakarta had been defended by conservatives and attacked by influential voices on the left. As we reflect on the meaning of INTERFET two years on, we should consider whether it was the Howard government who acted as a 'good international citizen' and not previous Labor governments who invented this principle as a standard by which the ethical credentials of foreign policy could be judged.¹¹ Was it the conservatives who, in the end, abandoned a realistic assessment of narrow national interests in favour of promoting internationalist values of democracy and self-determination at considerable political and economic costs to themselves? We will return to many of these questions later in the article; before doing so it is important to reflect on how Australia formulated its Timor policy.

Until 1998 there had been a consensus in Australian foreign policy that good relations with Indonesia were more important than the self-determination of the Timorese. On the face of it, this consensus was arrived at by a straightforward calculation of the national interest. There are many factors that point in the direction of what might be called a Jakarta first policy. From a strategic point of view, Indonesia has a population of 209 million, making it the fourth most populous state in the world. Australian defence planning has long seen Indonesia as a potential threat. Rather than engaging in a costly Cold War with its northern neighbour, policy-makers preferred promoting 'a stable pro-Western government in Jakarta and maintaining friendly relations with it'.¹²

¹¹ The idea of 'good international citizenship' was first propounded by Gareth Evans in *Making Australian foreign policy*, Australian Fabian Society Pamphlet 50, 1989. For an application to the first British Labour government's foreign policy, see Nicholas J. Wheeler and Tim Dunne, 'Good international citizenship: a third way for British foreign policy', *International Affairs* 74: 4, 1998.

¹² Richard Leaver, 'Introduction: Australia, East Timor and Indonesia', *Pacific Review* 14: 1, 2001, pp. 1–14 at pp. 2–3. Interestingly, New Zealand adopted a very similar stance. Having examined 'hundreds' of ministry of foreign affairs papers, Phil Goff argues that the human rights of the East Timorese were consistently 'subordinated to the desire to maintain good relations with Indonesia'. He quotes from a memorandum written by the secretary of foreign affairs to the prime minister on 10 Dec. 1975: 'New Zealand has a strong interest in maintaining good relations with Indonesia even if this might on occasion require some measure of compromise on matters of principle.' See Phil Goff, 'East Timor: lessons and implications', *New Zealand International Review* 24: 4, July/Aug. 1999, pp. 2–5 at p. 2.

National security may be the primary justification for the Jakarta first policy, but trade concerns are not far behind. Indonesia provides a large market for Australian exports, and the two states recognize that there are significant mutual economic gains to be made from cooperation. At the time of the Indonesian invasion, Australian officials were predicting the possibilities for the joint exploitation of mineral resources in the Timor Sea.¹³ This potential was realized in 1989 when the two states signed the Timor Gap treaty.

The third cluster of reasons that underpinned the bipartisan consensus on Jakarta first concerns the regional dimension. Indonesia is a multi-ethnic state which includes many dissatisfied secessionist movements (for example, in Aceh, Ambon and Irian Jaya, to name only the most high-profile instances). It stands to reason that Canberra would prefer to deal with one sovereign state to its north rather than several minor and unstable sovereign territories. While this position seems to whiff of *realpolitik*, there have been other cases in the era of decolonization where states emerging from colonial rule have forcibly imposed integrationist policies on their citizens: such efforts at nation-building have generally been tolerated by the international community. The other aspect of regional politics that facilitated accommodation with Indonesia's absorption of East Timor is the commitment of the Association of South-East Asian Nations (ASEAN) to the principles of non-interference and consensus. To its members, meddling in Indonesia's 'internal' affairs smacked unpleasantly of colonialism. ASEAN has consistently defended a view of sovereignty whereby the rights of states are largely decoupled from a duty to comply with humanitarian standards. The continued prevalence of this attitude could be seen in 1997 when ASEAN admitted Myanmar (Burma) despite its government's appalling human rights record.

Outside South-East Asia, key states in the international system also viewed the Timor question through a lens that was focused on Jakarta. From the time of the initial invasion, the view of powerful Western states has been entirely consistent with the assessment made by Australia and other regional powers. Two days before Indonesian forces landed on East Timor, US President Gerald Ford and Secretary of State Henry Kissinger were in Jakarta visiting Indonesian President Suharto. Kissinger is said to have told reporters in Jakarta that 'the US understands Indonesia's position on the question'.¹⁴ To the Americans, Suharto's Indonesia was a prize that needed to be protected. In return for loyalty to the

¹³ The Australian ambassador to Indonesia, Richard Woolcott, quickly alerted his colleagues in the Department of Minerals and Energy to business opportunities that arose in the aftermath of the Indonesian invasion. In the ambassador's words: 'We are all aware of the Australian defense interest in the Portuguese Timor situation but I wonder whether the Department has ascertained the interest of the Minister of the Department of Minerals and Energy in the Timor situation ... The present gap in the agreed sea border ... could be more readily negotiated with Indonesia ... than with Portugal or an independent Portuguese Timor [sic]. I know I am recommending a pragmatic rather than a principled stand but that is what national interest and foreign policy is all about.' Quoted in Mathew Jardine, *East Timor*, p. 45. Citation is from an Australian Defense Department paper, in J. R. Walsh and George Munster, *Documents on Australian defence and foreign policy, 1968-1975*.

¹⁴ Jardine, *East Timor: genocide in paradise* (Tucson, AZ: Odonian Press, 1975, p. 38. Jardine's source here is the *Los Angeles Times*, 12 July 1975.

West, Indonesia received significant aid, investment and arms sales. Indonesia was not only a valuable strategic asset, it presented significant investment opportunities for multinational companies looking for cheap labour (major corporations such as Levi-Strauss and Nike have plants there) and export markets. No one described this more effectively than a former president of Coca-Cola: 'When I think of Indonesia—a country on the equator with 180 million people, a median age of 18, and a Muslim ban on alcohol—I feel like I know what heaven looks like.'¹⁵

What the preceding discussion illustrates is how a web of bilateral relations facilitated the absorption of East Timor into Indonesian sovereign territory. Yet the key multilateral organ of international society—the UN—maintained a strict policy of non-recognition of Indonesia's invasion and subsequent annexation of East Timor.¹⁶ The view of the UN was that sovereignty did not belong to Indonesia. East Timor had been an overseas possession of the Portuguese since the early seventeenth century: in accordance with the norm of self-determination, the end of colonial rule should have led to independence. Throughout the post-invasion period, the United States did everything it could to contradict the UN's stance. According to Daniel Patrick Moynihan, US ambassador to the UN during the Ford administration, the State Department 'desired that the United Nations prove utterly ineffective in whatever measures it undertook'—a task that, by his own admission, he carried out 'with no inconsiderable success'.¹⁷

The view from Canberra was equally at odds with UN norms and policies. As the Australian representative told the UN on 2 November 1979, Australia 'believed the question of the decolonization of East Timor to have been resolved'.¹⁸ Not only did Australia accept the legitimacy of Indonesian rule over East Timor in the aftermath of the invasion, it used its influence to smother criticisms of Indonesia in the UN.¹⁹ Richard Leaver neatly captures Australia's position on the Timor question: 'Self-induced acquiescence in the face of Indonesia's colonization of East Timor, followed by *de facto* and *de jure* recognition of Indonesian sovereignty, were parts of a larger price that was willing if quietly paid in the name of national security.'²⁰

The bilateral relationship was at its closest during the period of the Labor administrations led by Prime Ministers Bob Hawke and Paul Keating (1983–96). Significant progress was made on both economic and security fronts. In

¹⁵ Jardine, *East Timor*, pp. 37–38. Jardine's source here is *Dollars and Sense* (Somerville, MA).

¹⁶ Security Council Resolution 389, on 22 April 1976, called for Indonesia 'to withdraw without further delay all its forces from the Territory'. The UN General Assembly voted for the immediate withdrawal of Indonesia five days after the invasion (12 Dec. 1975): the vote was 72:10, with 43 abstentions (including the United States, Canada and many West European states). Quoted in Jardine, *East Timor*, p. 36.

¹⁷ Quoted in Jardine, *East Timor*, p. 37.

¹⁸ William Maley, 'The UN and East Timor', *Pacifica Review* 12: 1, 2000, pp. 63–76 at p. 65.

¹⁹ Gareth Evans claims that Australia 'continued to recognise East Timor as a non-self governing territory entitled to self-determination'. See his defence of Labor's Timor policy, 'Steps beyond ending the bloodshed', *The Australian*, 27 Sept. 1999.

²⁰ Leaver, 'Introduction: Australia, East Timor and Indonesia', p. 3.

1989 Australia signed the Timor Gap treaty, permitting joint exploitation of oil and gas reserves. Six years later an 'Agreement to Maintain Security' was signed by Keating and Suharto: this was the first bilateral security agreement entered into by Indonesia.²¹ In response to critics of the treaty, Keating said 'We are not going to hock the entire Indonesian relationship on Timor.'²² Yet this strategy was being pursued at a time when the minister for foreign affairs and trade, Senator Gareth Evans, was articulating an ethical dimension to foreign policy. As well as promoting the national interest, Evans argued that it was important for Australia to act as a 'good international citizen', including compliance with human rights norms and a commitment to strengthen multilateral institutions. The Jakarta first policy appeared to contradict both of these goals. In defence of Evans, it is possible to argue (as Andrew Linklater does²³), that a 'good international citizen' should not be expected to endanger vital security interests in its pursuit of moral ends.²⁴ If this was how Evans understood the Timor triangle then it begs the question why the Labor leadership was not more explicit about justifying the priorities to their citizens. Their attempt to reconcile ethics and interests was not persuasive to the 'left' in the Australian Labor Party who continued to campaign for non-recognition of Indonesian authority over East Timor.

The election of John Howard's coalition government in 1996 did not fundamentally challenge the Jakarta first policy of his predecessors; and when a change did come about, it was not the result of a carefully thought-out strategy. Rather, events outside the bilateral relationship transformed the East Timor question in the late 1990s. The financial crisis that convulsed much of Asia from 1997 hit Indonesia badly: its currency plummeted and industrial output contracted massively. The effect of the downturn on state-society relations was dramatic. Intercommunal violence erupted and the government came in for sustained attack from student-led protests. What the economic shocks revealed to Indonesian citizens was the extent of their vulnerability, in contrast to the security of the Suharto family and the cronies (including senior figures in the army) who ran the state-owned enterprises for their own benefit. Suharto's downfall in May 1998 paved the way for a significant change in Indonesia's Timor policy. The leader of the interim government, President Habibie, announced that he was prepared to offer 'special status' for East Timor, while stating that this would be conditional on Indonesia's continued sovereignty over East Timor. Indonesia had been engaged in UN-sponsored talks with Portugal since 1982, but this was the first time that Indonesia had opened the

²¹ Ibid.

²² Melissa Roberts, 'Why Sydney is screaming: Australia's sense of loss in East Timor goes back decades', *Newsweek*, 20 Sept. 1999, p. 26.

²³ Andrew Linklater, 'What is a good international citizen?', in Paul Keal, ed., *Ethics and foreign policy* (Canberra: Allen & Unwin, 1992). See also Peter Lawler, 'Constituting the "good state"', in Paul James, ed., *Critical politics* (Melbourne: Arena Publications, 1994).

²⁴ Looking back on the issue in the aftermath of the crisis, Evans offered up the argument that good relations with Indonesia were a 'means' to realizing multiple 'ends', including 'helping the people of East Timor'. While other goals were achieved (particularly economic and security interests), this one was not 'fully realised'. See Evans, 'Steps beyond ending the bloodshed'.

door to the possibility of greater autonomy for the Timorese. Habibie's announcement was made on 9 June 1998 in an interview with the BBC.²⁵

Whatever the balance between endogenous and exogenous factors in creating a new context for the Timor question, the effect was to disturb the settled assumptions that had previously shaped Indonesian–Australian bilateral relations. From an Australian perspective, the national interest was still defined by the principle of recognizing Indonesian sovereignty over East Timor, but within that constraint, the Howard government began to lobby more on behalf of the rights of the East Timorese. According to the book published by the Australian Department of Foreign Affairs and Trade (DFAT) in 2001 on the government's East Timor policy in the period 1998–2000, two key considerations shaped policy at this time. First, there was concern that despite Habibie's announcement in June, there had been no progress in the tripartite talks. The situation on the ground in East Timor was increasingly volatile, and 'Australia was concerned that if growing defiance towards Indonesian rule was met by renewed TNI repression, the situation in East Timor could deteriorate beyond control'. Second, there was growing public support in Australia, after Suharto's fall, for self-determination for the Timorese.²⁶ These considerations led Prime Minister Howard to try to influence the tripartite talks in a more positive direction.

In December 1998 he wrote to President Habibie encouraging him to consider a period of autonomy for East Timor followed by an eventual act of self-determination, the outcome of which Australia would not prejudge. This may have annoyed Habibie, given that Australia had hitherto been a reliable defender of Indonesia's sovereignty over East Timor.²⁷ Yet a month later (27 January 1999) Indonesia went considerably further than at any point since the dialogue began. Habibie promised that if the East Timorese rejected a proposal for autonomy within Indonesia, he would ask the People's Consultative Assembly to grant them independence.²⁸ On 5 May an agreement was signed by the UN, Portugal and Indonesia to allow a UN-supervised ballot. A key and controversial element in the agreement was that the TNI had sole responsibility for law and order. The consequences of this decision were disastrous. The UN Mission in East Timor (UNAMET), mandated to organize the election, faced a very hostile environment as pro-integrationist militias sought to intimidate the mission and destabilize the process. As a result the date for the ballot was pushed

²⁵ The key part of Habibie's statement was: 'I am ready to consider as the President, to give East Timor a special status . . . under one condition that East Timor is recognized as an integrated part of the Republic of Indonesia' (Reuters, 10 June 1998).

²⁶ *East Timor in transition*, pp. 29–30.

²⁷ Richard Leaver, 'The meaning, origins and implications of "the Howard doctrine"', *Pacific Review* 14: 1, 2001, pp. 15–34 at p. 28. After East Timor went up in flames, former Prime Minister Keating blamed Howard for the disaster. Had he not sent the letter, Keating rather implausibly suggested, 'The East Timor disaster would not have started to unfold'. See Mike Stekete, 'Keating's last stand', *The Weekend Australian*, 9–10 Oct. 1999. Interestingly, Keating's foreign minister took a different line, believing that Howard was right to send the letter. See Evans, 'Steps beyond ending the bloodshed'.

²⁸ Maley claims that Habibie's change of policy was not discussed with foreign minister Ali Alatas: William Maley, 'Australia and the East Timor crisis: some critical comments', *Australian Journal of International Affairs* 54: 2, 2000, pp. 151–61 at p. 156.

back from 8 August to 30 August. Unfortunately, this only delayed the coming anarchy rather than preventing it altogether.

In the following section, we consider the various factors that enabled the imposition of an Australian-led intervention force to bring an end to the violence and lawlessness witnessed in early September. Prior to this discussion, it is important to consider the charge that INTERFET represented an attempt to salvage a policy that had failed. Even though the operation itself may have been a triumph, there are many reasons for thinking that it came about only because of a series of miscalculations in Australian foreign policy. The allegations can be distilled into the following points, to be considered in turn: first, that the Australian government knew about the Indonesian army's plan to arm the militias and that a campaign of violence was being planned; second, that it should have exerted greater pressure on Indonesia to stop the intimidation; third, that it should have worked harder to mobilize international support for a pre-ballot peacekeeping force.

What information was available to Australian ministers during the period January–September 1999? On 4 March 1999 a Defence Intelligence Organization brief headed 'Indonesia/East Timor: ABRI [Indonesian army] backing violence' noted that 'Unless Jakarta takes firm action, ABRI elements will continue to support intimidation and violence or at least won't prevent it.'²⁹ This report, as Desmond Ball argues, appears to have been ignored by the foreign minister. On 7 March Downer said that a campaign of terror against pro-independence East Timorese 'certainly isn't Indonesian Government policy' and is not 'being condoned by General Wiranto'.³⁰ As intelligence-gathering was stepped up in April and May, there was mounting evidence of links between militia leaders and the Indonesian army. The ABRI/TNI helped the militias form, supplied them with weapons, and stood back and watched as they terrorized pro-independence East Timorese.³¹ It is noteworthy that Stanley Roth, the US State Department's assistant secretary for East Asian affairs, asked Australian officials for intelligence data on the links between the ABRI and the militias but was rebuffed owing to the need to protect sources on the ground. Further evidence of tension between the United States and Australia emerged in a meeting in Washington in February 1999 between Roth and Dr Ashton Calvert, secretary of the department of foreign affairs and trade. According to a transcript of the meeting, Roth believed that 'A full-scale peacekeeping operation would be an unavoidable aspect of the transition'. Calvert argued that the deployment of an international peacekeeping force prior to the ballot was unnecessary. Roth stressed the importance of building a UN-based constituency 'for pushing the peacekeeping option'.³² He added that 'It was necessary to go forth and persuade Congress and UN member states that it simply had to be

²⁹ Desmond Ball, 'Silent witness: Australian intelligence and East Timor', *Pacific Review* 14: 1, 2001, pp. 35–62 at p. 45.

³⁰ Alexander Downer, cited in Ball, 'Silent witness', p. 45. Downer would, of course, have wanted to play down these reports, particularly in public.

³¹ Ball, 'Silent witness', p. 47.

³² *Ibid.*, pp. 51–2.

done'.³³ Some doubt remains as to whether Calvert was trying to avoid the deployment of Australian troops in principle or whether he was simply iterating a preference not to send in troops at this stage.

Calvert's preferred option was to rely on 'adept diplomacy'. Once again, we see how the fate of the East Timorese was thought by Australia to be best resolved in accordance with the trusted Jakarta first policy. What evidence is there that Australia tried to exert leverage over Jakarta? This question leads to the further, counterfactual question: Could Australia have done more? Alexander Downer claims that Australia 'was diligent in pushing hard to ensure measures were taken to curb this violence in the lead-up to the 30 August ballot'.³⁴ An opportunity to push the issue arose when Habibie and Howard met in Bali on 27 April. According to Downer, the Indonesian president 'categorically rejected' Australia's call for a peacekeeping force to be sent in. Downer believes that the summit achieved some progress in that Habibie agreed to an expansion of the UNAMET civilian police contingent. The official view of the Bali meeting has been strongly challenged by William Maley, who argued that Australian negotiators returned 'empty handed', adding that 'They had consciously decided not to press with any vigour for a neutral force'.³⁵

The need for greater ballot security was apparent to many in the summer of 1999. Expert commentators in the press were pushing this line,³⁶ and the opposition Labor party concurred. To compound the problem, the nature of the ballot made it more likely to provoke violence than other kinds of election undertaken by democracies in transition, such as where multiple parties contest seats to a legislative assembly, for in a ballot that is to decide for or against self-determination there can only be one winner. The danger of pursuing an election in a hostile environment was something of which the UN had previous experience, from which it might reasonably have been expected to learn some lessons. Angola in September 1992 provided a stark reminder of what can happen to free and fair elections if the loser (in this case Jonas Savimbi) decides to ignore the results and call his supporters to arms. Reflecting on this case, the UN special representative of the Secretary-General in Angola warned that if there were not sufficient peacekeepers to ensure ballot security, 'the Secretary-General should be ready to say "no"'.³⁷

³³ Maley, 'Australia and the East Timor crisis', p. 157. Maley also quotes from a 'leaked cable' from the Prime Minister's office to the effect that a peacekeeping force 'would remove any incentive for the East Timorese and the Indonesians to sort out their differences' (p. 157).

³⁴ Alexander Downer, 'East Timor—looking back on 1999', *Australian Journal of International Affairs* 54: 1, 2000, pp. 5–10 at p. 6.

³⁵ Maley, 'The UN and East Timor', p. 70.

³⁶ Alan Dupont and Anthony Bergin, 'UN force critical to peace in Timor', *Australian Financial Review*, 29 March 1999. In the article, they argued that 'What is needed now is the early deployment of a multinational force under UN auspices'. Quoted in Maley, 'Australia and the East Timor crisis', p. 154.

³⁷ Dame Margaret Anstee, quoted in Maley, 'The UN and East Timor', p. 71. It is worth noting in this regard that the Secretary-General himself appeared not to have learned this lesson. In a rare lapse of judgement, he argued on 10 September 1999 that 'If any of us had an inkling that it was going to be this chaotic, I don't think anyone would have gone forward. We are not fools.' Quoted in Maley, 'Australia and the East Timor Crisis', p. 154.

There is no doubt that amber warning lights were flashing in the months before the 30 August vote. But this ought not to lead us to the conclusion that Australia is largely to blame for not creating a secure environment. A peace-keeping force would have isolated the militias and contained the ABRI/TNI, but was there a constituency in favour of such a move in the capitals of the great powers? Given how much intensive diplomatic activity was needed to get a multinational force off the ground in the early weeks of September—and this against the backdrop of shocking images of human rights abuses—it is hard to claim that such a ‘coalition of the willing’ could have been put together in the summer of 1999. Reflecting on the issue some months later, Downer concluded that ‘To have pushed the issue with Jakarta would have resulted in the cancellation of the 30 August vote’.³⁸ This is an objection that should be taken seriously, particularly given that the UN Security Council would not have adopted a Chapter VII resolution overriding the will of the Indonesian government.

These factors all suggest that the critics overstate the extent to which Australia had a controlling influence over either the timing of the ballot or the environment in which it was to take place. Habibie had opened a narrow window of opportunity for East Timorese self-determination, and neither Australia nor the UN wanted to close it. What would have been the domestic reaction if Howard and Downer had withdrawn from UNMET because they judged the security framework to be inadequate? It would have been further to underline the feeling of betrayal that runs through much of Australian civil society in relation to the Timor question.

Three other factors cast doubt on the case presented by critics like Maley. First, it is significant that the East Timorese leaders did not want to jeopardize the ballot, even if this led indirectly to the deaths of ‘hundreds’ of their citizens.³⁹ Second, Australian and UN officials handling the issue took the view that to delay or cancel the ballot would have led to a deterioration of the security situation—the concern being that if the militias were perceived to have won, pro-independence supporters would have turned to violence in large numbers, leading to a massive crackdown by the TNI. Finally, one could argue that the ADF *did* begin significant military planning in case of the need for a rapid deployment of forces to East Timor. Covert operations were undertaken by the ADF as early as April,⁴⁰ and shortly after the 5 May agreement a brigade of ADF troops (approximately 3,000) based in Darwin was put on 30-day readiness for deployment.

How did INTERFET become possible?

On 4 September Kofi Annan announced to the world the results of the ballot. After an election that was relatively free of the intimidation and violence that

³⁸ Downer, ‘East Timor—looking back on 1999’, pp. 6–7.

³⁹ This figure is given by Ball on the basis of intelligence estimates: ‘Silent witness’, p. 36.

⁴⁰ Ball, ‘Silent witness’, p. 47.

had characterized the activities of the pro-integrationist militias in the previous fourth months, 78.5 per cent of registered voters had decided for independence. Immediately after the result was announced, rampaging militiamen began killing key figures in the independence movement and terrorizing civilians. Witnesses on the ground estimated that in a matter of days over 1,000 lives had been lost,⁴¹ and up to a quarter of the population had fled their homes. In the words of a *Newsweek* reporter, 'Dili was an apocalyptic landscape'.⁴² Leaked Australian intelligence documents indicate that the Indonesian army ordered the massive escalation of violence, and other intercepts of radio conversations directly implicate the special forces unit of the TNI (the Kopassus) in militia violence.⁴³ Further evidence for this claim is provided by the report of the Security Council mission to East Timor which concluded, that 'Militia activities were organized and supported by parts of TNI'.⁴⁴ Although President Habibie gave assurances that the Indonesian military and police units on the island would restore order, it rapidly became clear that he was in no position to control events on the ground. Consequently, any ending of the violence depended upon deploying a peacekeeping force onto the island. As early as 4 September, the East Timorese resistance leader, Xanana Gusmao, under house arrest in Jakarta, had urged the Secretary-General and the Security Council 'to make a decision on sending an international force to save the Maubere [East Timorese] from a new genocide'.⁴⁵

There was a general determination in the Security Council that East Timor would not be the next Rwanda or Srebrenica. According to William Shawcross, the US permanent representative Richard Holbrooke had expressed to Annan his government's concern that a failure to contain the crisis could lead to the spread of violence to other parts of Indonesia, producing a humanitarian and security crisis on the scale of the Balkans.⁴⁶ The Council met on 5 September and demanded that Indonesia bring the violence under control. It also agreed for the first time in its history to send a mission to Jakarta of five of its members at ambassadorial rank (from the UK, Malaysia, Slovenia and the Netherlands), led by the Namibian representative, Martin Andjaba, to impress upon Indonesian political and military leaders the gravity of the situation. Annan, who was in regular telephone contact with the Indonesian president, was told by him that the situation was stabilizing and that a declaration of martial law would bring an end to the crisis. However, as the Security Council mission met with

⁴¹ Don Greenlees and Robert Garran, 'Marching into tragedy', *The Australian*, 8 Sept. 1999.

⁴² Jeffrey Bartholet, 'The "Clinton Doctrine" is tested by murderous pro-Indonesian militias', *Newsweek*, 20 Sept. 1999, pp. 22–6 at p. 23.

⁴³ Shawn Donnan, 'Evidence grows over Jakarta hand in violence', *Financial Times*, 25 Nov. 1999. See also Ball, 'Silent witness', pp. 47–50.

⁴⁴ Report of the Security Council mission to Jakarta and Dili, S/1999/976, 14 Sept. 1999, www.un.org/peace/etimor/docs, visited on 6 July 2001, p. 5.

⁴⁵ Xanana Gusmao's speech as reported by Portuguese Renascenca radio on 4 Sept. 1999, *Summary of World Broadcasts*, Part 3: *Asia-Pacific*, FE/3632 B/3, 6 Sept. 1999.

⁴⁶ William Shawcross, *Deliver us from evil: warlords and peacekeepers in a world of endless conflict* (London: Bloomsbury 2001), p. 137.

Jakarta-based ambassadors, it quickly became obvious to them that Habibie had little control over the military. The Indonesian president's growing delusion about the crisis was reflected in his meeting with the UN ambassadors on 9 September. He tried to rationalize the violence as the result of disaffected pro-autonomy groups, with the TNI struggling to keep the peace between the warring elements.⁴⁷ This interpretation of events was not accepted by anyone outside Habibie's inner circle, and it contradicted the grim reality of militia violence aided and abetted by the army. By 9 September thousands had been driven into the hills from burning homes; hundreds of pro-independence supporters had been killed; UN officials, aid workers and journalists were being targeted; and 3,000 refugees an hour were being forcibly relocated across the border into West Timor. As Shawcross puts it, this 'was ethnic cleansing Indonesia-style'.⁴⁸

The violence following the referendum became front-page news in every Australian newspaper, and television pictures of the atrocities galvanized the Australian public into demanding action to end the violence. A major factor behind this public reaction was the sense of shame at Australia's continuing betrayal of the people of East Timor; support for an armed intervention to protect the East Timorese was a way of trying to absolve the country of its past guilt. Political leaders were equally shocked by the scale of the humanitarian crisis and were intensely frustrated that their method of attempting to avoid violence had failed. More specifically, the Howard government was vulnerable on whether more should have been done to press the Indonesians on security during the ballot process. The opposition Labor party leader, Kim Beazley, had criticized the government on this very issue over the previous four months, and when the violence erupted he levelled the accusation that the Howard government was 'totally ill-prepared to respond effectively'.⁴⁹ As we have argued in the previous section, this criticism was overstated. Nevertheless, Howard's decision to champion the cause of military intervention reflected a strong desire to defuse domestic criticisms over his handling of the East Timor question. Faced with a mounting tide of public anger, Downer announced on 5 September that Australia was prepared to lead a multinational force to East Timor. He was explicit that military intervention without Indonesian approval was not an option: 'I am sure that Australians would not want us to declare war on Indonesia.'⁵⁰ In a context where violence had erupted as a direct consequence of Indonesia's refusal to accept a UN force to monitor the ballot process, the sovereignty constraint remained firmly in place.

The difficulty of securing Indonesia's consent was made clear to the Security Council mission in its meeting with the Indonesian foreign minister, Ali Alatas,

⁴⁷ Report of the Security Council Mission, p. 5; and Shawcross, *Deliver us from evil*, p. 359.

⁴⁸ Shawcross, *Deliver us from evil*, p. 357; Dan Murphy and John McBeth, 'Scorched earth', *Far Eastern Economic Review*, 16 Sept. 1999.

⁴⁹ Quoted in Leaver, 'Introduction: Australia, East Timor and Indonesia', p. 10.

⁵⁰ Barbie Dutter, 'Australia ready to send in soldiers', *Daily Telegraph*, 7 Sept. 1999.

on 8 September. He expressed Indonesia's concern at the growing violence in East Timor, but insisted that his government would not accept any foreign military presence before the Indonesian parliament had met and considered the outcome of the consultation process. A day later Habibie firmly reiterated this position in his discussions with the ambassadors.⁵¹ Yet, within three more days, the president had done a complete volte-face and accepted the offer of outside military assistance. How did this change become possible? The answer is that the international community was able to mobilize the type of pressure on Jakarta to accept an international force that it had proven incapable of mustering in the period when such a force might have prevented the subsequent escalation of the violence. The pressure to make Indonesia comply took effectively two forms: first, there was the coercive leverage of withdrawing IMF and World Bank loans, and the ending of military assistance; second, there was the moral censure of Indonesia that cast it in the role of an international pariah.

In terms of coercive leverage, on 9 September US President Clinton ratcheted up the pressure by ordering a suspension of all programmes of military cooperation with Indonesia, stating that if Indonesia did not end the violence, 'It *must* invite—it *must* invite—the international community to assist in restoring security.'⁵² Given the US role in training and supplying the TNI's special forces that were collaborating with the militias, the administration was politically vulnerable on this issue.⁵³ Senior US officers had tried to exploit their privileged relationship with the Indonesian military by privately persuading them to end the violence. The chairman of the joint chiefs of staff, General Henry H. Shelton, had urged this course of action on Wiranto during two telephone conversations.⁵⁴ Admiral Dennis Blair, head of US pacific forces, had gone to Jakarta to meet with Wiranto on 8 September, with the threat that either the military take control of the situation or the US would break off military relations. Clinton's public statement the following day reflected the failure of this ultimatum to influence the actions of the TNI in East Timor.⁵⁵

The US decision to suspend military cooperation was followed by New Zealand, and the net was further tightened with the EU decision to impose an arms embargo on Indonesia. As part of this, the British foreign secretary announced that the government was suspending shipment of the nine Hawk 'trainer' aircraft that Indonesia was contracted to buy from British Aerospace. Having been given assurances by the Indonesian government that the Hawks

⁵¹ Report of the Security Council mission, p. 2.

⁵² Statement by the President on East Timor, 9 Sept. 1999, p. 3 (emphasis added), www.usinfo.state.gov/regional/ea/timor, visited on 6 July 2001.

⁵³ Noam Chomsky claims that the United States and the UK continued military support in the months before the ballot, despite evidence of widespread TNI-backed atrocities. The United States, he adds, even conducted 'joint military exercises just prior to the referendum'. Noam Chomsky, *A new generation draws the line: Kosovo, East Timor and the standards of the West* (London: Verso, 2000), p. 22.

⁵⁴ Andrew Marshall and John Armstrong, 'East Timor crisis: US moves nearer to intervention', *Independent*, 11 Sept. 1999.

⁵⁵ Mark Suzman and Sander Thoennes, 'US halts military links in move on E. Timor violence', *Financial Times*, 10 Sept. 1999.

already sold to Indonesia would not be used over East Timor, the Blair government found itself in the uncomfortable position of having to explain why it was that these aircraft were operating over East Timor during the crisis.⁵⁶

Military sanctions were one instrument for exerting pressure on the Habibie government, but the most effective weapon in squeezing Indonesia was the threat of financial sanctions. In his speech of 9 September, Clinton raised the spectre of US action to prevent Indonesia obtaining much-needed IMF and World Bank loans. He stated that his 'own willingness to support future assistance will depend very strongly on the way Indonesia handles this situation'. The President wanted to send a clear signal to political and military leaders in Indonesia that if the violence continued, 'There will be overwhelming public sentiment to stop the international economic cooperation ... nobody is going to want to continue to invest there if they are allowing this sort of travesty to go on.'⁵⁷ One of the most fascinating and controversial aspects of this crisis was the role played by the IMF and World Bank in coercing Indonesia into accepting an international peacekeeping force. In an unprecedented move, the IMF announced two days after Clinton's call for cuts in international lending that it was suspending its planned visit to review Indonesia's progress, necessary before the next instalment of US\$450 million could be approved. In total, the IMF rescue package for Indonesia was \$12.3 billion, of which \$2.3 billion still had to be granted. The IMF's Asia-Pacific director, Hubert Neiss, was reported on Radio Australia as saying that Indonesia must end the violence and sort out a banking scandal involving Bank Bali and members of the ruling party if it wanted the review to be rescheduled.⁵⁸ Five days later, the World Bank froze its \$1 billion aid programme to Indonesia in a move designed to put pressure on the government to end the violence in East Timor. This move was justified as a response to a banking scandal, but this was little more than a pretext: the Australian director, James Wolfensohn, had written to Habibie the previous week urging the government to honour the results of the referendum.⁵⁹ The economic threat posed to Indonesia's recovery by the loss of IMF and World Bank finance was compounded by the fact that this would send a clear signal to investors that Indonesia was a bad risk, leading to greater pressure on the stability of the currency. The growing realization that the crisis in East Timor

⁵⁶ Alexander Nicoll and Sander Thoenes, 'Indonesia defies UK to operate Hawk jets in E. Timor', *Financial Times*, 10 Sept. 1999.

⁵⁷ Statement by the President on East Timor, 9 Sept. 1999, pp. 3, 7. The day before, a *Financial Times* editorial had made the same point: 'Jakarta should remember that the IMF's major western shareholders have difficulty justifying loans to countries condoning mass murder.' See leader, 'Intervening in East Timor', *Financial Times*, 8 Sept. 1999.

⁵⁸ See 'IMF suspends discussions on economic programme', Radio Australia, *Summary of World Broadcasts*, FE/3638 B/8, 11 Sept. 1999; Gwen Robinson, 'Asia-Pacific: Jakarta warns IMF and Bank over E. Timor', *Financial Times*, 10 Sept. 1999; Philip Thornton, 'World Bank freezes all new loans to Indonesia', *Independent*, 14 Sept. 1999.

⁵⁹ Robinson, 'Asia-Pacific: Jakarta warns IMF and Bank over E. Timor'; Stephen Fidler and Gwen Robinson, 'IMF and World Bank played role in climbdown: East Timor lobbying effort exposes divisions over wisdom of sanctions', *Financial Times*, 13 Sept. 1999.

was worsening was a key factor in Habibie's decision on 12 September to agree to the deployment of a multinational force.⁶⁰ There is also evidence that this factor weighed heavily on Wiranto, and this may explain why the TNI was prepared to back its political masters. Shelton had telephoned Wiranto two days earlier and warned him that his actions were bringing ruin on the country.⁶¹

Material factors are certainly critical in any explanation of the Indonesian climbdown, but the impact of the global moral outrage directed at Jakarta should not be underestimated. There were two key elements to the moral pressure mobilized by the international community. The first was the Security Council mission. This was crucial in bringing home to Indonesian leaders the strength of feeling within the Council on the question of Indonesia's responsibility for the violence in East Timor. In this context, it was highly significant that Malaysia was a member of the mission. As a fellow member of ASEAN conscious of the importance of maintaining good relations with its powerful neighbour, Malaysia sought to avoid what it saw as the blunt language of the Western members of the delegation. Rather than treat Indonesia as a scolded child, Ambassador Hasmy sought in the meetings with Habibie, Alatas and Wiranto to moderate such sentiments. He stressed that Indonesia's actions over East Timor were not in keeping with its respected role as a leader in the non-aligned movement. And in conversations with Wiranto, he made the highly controversial but flattering claim that the actions of the TNI contradicted its 'historical role in and contribution to national peace and security and regional stability'.⁶² Reflecting on the impact of the mission's meeting with the Indonesian army chief, Ambassador Hasmy reflected that 'Wiranto saw very clearly that the signal from the international community was very strong'.⁶³

It would be unwise to exaggerate the role of the mission, given that Indonesia was coming under sustained pressure from a variety of vantage points, including the US joint chiefs of staff and international financial institutions; nevertheless, arguments employed by the mission, especially the appeals to Indonesia's self-image as a responsible member of the international community, were an important factor in persuading Wiranto that the ruin facing Indonesia was both moral and financial. In his conversation with Shelton on 10 September, Wiranto had said that he would personally inspect the situation in Dili, and he accompanied the five ambassadors on their visit to the capital on 11 September. According to the report of the mission, the scale of the destruction in Dili had a sobering effect on his views, and Shawcross claims that at this point Wiranto

⁶⁰ According to Stephen Fidler and Gwen Robinson, this pressure 'was instrumental in persuading Indonesia to accept an international peacekeeping force'. See Fidler and Robinson, 'IMF and World Bank played role in climbdown'.

⁶¹ See Nisid Hajari, 'The hard part', *Time*, 27 Sept. 1999, p. 49.

⁶² Interview with Ambassador Hasmy, permanent representative of Malaysia to the United Nations, New York, 27 April 2001.

⁶³ Interview with Ambassador Hasmy, Permanent Representative of Malaysia to the United Nations, New York, 27 April 2001.

began to acknowledge the need for an international force to bring the situation under control.⁶⁴

It was not only the Indonesian minister of defence who was affected by the devastation and human distress witnessed by the mission in Dili. The ambassadors' report states that 'The Mission was left with a strong sense of shock',⁶⁵ and the United Kingdom's permanent representative, Sir Jeremy Greenstock, described the level of human suffering in the East Timorese capital as a 'living hell'.⁶⁶ According to Penny Wensley, the Australian ambassador to the UN during the crisis, the mission played an important galvanizing role in overcoming any remaining concerns that some members may have had about adopting a resolution authorizing the Australian-led force. She wrote that 'Several members of the mission were deeply affected, very obviously, by the evidence of the wholesale destruction and several Council delegates who might otherwise have been reluctant, were influenced by the personal observations of their colleagues who participated in the mission.'⁶⁷

At the same time as the ambassadors were experiencing the 'living hell' that was East Timor, the Security Council, under the glare of the world's media, was conducting an open debate on the crisis. The growing diplomatic condemnation of Indonesia's East Timor policy constituted the second element in the moral pressure being exerted on the Habibie government. The need for a public debate in the Council was strongly pressed by Portugal and Australia. It was opposed by several countries who worried that it would be counterproductive, but the president of the Council, Ambassador Peter Van Walsum of the Netherlands, insisted on going ahead with what turned out to be a seven-hour debate on the crisis. By this stage, 'International media coverage of the events in East Timor had reached a crescendo',⁶⁸ and the UN would have lacked credibility had it not publicly been seen to be addressing the crisis. The Secretary-General opened the debate by repeating his statement of the previous day, when he had declared that 'The time has clearly come for [Indonesia] to seek help from the international community'.⁶⁹ This clearly set the tone for the speeches to follow. With the exception of Cuba, Libya, Vietnam and India, all the members who spoke in this debate stressed Indonesia's moral and legal obligation under the 5 May agreement to provide security for the East Timorese. If Indonesia was unwilling or unable to restore law and order, then it should accept the offer of an international peacekeeping force. Yet while requiring Indonesia to live up to its responsibilities, all participants agreed that any outside intervention was dependent upon Indonesia's consent and the adoption of a Security

⁶⁴ Report of the Security Council, p. 4; Shawcross, *Deliver us from evil*, p. 360.

⁶⁵ Report of the Security Council, p. 4.

⁶⁶ Philip Sherwell, 'Cook halts Hawk sale to Indonesia', *Daily Telegraph*, 12 Sept. 1999.

⁶⁷ Penny Wensley, 'East Timor and the United Nations', speech by Ambassador Wensley to the Australian Institute for International Affairs, the United Nations Association of Australia and the Department of Foreign Affairs and Trade, The Glover Cottages, Sydney, 23 Feb. 2000, p. 10.

⁶⁸ *Ibid.*

⁶⁹ Quoted in Shawcross, *Deliver us from evil*, p. 359.

Council resolution. It was accepted as a given of the discourse that unilateral action on the model of NATO's intervention in Kosovo was unacceptable.⁷⁰

The importance of the debate in the Security Council was that it enabled the UN membership 'to speak with a strong voice and to send an unmistakable message to the Habibie government'. The fact that the Indonesian president decided the next day to accept the offer of a multinational force leads Wensley to claim that this 'demonstrates the value of the debate in the Security Council'.⁷¹ There is an element of exaggeration here, since it is misleading to single out one factor as being decisive. Rather, as we have seen, a number of material and ideational factors explain Habibie's decision to request international military assistance. One further component in the normative side of the equation concerns the regional dimension. It was fortuitous that the APEC forum was meeting in Auckland from 9 to 12 September since this provided an important opportunity for face-to-face meetings between the key players in the region and leaders from the Western grouping.⁷² Intervention in East Timor posed two very difficult issues for Asian governments. First, they worried about legitimating an action that might serve to erode the non-intervention principle, a concern shared particularly by Myanmar (whose military went so far as to express sympathy with its Indonesian counterparts), Vietnam and Malaysia. Second, there was anxiety at what was seen as a white Australian government adopting a colonial-type mentality in its dealings with Indonesia.⁷³ To help bridge the differences between Western and Asian perspectives, the Canadian foreign minister, Lloyd Axworthy, organized a meeting on the crisis during the forum. This was held on 9 September and was attended by 19 countries, including foreign ministers from the United States, Canada, Japan and the EU, the latter being represented by the UK which held the presidency. What emerged from these discussions was a split between those Western states (including Australia) that wanted to deliver a strong message to the effect that failure to live up to its responsibilities would cost Jakarta dear, and those Asian governments that wanted to give the Indonesian government more time to put its own house in order. Nevertheless, the gathering shared a conviction that Indonesia's actions in East Timor placed it beyond the pale of civilized behaviour. This was underlined by Downer and Robin Cook, then UK foreign secretary. The former said that the talks had added 'global weight' to the issue, while the latter said that the meeting 'sends a clear signal' and a 'strong message' to Jakarta about the depth of moral revulsion at events in East Timor.⁷⁴

⁷⁰ For a full transcript of the speeches, see 4043rd meeting of the Security Council held on Saturday 11 Sept. 1999, S/PV.4043, www.un.org/peace/etimor/docs, visited on 7 July 2001.

⁷¹ Wensley, 'East Timor and the United Nations', p. 10.

⁷² *Ibid.*, p. 9.

⁷³ Anthony Smith, 'East Timor: opting for independence', *New Zealand International Review*, Nov./Dec. 1999, p. 74.

⁷⁴ 'APEC ministers says Indonesia should solve Timor crisis or accept foreign help', Kyodo news service, Tokyo, in English, *Summary of World Broadcasts*, Part 3: *Asia-Pacific*, FE/3637 S1/1, 9 Sept. 1999.

The Habibie government had, therefore, 'consented' to the deployment of an international military force. There were attempts by the Indonesian military and parliament to veto Australian participation in any UN force.⁷⁵ While such a position played out well among the ASEAN states, who were sensitive about Australia intervening in an Asian state, it did not gather momentum in New York. Australia was the only state that had both the political will and the military capability rapidly to deploy to East Timor. Other alternatives, such as a 'blue beret' UN peacekeeping force led by Asian states, would take months to put together, and it was clear from the intense media coverage of the humanitarian crisis that action was needed immediately to end the destruction. Downer formally wrote to the Secretary-General on 14 September with the Australian offer to lead a multinational force (Howard had informally accepted an invitation from Annan to lead the force in a telephone conversation on 6 September). The endorsement of this offer by the Council, coupled with the statement by Habibie on 12 September accepting the assistance of an international force, became the key elements in making possible the unanimous adoption of Resolution 1264 on 15 September that authorized INTERFET.

Despite its strong reservations about Australian leadership, Malaysia, after initially refusing to take part in the operation, contributed a token presence to the 21-state force. The biggest Asian contributor was Thailand, which deployed 1,600 troops, and the backbone of the force was the 4,500 troops of the Australian Defence Force. The United States provided vital logistic support which facilitated a speedy deployment of the ADF, but it ruled out sending infantry forces to support the Australians.⁷⁶ That the ASEAN states were prepared to participate in such a force was a groundbreaking development for the region. But they were careful to balance this military commitment with a recognition that any such involvement had to be negotiated with the Indonesian government. It is worth noting in this regard that Thailand's foreign minister, Surin Pitsuwan, flew to Jakarta after the APEC forum in his capacity as chairman of the ASEAN Standing Committee to discuss the role of ASEAN governments in the multinational force.⁷⁷

This sensitivity to Indonesia's concerns and interests was reflected in the drafting of Resolution 1264. The Council wanted to emphasize the cooperation between Indonesia and the UN in establishing the multinational force. Thus, the resolution reaffirmed respect for the sovereignty and territorial integrity of Indonesia, despite the fact that Australia was one of the few states to

⁷⁵ The Indonesian military spokesperson Brigadier General Sudrajat stated that 'The armed forces reject Australia as part of any peacekeeping troops . . . the majority of the force [should] come from ASEAN.' However, hours after this military statement, the Indonesian foreign minister reiterated the position that Habibie reportedly expressed to Annan on 12 September, namely, that 'We are putting no conditionalities so it is all up to the United Nations to prepare the composition.' See Stephen Fidler, Michael Littlejohns, Gwen Robinson and Sander Thoenes, 'Military rejects Australian troops: conflicting signals as Indonesian Foreign Minister denies conditions placed on peacekeeping mission', *Financial Times*, 14 Sept. 1999; Shawcross, *Deliver us from evil*, p. 360.

⁷⁶ David Osborne, 'UN strategy—UN seeks peace force volunteers', *Independent*, 13 Sept. 1999.

⁷⁷ Stephen Fidler and Gwen Robinson, 'Asean steps in over East Timor force', *Financial Times*, 14 Sept. 1999.

recognize unconditionally Indonesia's sovereignty over East Timor. Ambassador Wensley, who was intimately involved in the drafting process, recalls that she was careful to ensure that the resolution avoided 'offering unnecessary offence to the Indonesian Government whose cooperation remained vital'.⁷⁸ There were two key issues here. First, Indonesian military cooperation was essential if the Australian-led force was to avoid being drawn into firefights with the TNI. Second, respect for Indonesia's sovereign prerogatives was crucial in facilitating acceptance of the process by the Security Council. At the same time, there was a strong determination on the part of Australia and some Council members, notably the United States and the UK, that the force should have Chapter VII authority to 'take all necessary measures' to fulfil its mandate of restoring 'peace and security in East Timor ... [and to] facilitate humanitarian assistance operations'.⁷⁹ Reconciling respect for Indonesia's sovereignty with the moral imperative for international action to end the violence in East Timor was a complex political balancing act. Australia had a fundamental interest in the composition of the resolution, but since it was not a member of the Council, it had to rely on the UK government to steer the draft resolution through to a successful outcome.⁸⁰

The vanguard of the international peacekeeping force arrived in East Timor on 20 September. A few days earlier, the force commander, Major-General Peter Cosgrove, had flown to Dili to discuss with Indonesian army commanders the timetable for the withdrawal of Indonesian troops and their replacement by those of INTERFET. Although Indonesia had consented to the deployment of the international force, the operational environment was a fluid and uncertain one. Canberra could not be 'absolutely clear', argues James Cotton, 'that the Indonesian military would comply with the will of the UN and cooperate with the international force'.⁸¹ The TNI's attachment to this part of the archipelago runs very deep; it is estimated that 20,000 soldiers had lost their lives in the war since 1975. The unpredictable character of the army's response was heightened by the fact that many of the soldiers were native East Timorese. The press was replete with reports of the dangers that would face the ADF, and there was a strong expectation of casualties.⁸² To reduce this risk, the ADF embarked on an

⁷⁸ Wensley, 'East Timor and the United Nations', p. 11. Ambassador Hasmy reflected in April 2001 that he was concerned during the drafting of the resolution that too little weight was being given to Indonesia's cooperation with the process. He claims that, as a result, elements in the draft resolution were watered down. Interview with Ambassador Hasmy, New York, April 2001.

⁷⁹ Resolution 1264 adopted by the Security Council at its 4045th meeting on 15 Sept. 1999, www.un.org/peace/etimor/docs, visited on 9 July 2001.

⁸⁰ Wensley, 'East Timor and the United Nations', p. 11.

⁸¹ Cotton, 'Against the Grain', p. 11.

⁸² Many threats were issued by the militiamen. Eurico Guterres, leader of the pro-Indonesian Aitarak, said that the East Timorese 'are thirsty for the blood of white people'. Opinion-formers in Jakarta agreed, albeit in more polite language. Habibie's adviser Fortuna Anwar noted that 'The militias have made clear their strong animosity toward the Australians; now the hostility will be multiplied 100 times.' Prime Minister Howard openly admitted the risk to his troops. As the mission was under way, he told the Australian public: 'There will be danger. There could be casualties. And the Australian public should understand that.' Excerpts quoted from Ron Moreau and Jeffrey Bartholet, 'Marching into a trap?', *Newsweek*, 27 Sept. 1999, pp. 42–5 at pp. 42, 44.

extensive logistical operation designed to bring to the island the requisite combat capability to fulfil its mandate. In the event, the operational environment turned out to be more benign than anticipated, owing to the cooperation of the TNI: INTERFET faced little opposition and lost no troops in combat.

Conclusion: INTERFET and the new humanitarian interventionism

INTERFET marks an important departure from previous Western humanitarian interventions. The Howard government was prepared to put Australian soldiers in harm's way. Although the risks turned out to be less than expected, this could not be known with certainty by the decision-makers in Canberra. This stands in stark contrast to the strong reluctance on the part of other Western governments to incur such risks and costs in their interventions in Bosnia, Somalia, Rwanda and Kosovo. A comparison of INTERFET with the US-led intervention in Somalia is instructive. In both cases the action was mandated by the UN Security Council, but the Bush administration intervened in Somalia only because it believed (mistakenly as it turned out) that the risks of casualties were near-zero. On the other hand, Canberra used force in the expectation that this would lead to casualties, but, owing to the cooperation of the TNI, the operation turned out to be almost cost-free in human terms.

Reflecting on the experience of Rwanda, where those Western states with the power to end the slaughter had stood by and watched genocide take place, Kofi Annan admitted that states were not prepared to incur the human costs of intervention 'where no perceived vital interests were at stake'.⁸³ The case of INTERFET is particularly significant in this respect because Australia's 'vital interests' were clearly *not* being served by its armed rescue of the East Timorese. As noted in the opening section of this article, from 1975 right up to the summer of 1999 all Australian governments viewed the East Timor problem through a Jakarta first lens. It would be madness, so the consensus ran, to risk national security by making an enemy of Indonesia over the rights of the islanders. Intervention in East Timor threatened to unravel 25 years of cautious cohabitation. Australian leaders have been unwilling to countenance the argument that the INTERFET operation undermined their vital interests. Alexander Downer believed that once the East Timor question had been resolved, 'The mutual interests that tie Australia and Indonesia together will again come to the fore.'⁸⁴ This is a very naive assessment of the relationship. It would be more accurate to say that after INTERFET, Indonesian–Australian relations were 'close to free-fall'.⁸⁵

⁸³ Kofi A. Annan, *Preventing war and disaster: A growing global challenge*, annual report on the work of the organization (New York, UN, 1999), p. 12.

⁸⁴ Downer, 'East Timor—looking back on 1999', p. 5.

⁸⁵ The words of John McCarthy, Canberra's ambassador to Indonesia, quoted in Leaver, 'The meanings, origins and implications of "the Howard Doctrine"', p. 15.

In understanding how it was that the conservative government of John Howard found itself championing the agenda of the pro-independence left,⁸⁶ the question of sovereignty looms large. Australia's belief that it was in its core security interest to recognize Indonesian rule over East Timor effectively constrained it from vigorously pressing Indonesia on the security of the ballot. At the same time, political elites in Australia viewed their own sovereign identity in part according to the special relationship with Jakarta. Australia's resistance to US attempts to push Indonesia harder on security reflected both its desire to maintain its role as the West's interpreter of events in the region, and its delusion that the bilateral relationship mattered sufficiently to avert the need for a significant international peacekeeping force at any point during the transition. In our ethical audit of Australia's Timor policy, we criticized Howard and Downer for not sharing their intelligence on the activities of the TNI and the militias with the United States and at the UN. Yet we are not persuaded by the critics' arguments that alerting the international community to the violence being orchestrated by the TNI would have made possible the deployment of a preventive international peacekeeping force. Our reasoning here is that it is very hard to imagine that the rest of the world cared enough to get tough with Jakarta before the vote. It was the humanitarian catastrophe that engulfed the island *after* the vote that galvanized the UN and the major Western states into action. Moreover, even if significant leverage had been exerted by an array of multilateral institutions prior to the ballot, there must be a question mark over whether Indonesia would have capitulated.

The aftermath of the 30 August vote also poses a number of significant questions. What, in the end, was the most significant factor in bringing Habibie and Wiranto round to agreeing to the intervention by invitation? Realists and Marxists will point, respectively, to the importance of material factors such as military sanctions and the threat to cut off financial assistance. Those who tilt in the direction of constructivism will emphasize the mobilization of shame against Jakarta, and the significance of the relations that developed between the key personalities involved. Our contention is that we do not have to choose between these competing explanations. What is ignored by those who privilege materialist accounts of Indonesia's change of behaviour is that it became politically possible to employ coercion against its sovereignty only in a normative context in which the Habibie government was viewed as having failed to exercise sovereignty with responsibility.⁸⁷ At the same time, the humanitarian

⁸⁶ One of the leaders of the independence movement, Jose Ramos Horta, referred to Howard as the 'only Prime Minister in Australia in 23 years who has had the courage to respond to the appeals, to the cries, of the people of East Timor'. He went on to say: 'They will remember the likes of Paul Keating, who year after year were an accomplice of the Suharto regime.' Dennis Shanahan, 'PM accuses Keating', *The Australian*, 6 Oct. 1999.

⁸⁷ The idea of conceiving state sovereignty in terms of responsibility was first advanced by Francis Deng, the special representative of the UN Secretary-General for internally displaced persons. Deng encapsulated this approach in the phrase 'sovereignty as responsibility'. See Francis M. Deng, *Protecting the dispossessed: a challenge for the international community* (Washington, DC: Brookings, 1993) and Francis M. Deng et al., *Sovereignty as responsibility* (Washington DC: Brookings, 1995).

crisis tapped into the reservoir of public support for the East Timorese. This combination of international and domestic pressure to 'do something' enabled the Howard government to reposition itself by advocating an intervention option that previously had been confined to the worst-case planning part of the spectrum of policy responses.

What broad lessons emerge out of this latest example of the international community deploying force in defence of human rights? For those who prefer to see the glass half empty, the most disturbing aspect of this case is that it reveals once again the UN's chronic deficit in the area of conflict prevention. What was needed in early May was a robust and effective anticipatory intervention force to ensure the security of the ballot process. Despite the experience of Angola and Rwanda, where there was insufficient combat capability to prevent civil violence, the Secretariat and the Council did not provide the means (security) to deliver the ends (self-determination). For those who prefer to see the glass half full, this case represents a decisive break with previous humanitarian interventions. Until now there has been a consensus among state leaders and diplomats that force will never be used for humanitarian goals where these conflict with the national interest. Such a view was propagated during the Timor crisis by realists who condemned the Howard government for allowing 'its policy towards Indonesia and the region to become a hostage to its policy towards East Timor'.⁸⁸ What they failed to understand is that the national interest is not a given that can be read off from fixed geopolitical coordinates. Rather, the crisis in East Timor led the international community to challenge the traditional interpretation of state sovereignty in ways that reconstituted the identity and interests of the major players in the unfolding drama. Indonesia's exercise of sovereign rights became increasingly constrained by norms of humanitarian responsibility. These same pressures operating at the domestic and international level led Canberra to redefine its national interests in ways that were consistent with the common good. In so doing, one of the traditional coordinates of Australian foreign policy has been removed. After INTERFET, Australia's road to Dili no longer passes through Jakarta.

⁸⁸ Richard Woolcott, 'Hefty price to pay for meddling', *The Australian*, 17 Sept. 1999. Greg Sheridan added that the intervention had 'enormous implications for our national security': Sheridan, 'This burden is here to stay', *The Australian*, 17 Sept. 1999.